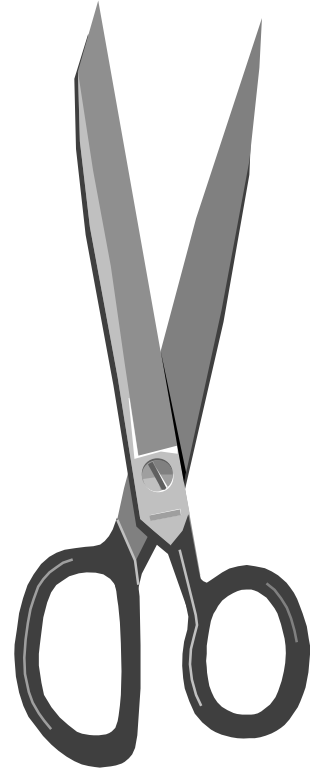


**Cut along the outer border and affix this label to your sealed bid envelope to identify it as a “Sealed Proposal”. Be sure to include the name of the company submitting the bid where requested.**

<b>SEALED PROPOSAL</b>	
<b>DO NOT OPEN</b>	
SEALED RFQ NO.:	<b>23-906-089</b>
RFQ TITLE:	<b>Request for Qualifications: Construction Management Services – Exterior Soffit, Wall Panel, and Walkway – Pinellas Technical College – St. Petersburg</b>
DUE DATE/TIME:	<b>November 14, 2022 @ 4:00 PM ET</b>
SUBMITTED BY:	_____ <b>(Name of Company)</b>
DELIVER TO:	<b>PURCHASING DEPARTMENT School Board of Pinellas County 301 Fourth Street S.W.</b>



***Please Note:***

**Pinellas County Schools has partnered with Public Purchase, a web-based eProcurement service. Public Purchase provides government agencies and their vendors with a comprehensive and easy to use web-based eProcurement system. For our vendors, this eProcurement system provides you with automatic notification and transmittal of bid solicitations to vendors. Please visit [www.publicpurchase.com](http://www.publicpurchase.com) to login and obtain any and all bidding documents**

**Once you have opened and viewed the bid document from this website you will automatically receive an e-mail notifying you when an addendum has been issued. Any such addendum will be posted on the same website listed above. However, if you obtain our bidding documents from any other source, we cannot guarantee that you will automatically receive subsequent notifications of addendums by email. In order to assure that you are automatically notified, you must visit the above website and open and view the bid document. The district will not be responsible if you fail to receive any and all addendums if you obtain the original bid document from another source.**

<b>SUBMIT BID TO:</b> PURCHASING DEPARTMENT School Board of Pinellas County, Florida 301 – Fourth Street S.W. Largo, Florida 33770-3536		<b>Request for Qualifications (RFQ)</b>	
<b>RFQ TITLE:</b> Request for Qualifications: Construction Management Services – Exterior Soffit, Wall Panel, and Walkway – Pinellas Technical College – St. Petersburg		<b>RFQ NO.</b>	<b>23-906-089</b>
<b>F.O.B.</b>		<b>BUYER:</b> Joe Benjamin, NIGP-CPP, CPPO, CPPB <b>(727)</b> 588-6143	
<b>DESTINATION POINT:</b> 901 34 <sup>th</sup> St. S. St. Petersburg, FL 33711		<b>ISSUE DATE:</b> October 31, 2022	
<b>BID DUE DATE AND TIME:</b> November 14, 2022 @ 4:00 PM ET		<b>BID OPENING ROOM:</b> A318	

**SUBMITTALS:**

Certain **Submittals** are required with this RFQ. See the **SUBMITTALS CHECKLIST** found later in the RFQ document for details. Submit **Seven (7) complete copies** of your proposal 1 copy marked as the original, 6 complete copies, and one (1) electronic copy on a USB flash drive. **Each proposal should include all information and submittals requested in this bid. Incomplete proposals may be declared non-responsive.**

**Note to Bidder:**

*A. A signed proposal submitted to the School Board obligates the bidder to all terms, conditions and specifications stated in this document, unless exceptions are taken and clearly stated in the bidder's proposal.*

*B. Proposals received after the date & time specified will not be accepted.*

Date Submitted: \_\_\_\_\_

**BIDDER MUST FILL IN THE INFORMATION LISTED BELOW AND SIGN WHERE INDICATED FOR BID TO BE CONSIDERED**

Company Name: _____	FEIN: _____
Address: _____	Telephone: (    ) -    Ext. _____
City, State: _____ Zip: _____	FAX: (    ) - _____

**NON COLLUSION:** - The bidder, by affixing its signature to this proposal, certifies that its bid is made without previous understanding, agreement, or connection with any person, firm or corporation making a bid for the same item(s), and is in all respects fair, without outside control, collusion, fraud, or otherwise illegal action.

**Signature of Owner or Authorized Officer/Agent**

_____	E-mail: _____
Typed Name of Above: _____	Title: _____

(23-906-089)

# **REQUEST FOR QUALIFICATIONS**

## **CONSTRUCTION MANAGEMENT AT RISK SERVICES**

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## **SECTION I**

### **SELECTION PROCESS**

#### **A. INTRODUCTION**

This document shall serve to provide interested parties with specific information as to the procedures for selection of Construction Management at Risk (CMR) where the method of compensation is a Negotiated Fee for THE SCHOOL DISTRICT OF PINELLAS COUNTY, FLORIDA. Pursuant to the Florida Consultant's Competitive Negotiation Act, Section 287.055 F.S., The School Board of PINELLAS County, Florida (hereinafter referred to as the "Board"), will consider the contracting of a Construction Manager at Risk.

#### **PROJECT:**

Business entities interested in providing Construction Management at Risk (CMR) to the Board are hereby notified that a sealed Qualifications Statement for providing the required services must be received by **4:00 PM ET on November 14, 2022**, in the Purchasing Department, The Pinellas County School Board (PCSB), 301 4<sup>th</sup> Street SW Largo, FL 33770.

This general information application packet shall serve to provide interested parties as to the procedures for selection of Construction Management at Risk for the Board.

#### **B. GENERAL INSTRUCTIONS**

The response shall be clearly identified as:

**Request for Qualifications – Request for Qualifications: Construction Management Services – Exterior Soffit, Wall Panel, and Walkway – Pinellas Technical College – St. Petersburg**

The response shall be submitted in a sealed envelope addressed to:

Purchasing Department, 3<sup>rd</sup> Floor  
Pinellas County School Board  
301 Fourth St. SW  
Largo, FL 33770

Proposers shall submit one (1) original marked as the original, six (6) complete copies and one (1) electronic copy on a USB flash drive, on or before the deadline listed above.

Applicants that do not comply with the Board's Procedures or deadlines established will not be considered. After the Professional Service Selection Committee has reviewed and scored the submittals and made a recommendation for award, surplus submittal books will be available to be picked up by the respondent from the Facilities Department located at the Walter Pownall Service Center, 11111 S. Belcher Road, Largo, FL.

Excess submittal books may be picked up between the hours of 8 a.m. and 3:30 p.m. M-F, (M-R during summer months) and will be held for 15 days after a Notice of Intent to Award has been published.

The Board is not liable for any costs incurred by the Applicants prior to the issuance of an executed contract.

The contents of the proposal of the successful Applicant will become part of the contractual obligations. All information submitted by Applicants is subject to the Laws of Perjury as set forth in Chapter 837, Florida

Statutes. In the event an Applicant is found to have committed perjury, such Applicant shall be ineligible for consideration for future projects. The minimum qualifying information outlined in Sections I and II shall be submitted by an Applicant as a prerequisite for consideration by the Committee and the Board. In order to facilitate selection by the Committee, Applicants are required to respond and index their submittals with the same paragraph notations as in Section II, Qualification Statement Format. The questionnaire is included with the RFQ.

Proposals must be typed or printed. All corrections made by the Applicant prior to the opening must be initialed and dated by the Applicant.

**Any questions** concerning this Request for Qualifications shall be directed in writing via e-mail to Joe Benjamin, Director of Purchasing at [benjaminst@pcsb.org](mailto:benjaminst@pcsb.org). All responses of a material nature will be posted as an addendum to the Request for Qualifications.

**All firms are hereby placed on notice that the Board, school-based staff, District level staff and members of the Professional Selection Committee shall not be lobbied either individually or collectively about this project. Firms and their agents are hereby placed on notice that they are not to contact members of the Board or staff members for such purposes as holding meetings of introduction, dinners, etc. in the attempt to influence the outcome of the selection process, if they intend to, or have submitted a proposal or Letter of Interest for this project. Such communication may result in an automatic disqualification for selection in the pending solicitation and any subsequent District solicitations for a period of six (6) months, no matter the outcome of the solicitation or any protest and/or appeal.**

## C. PROJECT DESCRIPTION

Provide Construction Management Services at Risk for: Request for Qualifications: Construction Management Services – Exterior Soffit, Wall Panel, and Walkway – Pinellas Technical College – St. Petersburg

Pinellas Technical College St. Petersburg - Scope of Work:

### **Stucco soffit replacement:**

- Remove designated stucco soffits at Building 1.
- Treat existing steel and apply new protective coatings.
- Provide new galv. support channels to existing structure for new panels, light fixtures and soffit-mounted Accessories.
- Relocate/replace electrical conduit, where required.
- Provide new pre-finished aluminum soffit panels with accessory trim.
- Provide new light fixtures, exit signs and accessories.

### **Wall panel replacement:**

- Remove existing fencing and aluminum canopies to provide access for the work.
- Remove existing insulated metal wall panels.
- Treat existing steel and apply new protective coatings, where required.
- Remove existing metal roof fascia where adjacent to low roof edges.
- Provide new plywood sheathing and SA weather resistive barrier (WRB).
- Provide new aluminum fascia and strip-in flashing to existing roofing per District standards.
- Reinstall any affected lightning protections cables and terminals on roof.
- Relocate existing conduits/wires, and security cameras, as required.

- Provide new light fixtures, alarm devices and accessories.
- Install new pre-finished aluminum wall panels with accessory trim.

#### **Second floor walkway repairs:**

- Demolish existing steel guardrails, guard posts, wall panels and steel angles/ plates at edge of 2nd floor walkways at Building 1
- demo/cut existing concrete approx. 12-in. from edge
- provide new steel support angles at edge of walkway
- provide new guardrail and post system to replace existing
- blast off existing traffic coating; install new sloped concrete overlay, where required for drainage and provide new urethane traffic coating.

#### **Stairwell roof replacement and brick restoration:**

- Remove existing roofing and flashing at exterior stairwells (FISH #055, #057, #132, & #133).
- Provide new PT wood blocking at perimeter edges, flush with brick.
- Clean existing face brick, tuck-point mortar and apply new penetrating sealer.
- Provide new roofing, tapered insulation, aluminum fascia and accessory flashing per District standards.

#### **Alternate roof replacement:**

- Remove existing roofing down to bare deck over Building 4.
- Replace existing roof drains, repair decking, and provide new roofing, tapered insulation and accessory flashing per District standards.

The estimated construction Budget is: \$ 5,450,000.00

Architect: Spiegle Architectural Group, Inc.

All facilities are owned by the District. All work shall comply with FL State Statutes, State Requirements for Educational Facilities (SREF), District requirements and State Codes.

The District will be utilizing a Direct Material Purchase process for all building materials with a value of over \$5,000.00.

#### **D. SELECTION PROCESS MILESTONES (ANTICIPATED DATES/TIMES)**

- |   |   |
|---|---|
| • October 31, 2022                      | Request for Qualifications notice e-mailed to prospective bidders & RFQ documents posted on the Public Purchase Web Site.   |
| • October 28, Nov. 4, and Nov. 11, 2022 | Legal Advertisements- Business Observer   |
| • November 9, 2022                      | Last Day to request information   |
| • November 14, 2022                     | <b>Proposals due in Purchasing @ 4 p.m. E.T.</b> Public bid opening to follow immediately thereafter in Room A318, Purchasing Department, School Administration Building, 301 |

4<sup>th</sup> Street S.W., Largo, Florida.

**NOTE:** The Largo Administration Building is a secured Inform the officer at the front desk that you have a bid to be delivered to the Purchasing Department. The officer will call Purchasing and someone from the department will come to the front desk to date and time stamp your bid and provide a receipt. **This process may take several minutes, so please allow sufficient time when hand delivering a bid submittal.**

- November 15 – December 6, 2022 Committee Members evaluate and score responses from contractor(s).
- December 9, 2022 \*Professional Service Selection Committee meeting to score and rank responses. Meeting 8:30 AM @. in the Royal Palm Room, Walter Pownall Service Center, 11111 S. Belcher Road, Largo, FL
- December 16, 2022 Shortlisted Firms site visit/walkthrough 9:00 am – 10:00 am.
- January 13, 2023 \*Interviews and final ranking of responses.

*All Evaluation Meetings are open to the public, presentations and interviews are closed.*

#### **E. MANDATORY SUBMITTAL REQUIREMENT**

All responses to the RFQ, with the exception of sample items which typically are generated in larger format, shall be submitted in an 8-1/2" x 11", edge-bound format. Covers may be slightly larger. Sections shall be tabbed to correspond to the headings listed in the RFQ Contents shall be in conformance with requested criteria utilizing the applicant firm's phrasing to complete the requested listing. The booklet shall be numbered with the maximum number of pages being 80.

#### **F. SELECTION PROCESS FOR PROPOSALS AND METHOD OF EVALUATION:**

The Professional Service Selection Committee will review all proposals received by the specified due date and time and score the proposals independently in accordance with the criteria listed in this Request for Qualifications on the Proposal Evaluation Form and pursuant to F.S. 287.055. After each member of the Professional Service Selection Committee has submitted their scores, they will be totaled and the firms with the highest scores, no fewer than three (3), will be selected to participate in the oral interviews/presentations.

All proposals will be evaluated using a weighted point system applied to a list of both objective and subjective criteria. The criteria and their associated point value are listed on the **Proposal Evaluation Form** included in this document. Written proposals are worth 100 points.

Oral interview/presentation scores are worth 100 points. Each committee member score will be multiplied by 3, that number will be added to the written score for a total score. Those total scores will be added together to determine a grand total. The highest scoring firm will be the highest ranked firm and recommended for award.

#### **G. PUBLIC RECORD LAW**

Public Records: Section 119.0701, Florida Statutes, requires that the Contractor comply with Florida's public records laws with respect to services performed on behalf of the School Board. Specifically, the statute requires that the Contractor:

- a. Keep and maintain public records required by the School Board to perform the service.
- b. Upon request from the School Board's custodian of public records, provide the School Board with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119 of the Florida Statutes or as otherwise provided by law.
- c. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the term of this Agreement and following completion of the Agreement if the Contractor does not transfer the records to the School Board.
- d. Upon completion of the Agreement, transfer, at no cost, to the School Board all public records in the possession of the Contractor or keep and maintain public records required by the School Board to perform the service. If the Contractor transfers all public records to the School Board upon completion of the Agreement, the Contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Contractor keeps and maintains public records upon completion of the contract, the Contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the public agency, upon request from the public agency's custodian of public records, in a format that is compatible with the information technology systems of the public agency.
- e. A request to inspect or copy public records relating to this Agreement must be made directly to the School Board. If the School Board does not possess the requested records, the public agency shall immediately notify the Contractor of the request, and the Contractor must provide the records to the School Board or allow the records to be inspected or copied within a reasonable time.
- f. The failure of the Contractor to comply with these provisions, if applicable, shall constitute a default and material breach of this Agreement, which may result in immediate termination, with no penalty to the School Board and may also result in penalties under Section 119.10, Florida Statutes.
- g. IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS, ANGELA BROWN, SUPERVISOR OF RECORDS MANAGEMENT AT 727-793-2701 X 2393, 2929 COUNTY ROAD 193, CLEARWATER, FL 33759, [brownangel@pcsb.org](mailto:brownangel@pcsb.org).**

## H. BACKGROUND SCREENING

As required by The Jessica Lunsford Act [s.21 of Ch.2005-28, L.O.F.], if anyone representing a vendor under contract with the school district **will have access to school grounds when students are present, have direct contact with students or have access to or control of school funds**, such personnel are required to be screened at Level 2, to include fingerprinting, statewide criminal and juvenile justice records checks through the Florida Department of Law Enforcement and federal criminal records checks through the Federal Bureau of Investigation. [s. 1012.465, Florida Statutes]

The requirements of this law must be met in order for the School Board to contract with your company. To make an appointment to be screened by Pinellas County Schools, go to:  
<http://fieldprintflorida.com/>

The code for a full submission (fingerprinting and new badge) is FPPCSVendors.  
 The code for a badge replacement only is FPPCSBadge.

If Contractor/Vendor is awarded all or a portion of this bid, Contractor/Vendor hereby acknowledges and agrees to abide by the Florida Jessica Lunsford Act (1012.465, F.S.) and obtain, at its own cost, Level 2 clearance of all



employees, agents, and subcontractors who (1) have access to school grounds when students are present, (2) have direct contact with students, on or off school grounds, or (3) have access to or control of school funds.

## **I. FILLABLE BID FORMS**

For your convenience, some of the forms which must be completed and submitted along with your bid proposal will be posted on the Purchasing Website under the RFQ Construction Management tab:

<http://www.pcsb.org/Page/744>

Please use these forms to avoid the need to hand write information. If sufficient room has not been provided on the form to enable you to enter a complete response, please include a supplemental attachment if necessary. Please note that this file may not include all the forms that should be submitted with your bid proposal so please check the **Submittals Checklist** near the end of this document for a complete list of requested and required submittals.

## **J. GENERAL TERMS AND CONDITIONS**

The Pinellas County School District (District) “General Terms and Conditions” School Board Adopted 12/08/09 Revised 3/20/12, 7/24/12 can be found at the following link:

<https://www.pcsb.org/cms/lib/FL01903687/Centricity/Domain/187/General%20Terms%20and%20Conditions.pdf>

By submitting a proposal, Proposer agrees to abide by all District Terms and Conditions.

**SECTION II**  
**RESPONSE TO REQUEST FOR QUALIFICATION STATEMENT FORMAT**

**DELIVERABLES**

To facilitate analysis of its qualifications package, the firm shall prepare its qualifications package in accordance with the instructions outlined in this section. This qualifications package shall not be more than 80 pages “including” the Experience Questionnaire and excluding” tabs “only. (Please number pages). The Experience Questionnaire and all forms, reports, or statements in this RFQ shall be typed or printed (see **FILLABLE BID FORMS**, page 14).

RFQ packages received after the designated deadline will be returned to the applicant firm, unopened. If the firms’ qualifications package deviates from these instructions, such qualifications package may, in the District’s sole discretion, be rejected.

The District is not responsible for any cost incurred by the applicant firms, prior to the issuance of an executed contract.

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**TAB 1: MINIMUM REQUIREMENTS (NON-SCORED)**

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

**1. PCS FORM 3-852-A-RFQ**

Complete and sign PCS Form 3-852-A-RFQ (page 1 of this document).

**2. LETTER OF INTRODUCTION (NON-SCORED)**

Letter shall include a brief summary of firm’s history and commitment to project. Letter shall be limited to one page.

**3. PROFESSIONAL LICENSES, CURRENT**

Provide copies of all current contractors’ licenses.

**4. INSURANCE PROGRAM**

Describe the firms’ insurance programs and include a copy of the firms’ insurance certificates, which indicate coverages that meet the District’s requirements. See INSURANCE SPECIFICATIONS FOR CONTRACTORS included in this RFQ document.

**5. FINANCIAL INFORMATION**

In a “**separate sealed envelope**” addressed exactly like the RFQ package and with “**Financial Information**” typed on the face, submit one audited financial statement of the applicant firm which must include a balance sheet, income statement, statement of cash flows and notes to the financial statement. The audited financial statement must not be older than 1 year. However, if the most current financial statement has not been audited, a current balance sheet must accompany the most recent audited financial statement.

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 attach it to the firm's financial statement.

**Firms only need to provide ONE copy of the Financial Information and Bonding Statement.**

**TAB 2: GENERAL INFORMATION (10 MAXIMUM POINTS)**

1. Experience Questionnaire (Utilize form provided)
2. Financial Capability Statement (Utilize form provided)

If the applicant firm is a corporation, add copies of the following to Tab 2:

3. Incorporation Documents from the Secretary of State of Florida
4. **"Certified Original"** of the corporate minutes authorizing the firm's representative's signature

**5. Equitable Distribution:**

In an effort to consider the equitable distribution of work, the committee chairperson shall evaluate data showing dollar amounts of projects awarded and/or contracted by Pinellas County Schools to the submitting firms. The dollar amount of the projects awarded will reflect the estimated **construction budget** listed on the Request for Qualifications (RFQ) and/or the Invitation to Bid (ITB) for projects awarded in the last three (3) fiscal years (July 1-June 30). This includes continuing contracts awarded and/or contracted.

Equitable Distribution points will be distributed as follows: (these points are included in the 10 maximum points)

0.00 to 10,000,000	3 points
10,000,001 to 20,000,000	2 points
20,000,001 to 30,000,000	1 point
30,000,001 and over	0 points

**TAB 3: REFERENCE QUESTIONNAIRE (0-4 points)**

Provide a list of a minimum of four (4) references in this section. Those references must complete the enclosed "Reference Questionnaire" **and have them sent directly to Joe Benjamin, Director of Purchasing** at [benjamininst@pcsb.org](mailto:benjamininst@pcsb.org) prior to the Request for Qualifications due date and time. References received after the due date and time will not be considered.

**TAB 4: LOCATION (0-3 POINTS)**

- A. Pinellas County – 3 points
- B. Pasco, Hillsborough and Manatee Counties – 2 points
- C. State of Florida – 1 point
- D. Outside state of Florida – 0 points

**TAB 5: QUALIFICATIONS OF ANTICIPATED STAFF (0-15 POINTS)**

1. Executive Summary – Explain in detail your rationale for selecting your firms' team for this project. Provide a matrix of the personnel forming your team along with up to ten projects that they have worked on together which are similar in scope to the proposed project. Provide a detailed project page for each project included in the matrix. (10 points)
2. Provide a professional resume for each member of your team. (5 points).

**TAB 6: QUALIFICATIONS OF THE FIRM (0-20 POINTS)**

1. Executive Summary - Based on the projects you are submitting for review in this section, explain why you are the most qualified firm for this project. Provide at least one specific example of how the knowledge you gained in these projects will contribute to the success of the proposed project. (10 points)
2. Provide a detailed project page for five projects with similar scope which highlights your firms' ability to successfully deliver the proposed project. You may highlight projects completed by your firm that have not involved your proposed team. (10 points)

**TAB 7: AVAILABILITY OF STAFF (0-20 POINTS)**

1. Executive Summary – Explain your staffing model. How do you optimize your staffing model to ensure quality control and cost efficiency? (10 points)
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 which the following: (10 points).
  - 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 8: COST CONTROL AND SCHEDULING (0-10 POINTS)**

1. Describe in detail how your firm arrives at a proposed GMP. (2 points).
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. (2 points).
3. Provide an example of how your can accelerate the project schedule in order to bring the project to completion on time and in order to reduce costs. (2 points).
4. How are you going to encourage and ensure local subcontractor bid participation? (4 points)

**TAB 9: WARRANTY PROGRAM AND TRAINING (0-6 POINTS)**

1. Provide your quality assurance plan for this project, include your firms' approach for validating compliance with the construction documents and explain your process for ensuring quality workmanship. (2 points)
2. Describe your warranty process including your training program. (2 points).
3. Provide your closeout management plan for this project. Describe your systems and procedures for your closeout plan. (2 points).

**TAB 10: PCSB FACILITIES DESIGN AND CONSTRUCTION EVALUATION (0-12 POINTS)**

NOTE: Points for this Tab will be scaled from average evaluations held by the Facilities Design and Construction Department. New firms with no evaluations on file will receive a base line score of seven (7). For reference, form is posted on the PCSB Purchasing website under RFQ Construction Management Services. No response is necessary under this tab, it is for information purposes only.

### **SECTION III**

### **INTERVIEW/PRESENTATION FORMAT**

Section III is for the Interview/Presentation Process. All scoring for this section is subjective and scored separately by the Committee Members based on their individual judgment of your presentation. The firms conducting the interview should cover all the topics indicated below, this is not the time to market your firm. It is important to follow the steps in order to ensure you cover all of the topics to receive the maximum score. Note: These interview questions are subject to change prior to shortlist invitations are sent out.

#### **1. Communication and Proposed Project Staff (0-10 points)**

Briefly discuss your firms' approach towards becoming a partner with Pinellas County Schools in this project:

- Explain how you will relieve the principal of the burden of communicating project updates to staff, parents and the community.
- Explain how your firm will communicate with the District's Facilities Design and Construction Department and the design firm for this project.

#### **2. Local Subcontractor Participation & Economic Impact (0-10 points)**

- 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.

#### **3. Knowledge of the Project Site, and Educational Needs of the School (0-25 points)**

Identify and discuss what you view to be the top three key issues/challenges facing this project. In your discussion demonstrate knowledge of the project site including the facility's existing conditions and local ordinances as they pertain to the project. In addition, discuss any unique educational needs/requirements of the school and how you will work to meet or protect those interests. Explain what steps will be taken to minimize impact on school functions.

#### **4. Cost Control/Value Engineering (0-25 points)**

Provide an analysis of the proposed budget for the project. Demonstrate knowledge and experience in the evaluation of building systems and construction techniques and provide recommendations which may create increased value in order to meet the budgetary requirements of the project.

#### **5. Overall Approach and Schedule (0-45 points)**

Discuss in detail your plan for performing this project including the services to be provided and the interrelationships of all parties. As a part of the project approach, propose a schedule for effectively managing and executing the work in the optimum time, develop a detailed schedule identifying all major project activities and milestones.

# **REQUEST FOR QUALIFICATIONS: EXPERIENCE QUESTIONNAIRE**

## **GENERAL INFORMATION**

Submitted by: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone; \_\_\_\_\_  
Fax: \_\_\_\_\_  
\_\_\_\_\_  
Qualifying Agent's Name \_\_\_\_\_  
License Number: \_\_\_\_\_

Check One: A Corporation ☐ A Partnership ☐ A Joint Venture: ☐

Certified Minority Contractor: Certifying Agency: \_\_\_\_\_

☐ African American ☐ Hispanic American ☐ Asian American  
☐ Women Owned ☐ Native American ☐ Service Disable Veteran

If a Corporation:

Date of Incorporation; \_\_\_\_\_  
State of Incorporation: \_\_\_\_\_  
President Name: \_\_\_\_\_  
Vice President: \_\_\_\_\_  
Secretary: \_\_\_\_\_  
Treasurer; \_\_\_\_\_

If a Partnership or Individual Proprietorship:

Date of Organization: \_\_\_\_\_  
If Partnership, state if  
General or Limited: \_\_\_\_\_  
Name of Owners/Partners \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**REQUEST FOR QUALIFICATIONS: EXPERIENCE QUESTIONNAIRE**

Current Firm Name: \_\_\_\_\_

How many years has this firm been in business: \_\_\_\_\_

Previous Firm Name: \_\_\_\_\_

How many years had the previous firm been in business? \_\_\_\_\_

Indicate Firm History (chronology):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**SUBSIDIARY OR AFFILIATED COMPANIES IN WHICH PRINCIPALS HAVE FINANCIAL INTEREST**

Name and Address of Subsidiary or Affiliated Companies	Explain in detail the Principal’s interest in this Company and Nature of Business

The Firm acknowledges that information provided in this Experience Questionnaire and the Financial Statement is for the expressed purpose of inducing the Owner to whom it is submitted to award a contract to the Firm and further the Firm acknowledges that the Owner may at its’ discretion, by means which the Owner may choose, determine the truth and accuracy of all statements made by the Firm.

## **REQUEST FOR QUALIFICATIONS: EXPERIENCE QUESTIONNAIRE**

Is your Firm currently pre-qualified with any governmental agency? Yes ☐ No ☐

If yes, please list agency/agencies:

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Within the previous seven (7) fiscal years, has your Firm been denied a contract award on which you submitted the low bid in competitive bidding, or been refused prequalification? Yes ☐ No ☐

If yes, please explain:

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Within the previous seven (7) fiscal years, has your Firm failed to complete a project? Yes ☐ No ☐

If yes, state the name of the project, the Firm responsible, and the reason for failure to complete.

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Within the previous seven (7) fiscal years, has your Firm been involved in litigation? Yes ☐ No ☐

If yes, state the name of the project, the Firm responsible, and explain the nature and current status.

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## **REQUEST FOR QUALIFICATIONS: EXPERIENCE QUESTIONNAIRE**

Within the previous seven (7) fiscal years have there been any liquidated damages, penalties, liens, defaults, or cancellations imposed or filed against your Firm? Yes ☐ No ☐

If yes, state the name of the project, the Firm responsible, and explain the nature and current status.

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Within the previous seven (7) fiscal years, has your Firm declared bankruptcy? Yes ☐ No ☐

If yes, please explain:

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# **REQUEST FOR QUALIFICATIONS: EXPERIENCE QUESTIONNAIRE**

## **FINANCIAL CAPABILITY STATEMENT**

Firm Name: \_\_\_\_\_

Complete the following;

Total Billings for Previous Three (3) Fiscal Years:

<u>Year</u>	<u>Total Billings</u>

For years referenced above, estimated total value of uncompleted work on outstanding contracts:

<u>Year</u>	<u>Total Billings</u>

The Firm's financial statement and the Bonding Company's letter, placed in a separate sealed envelope as required by this "Request for Qualifications", is a true and accurate representation of the financial status of this Firm.

The undersigned certifies that he/she is a principal or officer of the Firm authorized to sign on behalf of the Firm and certifies that all information included within this application is true and accurate and that all statements of intent or proposed future action (including the assignment of personnel and the provisions of services) will be honored by the Firm if awarded the contract.

For and on behalf of the Firm

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(typed name)

\_\_\_\_\_  
(title)

## REFERENCE QUESTIONNAIRE

Provide a minimum of four (4) completed Reference Questionnaires, two (2) from previous owners, NOT PCSB, and two (2) from architects from completed projects and, **COMPLETED** responses shall be sent to Joe Benjamin via email at [benjaminst@pcsb.org](mailto:benjaminst@pcsb.org) prior to. (Duplicate this form as needed)

Applicant Firm Name: \_\_\_\_\_  
Reference Organization/Firm Name: \_\_\_\_\_  
Reference Contact Person \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
RFQ # \_\_\_\_\_ Project: \_\_\_\_\_

Please use the following scoring guidelines:

(1) Did not meet expectations   (2) Below Average   (3) Average/Satisfactory   (4) Above Average

Item	Question	Score
1	How would you score this firms' pre-constructions services?	_____
2	How would you score this firms' cost control to stay within construction budget?	_____
3	How would you score this firms' ability to resolve conflicts professionally and in a timely manner?	_____
4	How would you score this firms' working relationship with owner	_____
5	How would you score this firms' working relationship with architect and consultants?	_____
6	How would you score this firms' ability to complete the project on time?	_____
7	How would you score this firms' ability to complete punch list deficiencies in a timely manner?	_____
8	How would you score this firms' ability to accurately document actual conditions for as built records?	_____
9	How would you score this firms' ability to administratively close out the project?	_____
10	How would you score this firms' warranty program?	_____
11	Would you use this firm again?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Additional Comments:

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\_\_\_\_\_  
(Signature)

For PCSB Use Only: Total Raw Score \_\_\_\_\_

## **SUBMITTALS CHECKLIST**

Name of Firm: \_\_\_\_\_

Signature of Evaluator: \_\_\_\_\_

To help ensure that you include all the submittals necessary to complete a thorough evaluation of your proposal, we ask that you use this checklist to make sure you have enclosed all **Required** submittals before sealing and submitting your proposal.

The list below comprises the **Required Submittals**, and they **must be** submitted at the time you submit your proposal or it will be declared non-responsive. Submit seven (7) **complete copies** and one electronic copy of your proposal.

<u>Verified</u> by Firm	<u>Verified</u> by Evaluator	<b>Description of Required Submittal</b>	<b>Page No.</b>
<input type="checkbox"/>	<input type="checkbox"/>	Completed and signed Form 3-852-A-RFQ	1
<input type="checkbox"/>	<input type="checkbox"/>	<b>TAB 1: MINIMUM REQUIREMENTS</b>	1
<input type="checkbox"/>	<input type="checkbox"/>	<b>TAB 2: General Information</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<b>TAB 3: References</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<b>TAB 4: Location</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<b>TAB 5: Qualifications of Anticipated Staff</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<b>TAB 6: Qualifications of the Firm</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<b>TAB 7: Availability of Staff</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<b>TAB 8: Cost Control and Scheduling</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<b>TAB 9: Warranty Program and Training</b>	

Items listed as **Requested** should be submitted at the time you submit your bid to facilitate the bid evaluation process, but will not be cause for declaring your bid non-responsive.

<input type="checkbox"/>	<input type="checkbox"/>	Completed and signed Drug Free Workplace Certification Form (optional)	
<input type="checkbox"/>	<input type="checkbox"/>	Completed and signed Certification Regarding Debarment Form AD-1048	

## **DRUG FREE WORKPLACE CERTIFICATION FORM**

In accordance with Florida Statute 287.087, preference shall be given to businesses with drug-free workplace programs. Whenever two or more bids which are equal with respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a bid received from a business that certifies that it has implemented a drug-free workplace program *shall be given preference* in the award process. Established procedures for processing tie bids will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free program, a business shall:

- 1) Publish 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) Inform 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) Give 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), notify 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 workplace no later than five (5) days after such conviction.
- 5) Impose a sanction on, or require 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.

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Authorized Signature

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

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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 REVERSE SIDE \*\*\*\*\***

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is 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 attached an explanation to this proposal.

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Organization Name

PR/Award Number or Project Name

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Name(s) and Title(s) of Authorized Representative(s)

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Signature(s)

Date

Form AD-1048 (1/92)

## **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 which 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.

Form AD-1048 (1/92)

# **Executive Order 12549--Debarment and Suspension**

**Source:** The provisions of Executive Order 12549 of Feb. 18, 1986, appear at 51 FR 6370, 3 CFR, 1986 Comp., p. 189, unless otherwise noted.

By the authority vested in me as President by the Constitution and laws of the United States of America, and in order to curb fraud, waste, and abuse in Federal programs, increase agency accountability, and ensure consistency among agency regulations concerning debarment and suspension of participants in Federal programs, it is hereby ordered that:

**Section 1.** (a) To the extent permitted by law and subject to the limitations in Section 1(c), Executive departments and agencies shall participate in a system for debarment and suspension from programs and activities involving Federal financial and nonfinancial assistance and benefits. Debarment or suspension of a participant in a program by one agency shall have government-wide effect.

(b) Activities covered by this Order include but are not limited to: grants, cooperative agreements, contracts of assistance, loans, and loan guarantees.

(c) This Order does not cover procurement programs and activities, direct Federal statutory entitlements or mandatory awards, direct awards to foreign governments or public international organizations, benefits to an individual as a personal entitlement, or Federal employment.

**Sec. 2.** To the extent permitted by law, Executive departments and agencies shall:

(a) Follow government-wide criteria and government-wide minimum due process procedures when they act to debar or suspend participants in affected programs.

(b) Send to the agency designated pursuant to Section 5 identifying information concerning debarred and suspended participants in affected programs, participants who have agreed to exclusion from participation, and participants declared ineligible under applicable law, including Executive Orders. This information shall be included in the list to be maintained pursuant to Section 5.

(c) Not allow a party to participate in any affected program if any Executive department or agency has debarred, suspended, or otherwise excluded (to the extent specified in the exclusion agreement) that party from participation in an affected program. An agency may grant an exception permitting a debarred, suspended, or excluded party to participate in a particular transaction upon a written determination by the agency head or authorized designee stating the reason(s) for deviating from this Presidential policy. However, I intend that exceptions to this policy should be granted only infrequently.

**Sec. 3.** Executive departments and agencies shall issue regulations governing their implementation of this Order that shall be consistent with the guidelines issued under Section 6. Proposed regulations shall be submitted to the Office of Management and Budget for review within four months of the date of the guidelines issued under Section 6. The Director of the Office of Management and Budget may return for reconsideration proposed regulations that the Director believes are inconsistent with the guidelines. Final regulations shall be published within twelve months of the date of the guidelines.

**Sec. 4.** There is hereby constituted the Interagency Committee on Debarment and Suspension, which shall monitor implementation of this Order. The Committee shall consist of representatives of agencies designated by the Director of the Office of Management and Budget.

**Sec. 5.** The Director of the Office of Management and Budget shall designate a Federal agency to perform the following functions: maintain a current list of all individuals and organizations excluded from program participation under this Order, periodically distribute the list to Federal agencies, and study the feasibility of automating the list; coordinate with the lead agency responsible for government-wide debarment and suspension of contractors; chair the Interagency Committee established by Section 4; and report periodically to the Director on implementation of this Order, with the first report due within two years of the date of the Order.

**Sec. 6.** The Director of the Office of Management and Budget is authorized to issue guidelines to Executive departments and agencies that govern which programs and activities are covered by this Order, prescribe government-wide criteria and government-wide minimum due process procedures, and set forth other related details for the effective administration of the guidelines.

**Sec. 7.** The Director of the Office of Management and Budget shall report to the President within three years of the date of this Order on Federal agency compliance with the Order, including the number of exceptions made under Section 2(c), and shall make recommendations as are appropriate further to curb fraud, waste, and abuse.



# INSURANCE SPECIFICATIONS FOR CONTRACTORS

*(present this information to your insurance agent)*

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The contractor shall obtain, within ten (10) working days of the award by the School Board, all of the insurance coverage's required in the project specifications. Certificates of Insurance shall be filed with and approved by the School Board before the contractor or any subcontractor is allowed to commence work on the project.

The School Board of Pinellas County shall be listed both as an "Additional Insured" and "Certificate Holder" on all insurance policies obtained by the contractor as the result of being awarded a contract; unless expressly prohibited by the insurance company. A written explanation of that insurance company's position will be attached to the Certificate of Insurance filed with the School Board of Pinellas County's Risk Management Department. Any requirement by the contractor's insurance company that an additional premium shall be required for the issuance of a Certificate of Insurance with the School Board of Pinellas County as an "Additional Insured" shall not excuse any failure to obtain the required insurance certificate. The School Board of Pinellas County requires a 10 notice of cancellation and a 30 notice for non-renewal.

The name of the insurance company(ies) listed on the Certificate of Insurance on file in the Risk Management Department shall be the same as it appears in Best's Financial Strength Rating. The insurance company named on the Certificate of Insurance shall have a rating of "A-V" or better as stated in Best's Financial Strength Rating.

## **I. GENERAL LIABILITY INSURANCE**

The contractor shall provide the ISO Commercial General Liability Policy. The Owner shall be exempt from, and in no way liable for, any sums of money which may represent a deductible in any insurance policy. The payment of such deductible shall be the responsibility solely of the contractor or subcontractor providing such insurance.

The **Commercial General Liability Policy (CGL)** is a method of automatically providing a broad range of common coverage extensions to the CGL policy that firms often need and overlook. By having a CGL policy, it will reduce the overall cost of providing those other coverage's at a future date and allows for a wide distribution of those packaged coverage's.

The **CGL** policy shall provide coverage of at least the following items:

### **a) General Aggregate:**

- i) **Premises Operation** which will include XCU coverage except when work does not include foundation, structural work, pressure fired vessels or materials or construction techniques which could explode.
- ii) **Independent Contractor's Protective** which provides coverage for injury to others arising out of the independent contractors work. General Contractors may opt to provide this coverage in lieu of naming the School Board of Pinellas County as "Additional Insured".
- iii) **Broad Contractual Liability** which is liability assumed by the insured under any contract agreement. This includes any oral or written contract or agreement relating to the conduct of the named insured's business. If excluded, exception for liability is assumed in an insured contract.

### **b) Products and Completed Operations**

### **c) Personal & Advertising Injury Liability**

The contractor shall obtain insurance which shall at least meet the following minimum limits:

# INSURANCE SPECIFICATIONS FOR CONTRACTORS

*(present this information to your insurance agent)*

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## **For projects/contracts under \$500,000.00:**

- \$1,000,000.00 per occurrence, \$2,000,000.00 general aggregate.

## **For projects/contracts \$500,000.00 and over:**

- \$5,000,000.00 per occurrence, \$5,000,000.00 general aggregate.

## **2. AUTOMOTIVE LIABILITY INSURANCE**

The contractor shall obtain Business Coverage Automobile Insurance which shall protect the contractor from claims for damage for personal injury, bodily injury including accidental death, as well as claims for property damages which may arise from operations under this contract whether such operations are by himself or by anyone directly or indirectly employed by him. Coverage shall include owned, non-owned, hired and rented vehicles.

The contractor shall obtain insurance which shall at least meet the following minimum limits:

- \$300,000.00 Combined Single Limit
- \$100,000.00 Bodily Injury (per person), \$300,000.00 Bodily Injury (per accident)
- \$100,000.00 Property Damage

## **3. WORKERS' COMPENSATION INSURANCE**

The contractor shall take out and maintain during the life of this Contract, Workers' Compensation Insurance for all of his employees connected with the work of this Project and, in case any work is sublet, the contractor shall require the subcontractors similarly to provide Workers' Compensation Insurance as required by FS 440 for all the latter's employees unless such employees are covered by the protection of the contractor. The following limits shall be obtained:

The contractor shall obtain insurance which shall at least meet the following minimum limits:

- State Worker's Compensation: Statutory
- Employer's Liability: \$100,000.00 Each Accident  
\$500,000.00 Disease, Policy Limit  
\$100,000.00 Disease, Each Employee

(insuranc.dot) mar 1/1/1 (Rev 04/11)

# Pinellas County District Schools

## Bid Protest Procedure

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*A bidder who wishes to file a protest pertaining to a bid must file such notice in accordance with procedures prescribed by 120.57(3) enumerated below. For bids solicited by the purchasing department, the notice must be filed with the director of purchasing. For bids solicited by the facilities department, the notice must be filed with the director of facilities.*

1. Any person who is adversely affected by the district decision or intended decision shall file with the director of purchasing or director of facilities a notice of protest in writing within 72 hours after the posting of the bid tabulation or after receipt of the notice of the district decision or intended decision and shall file a formal written protest within 10 days after filing the notice of protest. With respect to a protest of the specifications contained in an invitation to bid or in a request for proposals, the notice of protest shall be filed in writing within 72 hours after the receipt of notice of the project plans and specifications or intended project plans and specifications in an invitation to bid or request for proposals, and the formal written protest shall be filed within 10 days after the date the notice of protest is filed. Failure to file a notice of protest or failure to file a formal written protest shall constitute a waiver of proceedings under this chapter. The formal written protest shall state with particularity the facts and law upon which the protest is based. Saturdays, Sundays, and legal holidays shall be excluded in the computation of the 72-hour time periods provided by this paragraph.
2. Any person who files an action protesting a decision or intended decision pertaining to a bid pursuant to FS 120.57(3)(b), shall post at the time of filing the formal written protest, a bond payable to the Pinellas County School District in an amount equal to 1 percent (1%) of the total estimated contract value, but not less than \$500 nor more than \$5,000, which bond shall be conditioned upon the payment of all costs which may be adjudged against the protester in the administrative hearing in which the action is brought and in any subsequent appellate court proceeding. In lieu of a bond, a cashier's check, certified bank check, bank certified company check, money order or U.S. currency will be acceptable form of security. If, after completion of the administrative hearing process and any appellate court proceedings, the district prevails, it shall recover all costs and charges which shall be included in the final order or judgment, including charges made by the Division of Administrative Hearings, but excluding attorney's fees. Upon payment of such costs and charges by the protester, the protest security shall be returned. If the protester prevails, he or she shall recover from the district all costs and charges which shall be included in the final order of judgment, excluding attorney's fees.
3. Upon receipt of the formal written protest and protest bond which has been timely filed, the district shall stop the bid solicitation process or the contract award process until the subject of the protest is resolved by final district action, unless the Superintendent sets forth in writing particular facts and circumstances which require the continuance of the bid solicitation process or the contract award process without delay in order to avoid an immediate and serious danger to the public health, safety, or welfare.
4.
  - a) The district shall provide an opportunity to resolve the protest by mutual agreement between the parties within 7 days, excluding Saturdays, Sundays, and legal holidays, after receipt of a formal written protest.
  - b) If the subject of a protest is not resolved by mutual agreement within 7 days, excluding Saturdays, Sundays, and legal holidays, after receipt of the formal written protest, and if there is no disputed issue of material fact, an informal proceeding shall be conducted pursuant to 120.57(2) FS and applicable district rules before a person whose qualifications have been prescribed by rules of the district.
  - c) If the subject of a protest is not resolved by mutual agreement within 7 days, excluding Saturdays, Sundays, and legal holidays, after receipt of the formal written protest, and if there is a disputed issue of material fact, the district shall refer the protest to the Division of Administrative Hearings for proceedings under 120.57(1) FS.
5. Upon receipt of a formal written protest referred pursuant to this subsection, the director of the Division of Administrative Hearings shall expedite the hearing and assign an administrative law judge who shall commence a hearing within 30 days after the receipt of the formal written protest by the division and enter a recommended order within 30 days after the hearing or within 30 days after receipt of the hearing transcript by the administrative law judge, whichever is later. Each party shall be allowed 10 days in which to submit written exceptions to the recommended order. A final order shall be entered by the district within 30 days of the entry of a recommended order. The provisions of this paragraph may be waived upon stipulation by all parties.
6. In a competitive-procurement protest, no submissions made after the bid or proposal opening amending or supplementing the bid or proposal shall be considered. Unless otherwise provided by statute, the burden of proof shall rest with the party protesting the proposed district action. In a competitive-procurement protest, other than a rejection of all bids, the administrative law judge shall conduct a de novo proceeding to determine whether the district's proposed action is contrary to the district's governing statutes, the district's rules or policies, or the bid or proposal specifications. The standard of proof for such proceedings shall be whether the proposed district action was clearly erroneous, contrary to competition, arbitrary, or capricious. In any bid-protest proceeding contesting an intended district action to reject all bids, the standard of review by an administrative law judge shall be whether the district's intended action is illegal, arbitrary, dishonest, or fraudulent.