



**AGENDA  
BID COMMITTEE MEETING  
THURSDAY, APRIL 20, 2023  
2:00 PM**

- 1. CALL TO ORDER**
- 2. APPROVAL OF MINUTES**
  - A. February 2, 2023**
- 3. NEW BUSINESS**
  - A. RFQ 23-01-CD, Proposal for Town Center Conceptual Site Master Planning & Landscaping Consulting Services**
- 4. PUBLIC COMMENTS** (Comments from the public on any matters considered at the meeting, or on any matters not on the agenda)

**DRAFT**

**MINUTES SPECIAL  
SPECIAL BID COMMITTEE MEETING  
FEBRUARY 2, 2023**

**1. CALL TO ORDER:**

Bid Committee Chairman Jeffery Cozadd called the meeting to order on Friday, February 2, 2023 at 9:30 PM in the City of Destin Boardroom.

**2. ROLL CALL:**

**Bid Committee Members Present:**

|                                               |                                             |
|-----------------------------------------------|---------------------------------------------|
| Grants/Proj. Mgr. Jeffery Cozadd              | Louis Zunguze, Community Dev. Director      |
| Michael Burgess Public Services Dir.          | Ryan Reed, Dep. Parks & Recreation Director |
| Lisa Firth Parks & Rec. Director              | Deputy City Clerk Kim Montgomery            |
| J.T. Hart, Deputy Public Services Deputy Dir. |                                             |

**3. MINUTES: November 17, 2022**

**Motion to approve the minutes of the November 17, 2022 meeting was made by member Michael Burgess with Ryan Reed providing the second, the motion passed unanimously.**

**4. NEW BUSINESS:**

**A. RFB 22-10-PW, Fleet Management Services**

Chairman Cozadd explained the city received two bid submissions from Merchant Fleet and Enterprise.

Mr. Burgess explained that purpose of the bid, which came from Mayor Wagner, when he was still serving as a Council member. He explained they put the project out for bid and initially the first time out they only received one submission that was deemed incomplete, and these two submissions are this second time the project was put out for bid. He explained the process for how the city would obtain the vehicles and processes involved, if they go forward with this. He spoke of how he did attempt to contact the references in the bid submissions and the responses he received were of high praise for Enterprise. The contacts for Fleet Management were not complete and he was unable to obtain anything positive. He stated that he would continue to follow up with the contracts, adding that there is not a rush for this at this time.

The chairman suggested that piggybacking on a State Contract may be a good option to consider. A brief discussion took place regarding the benefits of the state contract, the members also had a brief discussion on the advantages and disadvantages of a fleet leasing program.

The decision was made to put this off until another meeting and if anyone had any questions to reach out to send them to the Clerk's office to distribute to the members through them with the answers.

**Motion to continue this item to a later meeting date was made by Mr. Burgess, with Chairman Cozadd providing the second. The motion passed unanimously.**

There being no further discussion at this time; the meeting was adjourned at 3:00 PM.

Adopted this \_\_\_\_\_ of \_\_\_\_\_ 2023.

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Jeffery Cozadd, Chairman

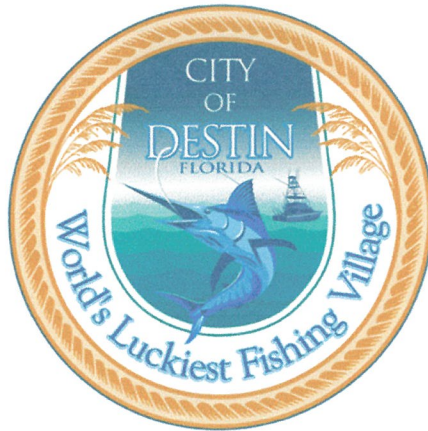
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Kim Montgomery, Deputy City Clerk

**CITY OF DESTIN, FLORIDA**

**REQUEST FOR QUALIFICATIONS (RFQ) NO. 23-01-CD**

**“PROPOSAL FOR TOWN CENTER CONCEPTUAL SITE MASTER  
PLANNING and LANDSCAPING CONSULTING SERVICES”**



City of Destin, Florida  
February 17, 2023

  
Lance Johnson  
City Manager  
Phone (850) 837-4242  
4200 Indian Bayou Trail  
Destin, Florida 32541

## NOTICE TO PROPOSERS

The City of Destin, Florida (City), is currently receiving sealed competitive submittals for “**Proposal for Town Center Conceptual Site Master Planning and Landscaping Consulting Services**” The firm with the successful Proposal shall be required to supply the City with copies of current Liability Insurance and Workmen's Compensation coverage. The Scope of Work is to provide Conceptual Master Planning Services to the City of Destin (Owner) in general accordance with the **2017 Edition of the AIA Document B-105, Standard Short Form of Agreement Between Owner and Architect with modifications** including Architectural and Landscape Design Services to City Staff and City Council. Proposals must be received by the City Clerk's Office at the City of Destin, 4200 Indian Bayou Trail, Destin, Florida 32541, in a sealed envelope clearly marked “RFQ No. 23-01-CD, “**PROPOSAL FOR TOWN CENTER CONCEPTUAL SITE MASTER PLANNING and LANDSCAPING CONSULTING SERVICES**”, **along with the name, return address and telephone number of the firm submitting the proposal**, no later than 2:00 p.m. Central Time, on Thursday March 23, 2023 at which time they will be opened and identified aloud. The City reserves the right to reject any and all proposals or portions thereof, to waive minor defects and informalities in the process, to accept the Proposal(s) or take any other actions deemed by the City to be in the City's best interest.

Lance Johnson  
City Manager

## **CITY OF DESTIN, FLORIDA**

### **REQUEST FOR QUALIFICATION (RFQ) NO. 23-01-CD PROPOSAL FOR TOWN CENTER CONCEPTUAL SITE MASTER PLANNING and LANDSCAPING CONSULTING SERVICES**

**I. PURPOSE:** The purpose of RFQ No. 23-01-CD is to secure sealed proposals for “**PROPOSAL FOR TOWN CENTER CONCEPTUAL SITE MASTER PLANNING and LANDSCAPING CONSULTING SERVICES**”

**II. SCOPE OF WORK:** The City of Destin (City) is offering a rare and unique mixed-use redevelopment opportunity in the City’s Town Center Community Redevelopment Area. This is a once in a generational opportunity to design for the redevelopment of up to 20 acres of highly visible land in the Town Center Destin Area, at the corner of Main Street and Highway 98. The scarcity of land in Destin, combined with the location and redevelopment opportunities of the Town Center Area, create a true placemaking opportunity. The information contained in this solicitation reflects the conceptual criteria and redevelopment goals that the City would like to achieve in selecting a Master Planning, Architectural and Landscaping Design Team.

#### **VISION OF PROJECT**

The Proposed Project will consist of multiple parcels totaling approximately 20 acres at the corner of Main Street and Highway 98. The vision and scope of the project initially includes a 60,000 square foot grocery anchor, offices, educational and cultural uses, residential development and various outparcels, that embody “live, work and play” environments by integrating a variety of daytime (retail, commercial, office) and night-time (restaurants and cultural arts) uses with a residential component. The expanded scope is to anticipate the inclusion of a City Hall, Community Center, Event Center, and parking deck structures to create a new Destin City Center with a "Beach Flair." Responses will be encouraged to take advantage of the gateways into the Town Center offered by Highway 98 and Main Street. Respondents will also be encouraged to include iconic features in their design that help brand Town Center Destin as a vibrant and economically strong community hub.

The City seeks a series of signature projects within the Town Center that combine iconic architecture and mixed uses, as well as complement the unique public realm that would result in the master planned environment.

Appropriate uses in the Town Center could include corporate headquarters; general office and commercial; hotel; educational and/or vocational; clean technology; information technology; financial and professional services, hospitality and residential. Ground floor uses should include retail and pedestrian-oriented uses that activate the street. Additionally, building design should accentuate the public spaces in-between buildings to further enhance the pedestrian experience. An excellent example is the **Alpharetta City Center**, a mixed-use district in the Atlanta Metropolitan area, in Georgia. The comprehensive integration of public space that separates buildings encourages social activity and promotes a unified urban community.

In summary, the City is seeking a Respondent who has the proven redevelopment experience to design the vision of creating a successful urban Town Center in the City of Destin.

This Request for Qualifications is for Architectural and Landscape Design Services.

## **SUBMISSION REQUIREMENTS AND TIMELINE**

### **III. TERMS AND CONDITIONS**

The resulting contract shall provide for issuance of individual Task Orders based on specific scopes of work. Task Orders will be individually negotiated based on a “Fee Schedule” and any additional negotiated services required within the scope of work.

These negotiations will conform to the Florida Consultants Competitive Negotiation Act (CCNA) Chapter 287.057, Florida Statutes and City policy. Once these fixed hourly costs are negotiated and the contracts signed, each project will be negotiated relative to the number of hours required by each position to accomplish the scope of services. The consulting services costs will be based on time and expenses with a not to exceed limit based on the negotiated hours and expenses or a fixed lump sum fee. The results of this negotiation will result in a Task Order for the miscellaneous project. The City’s standard form of consulting agreement will be utilized.

A cancellation clause will allow either the City or the Consultant to cancel with proper notice.

The selected consultant shall be required to assume responsibility for all services offered in his proposal. The selected consultant will be the sole point of contact concerning contractual matters including payments of any charges resulting from the contract.

Payment schedule and basis for payment will be negotiated but will be based upon documented work completed satisfactorily.

### **IV. SUBMITTAL FORMAT**

The Submitted proposals **SHALL** be submitted in the format described below:

**1. Letter of interest:**

- a. An individual authorized to legally bind the firm shall sign the transmittal letter. The letter shall include the firm's mailing address, electronic mail address, fax number, and telephone number. Any request for confidential treatment of information shall be included in the transmittal letter in addition to the specific statutory basis supporting the request and an explanation why disclosure of the information is not in the best interest of the public. The transmittal letter shall also contain the name, address and telephone number of the individual authorized to respond to the City about the confidential nature of the information.
- b. Specific Professional services to be offered - delineate each service your firm offers.

**2. Table of Contents.**

**3. Joint Ventures, Background Information & Business Credentials** – Provide a synopsis of the consultant's qualifications, to include specific capabilities of the firm:

- a. Name, address, telephone number, fax number and e-mail address of the firm including all d/b/a's or assumed names or other operating names of the firm.
- b. Identify and specify the location(s) and telephone numbers of the major offices and other facilities that relate to the firm's performance under the terms of this RFQ.
- c. Local office address and phone number (if any).
- d. Employment personnel profile.
- e. Joint venture information/previous experience. Firms submitting proposals as a joint venture shall submit to the City, as part of proposals, a copy of any joint venture agreement.
- f. **Registration** – State the State of Florida licensing/registration qualifications of the consultant's personnel and business office. Provide copies of same.

**4. The firm shall prepare an **executive summary** and overview of the services it is offering, including all of the following information:**

- a. Statements that demonstrate that the firm understands and agrees with the terms and conditions of the RFQ and the proposed contract.
- b. Statement through which the firm certifies that the contents of the proposal are true and accurate.

- c. An overview of the firm's plans for providing the necessary services to the City.
  - d. An explanation as to why the firm should be awarded this engagement.
- 5. **Areas of Expertise** – Provide list of your company's area of expertise. Include listing of projects verifying same. Firms **will not** have to have expertise in all areas to be considered. The firm must provide the following information regarding its experience:
  - a. Number of years in business.
  - b. Number of years' experience with providing the types of services sought by the RFQ to include the number of professionals specializing in project planning, grant experience, design and implementation.
  - c. Describe the level of technical experience in providing the types of services sought by the RFQ.
  - d. Describe any significant changes in your firm's organization, focus or leadership since January 2005, and whether any changes are anticipated in the near future.
  - e. Describe any investigative, disciplinary or enforcement actions pending against your firm, and information on any such investigations which concluded with enforcement or disciplinary action against your firm since January 2005.
- 6. **Specific Accomplishments** – Provide a listing of completed projects with a description of the work performed by the consultant representative of the type of work proposed under this Request for Proposal/Qualifications. The list should include only projects that had significant input from individuals who will be assigned to work on City projects.
- 7. **Firm(s) projects** (List as many projects as necessary to adequately describe firm's experience). Include the name and telephone number of the Owner's Representative or Contact. Be especially careful to provide current names, current telephone numbers and fax numbers of owner's representatives that be contacted by the City.
- 8. **Project Management Organization** – Provide information for all key personnel who will be involved in providing the services contemplated by this RFQ. Include only those who will likely be assigned to this account and indicate the day-to-day contact person or persons. The following information must be included:
  - a. Full name.
  - b. Education, licenses, registrations.

- c. Years of experience and employment history particularly as it relates to the scope of services specified herein.
- d. Expected role in the City's transactions.

9. **References** – List five (5) references representative of related past experience to include, as a minimum, a contact person, company name, phone number, email, and a brief description of the project.

10. **Additional Information & Comments** – The contents under this heading are to be left to the discretion of the consultant. Materials must be pertinent to the proposal but not be otherwise requested in the Request for Proposal/Qualifications.

11. **Conflict of Interest Disclosure Form** – The award hereunder is subject to the provisions of Chapter 112, Florida Statutes. All respondents must disclose with their proposal the name of any officer, director, or agent who is also a public officer or an employee of the City of Destin, or any of its agencies. (Attachment #3)

Furthermore, all respondents must disclose the name of any City officer or employee who owns, directly or indirectly, an interest of five percent (5%) or more in the firm or any of its branches.

Furthermore, the official, prior to or at the time of submission of the proposal, must file a statement with the City Clerk of City of Destin, if he is an officer or employee of the City, disclosing his or spouse's or child's interest and the nature of the intended business.

**NOTE: FOR PROPOSER'S CONVENIENCE, THIS CERTIFICATION FORM IS ENCLOSED AND IS MADE A PART OF THE PROPOSAL PACKAGE.**

12. **Public Entity Crime Form** Each Bid shall contain a completed Public Entity Crime Form (Attachment #1) pursuant to Florida Statutes, Section 287.132-133, providing that no public entity shall accept any Bid from or award any contract to or transact any business in excess of the threshold amount for Category Two (\$25,000) for a period of thirty-six months from the date placed on the convicted vendor list.

**NOTE: FOR PROPOSER'S CONVENIENCE, THIS CERTIFICATION FORM IS ENCLOSED AND IS MADE A PART OF THE PROPOSAL PACKAGE.**

13. **Drug Free Workplace Certification** – Preference shall be given to businesses with drug-free workplace programs included as Attachment No. 2. Whenever two or more proposals that are equal with respect to price, quality and service are received by the City for the procurement of commodities or contractual services, a proposal received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process.

**NOTE: FOR PROPOSER'S CONVENIENCE, THIS CERTIFICATION FORM IS ENCLOSED AND IS MADE A PART OF THE PROPOSAL PACKAGE.**

- 14. Liability & Indemnification Form** – To the fullest extent permitted by law, CONSULTANT shall indemnify and hold harmless CITY, its officers and employees from liabilities, damages, losses, and costs including but not limited to reasonable attorney fees, to the extent caused by negligence, recklessness, or intentional wrongful conduct of the CONSULTANT and other persons employed or utilized by the CONSULTANT in the performance of this Agreement included as Attachment No. 4.

**NOTE: FOR PROPOSER'S CONVENIENCE, THIS CERTIFICATION FORM IS ENCLOSED AND IS MADE A PART OF THE PROPOSAL PACKAGE.**

- 15. Insurance Requirements** - During the performance of services under this agreement, CONSULTANT shall maintain Commercial General Liability, Business Automobile Liability (including hired and non-owned coverage), Professional Liability and Workers' Compensation insurance. Such coverage shall adequately protect the interest of the CITY with regard to all exposures including design defects and subsequent costs and lost revenue to loss associated with this agreement. In no circumstance shall the limit of liability be written with limits less than \$5,000,000. CONSULTANT shall furnish CITY certificates of insurance which shall include a provision that such insurance shall not be cancelled, or coverage reduced without at least 30 days written notice to the CITY. All coverage shall be with carriers admitted to do business in the State of Florida. Carriers shall be A+ rated by A M Best Company and have a financial size of X or higher. The Commercial General Liability and Business Automobile policies shall name City of Destin, Florida as an Additional Insured. Further, the Workers' Compensation policy shall contain a waiver of subrogation in favor of the CITY. City of Destin, Florida shall be listed as the Certificate Holder on all certificates.

CITY reserves the right to modify its insurance requirements with a 60 day notice to CONSULTANT.

- 16. Acceptance of Terms and Conditions** - The firm shall specifically agree that the proposal is predicated upon the acceptance of all terms and conditions stated in the RFQ. If the firm objects to any term or condition, the firm must specifically refer to the RFQ page, and section. Objections or responses that materially alter the RFQ may be deemed non-responsive and disqualify the firm.
- 17. Certification of Independence and No Conflict of Interest** - The firm shall sign and submit with the proposal the document included as Attachment No. 5 in which the firm shall certify that it developed the proposal independently. The firm shall also certify that no relationship exists or will exist during the contract period between the firm and the City that interferes with fair competition or is a conflict of interest. The City reserves the right to reject a proposal or cancel the award if, in their discretion, any relationship exists that could interfere with fair competition or conflict with the interests of the City.

**NOTE: FOR PROPOSER'S CONVENIENCE, THIS CERTIFICATION FORM IS ENCLOSED AND IS MADE A PART OF THE PROPOSAL PACKAGE.**

18. **Authorization to Release Information** - The firm shall sign and submit with the proposal the document included authorizing the release of information to the City.
19. **Firm Proposal Terms** - The firm shall guarantee in writing the availability of the services offered and that all proposal terms, will remain firm a minimum of 90 days following the deadline for submitting proposals.
20. **Proposal Form.** The Proposal Form contained within this RFQ shall precede the **mandatory** information required in this section. Any additional information submitted in support of the Bid shall follow the required information.

**Sealed Submittal Packages.** All Proposals to be considered must be in the possession of the Destin City Clerk no later than 2:00 p.m. Central Time, on March 23, 2023 at which time shall be opened publicly and identified aloud in the City of Destin, City Hall Council Chambers, 4200 Indian Bayou Trail, Destin, Florida. Proposals may be mailed or delivered to the Office of the City Clerk at the address below. An original and five (5) **non-bound** copies shall be submitted in a sealed envelope clearly marked "**RFQ No. 23-01-CD, PROPOSAL FOR TOWN CENTER CONCEPTUAL SITE MASTER PLANNING and LANDSCAPING CONSULTING SERVICES**" along with the name, return address and telephone number of the proposer, and note the time and date of the opening. Each proposer shall be responsible for their Proposal being delivered on time. Proposals offered or received after the time set for the Proposal Opening shall be rejected and returned unopened to the proposer. The City of Destin Bid Committee will then review all Proposals and forward their recommendation to the City Council for award.

**MAILING AND HAND-DELIVERY ADDRESS:**

City of Destin  
ATTN: City Clerk  
4200 Indian Bayou Trail  
Destin, Florida 32541

21. **Notification.** Questions or requests for Proposal documents, regarding RFQ No. 23-01-CD may be directed to the individuals below:

Ryan J. Scott, PE  
City Engineer, City of Destin  
4100 Indian Bayou Trail  
Destin, Florida 32541  
Voice: (850) 279-6120

Rey Bailey  
City Clerk, City of Destin  
4200 Indian Bayou Trail  
Destin, Florida 32541  
Voice: (850) 837-4242

22. Responsive Proposals. Only those Proposals fulfilling all requirements outlined in this RFQ will be considered.

## **V. EVALUATION CRITERIA**

The City intends to conduct a comprehensive, fair and impartial evaluation of proposals received in response to this RFQ. The City will use a Bid Committee to review and evaluate the proposals for compliance with the RFQ.

The Bid Committee will evaluate and rank all proposals meeting the minimum submission requirements on the basis of professional qualifications and experience. The following considerations will be used as a guide to rank Firm's as having best applicable professional qualifications and experience: The Bid Committee will provide the rankings to the City Council. City Council shall schedule a time to interview the consultants.

- A. Responsiveness of the proposal.
- B. Understanding of the work to be performed for the City.
- C. Qualifications of the firm and individual team members to perform current and anticipated City public infrastructure projects.
- D. Background experience and technical expertise of the firm and individual team members.
- E. Recognition, understanding, capability and resources to perform the current and anticipated City public infrastructure needs.
- F. Consultants Competitive Negotiations Act - any additional requirements as defined in State of Florida Statute 287.055.
- G. Firm's past experience, reputation and competence, including technical education and training, experience in projects outlined in the RFQ.
- H. Where applicable, the relationship of cost estimates by the firm to actual costs on previous projects.
- I. Current workload.
- J. Financial responsibility.
- K. Ability to observe and advise whether plans and specifications are being complied with.
- L. Past record of professional accomplishments.
- M. Previous experience with City of Destin.
- N. Qualifications of personnel to be assigned to the program.
- O. Extent of experience and past performance working with DEP, EPA, DOT, FAA, NWFLWMD, SRF and EDA and other Grant Loan Programs.
- P. Experience with programs similar in size and scope to those herein proposed.
- Q. Firm's capability to meet schedules.
- R. Willingness to meet time and budget requirements.
- S. Demonstrated expertise and experience in utilizing various design software.

## **VI. SELECTION OF PROPOSALS**

- A. The statements of qualifications/proposals will be reviewed by a Bid Committee. The Committee will evaluate and select from those firms deemed to be most responsive and may request presentations by those firms, if necessary.
- B. This section describes the evaluation & ranking process that will be used to determine which proposal provides the greatest benefits to the City. The evaluation & ranking process is designed to award the contract to the firm or firms with the best combination of attributes to perform the required services.
- C. The Bid Committee will evaluate all proposals received as follows:
- D. Prepare an alphabetical listing of those proposers determined to be interested, responsive and available.
- E. Evaluate the proposals meeting minimum submission criteria based upon qualifications and may conduct discussions with those firms deemed to be the most highly qualified to provide the services required.
- F. Review of all proposals received will proceed as follows:
  - a. The Bid committee will review all written documents submitted;
  - b. Assess compliance with proposal requirements;
  - c. Detailed evaluation of proposed services, programs, and solutions;
  - d. Evaluation of technical elements;
  - e. The committee's ranking of prospective firms shall be based on the each firm's meeting the evaluation criteria;
- G. The final recommendation(s) and rankings of the Bid Committee shall be presented to the City Manager for consideration. This recommendation may include, but is not limited to, the name of one or more firms recommended for selection or a recommendation that no firm be selected.
- H. Proposers may be ranked for inclusion on a short list. If so, proposers selected for the short list may be required to make a brief (15- to 20-minute) oral presentation to the City Council in open session(s). Proposers selected to make presentations will be notified in writing in advance of the presentation date. The proposer should be prepared to discuss, at a minimum, during the presentation/interview the items presented in Proposal Requirements, as well as any related issues as

may be posed by the City Council. The City will utilize a numerical rating system in evaluating the presentation/interview. At the end of the presentation/interview process, the City Council shall rank, in order of preference, the presenting firms.

- I. The City of Destin reserves the right to negotiate contracts with one or more engineering firms for these services.
- J. Upon approval of the agreement by the City Council, the parties shall execute a formal written agreement prior to commencement of the work associated with the contract.

## **VII. RIGHT TO WAIVE AND REJECT**

- A. The City of Destin, in its absolute discretion, may reject any proposal of a proposer that has failed, in the opinion of the Bid Committee, to complete or perform a City of Destin contracted project in a timely fashion or has failed in any other way to perform a prior contract in a satisfactory manner, and is emphasizing this condition to potential proposers.
- B. The City reserves the right to award the proposal to proposer submitting a responsive proposal with a resulting negotiated agreement which is most advantageous and in the best interest of City of Destin, and to reject any and all proposals or to waive any irregularity or technicality in proposals received. City of Destin shall be the sole judge of the proposal and the resulting negotiated agreement that is in its best interest and its decision shall be final.
- C. The City Council reserves the right to waive any informalities or reject any and all proposals, in whole or part, to utilize any applicable state contracts in lieu of or in addition to this proposal and to accept the proposal that in its judgment will best serve the interest of the City.
- D. The City Council specifically reserves the right to reject any conditional proposal and will normally reject those which made it impossible to determine the true amount of the proposal. Each item must be proposed separately and no attempt is to be made to tie any item or items to any other item or items.
- E. The City Council specifically reserves the right to reject any conditional proposal and will normally reject those which made it impossible to determine the true amount of the proposal. Each item must be proposed separately and no attempt is to be made to tie any item or items to any other item or items.

## **VIII. DISQUALIFICATION OF PROPOSERS**

Any of the following reasons may be considered as sufficient for the disqualification of a proposer and the rejection of his proposal or proposals:

- A. More than one proposal for the same work from an individual, firm, or corporation under the same or different name.
- B. Evidence that the proposer has a financial interest in the firm of another proposer for the same work.
- C. Evidence of collusion among proposers. Participants in such collusion will receive no recognition as proposers for any future work of the City until such participant shall have been reinstated as a qualified proposer.
- D. Uncompleted work which in the judgment of the City might hinder or prevent the prompt completion of additional work if awarded.
- E. Failure to pay or satisfactorily settle all bills due for labor and materials on former contracts in force at the time of advertisement of proposals.
- F. Default under previous contract.
- G. The Bid Committee, in its absolute discretion, may reject any proposal of a proposer that has failed, in the opinion of the Board, to complete or perform an City of Destin contracted project in a timely fashion or has failed in any other way, to perform a prior contract in a satisfactory manner, and has directed the City of Destin Purchasing Director to emphasize this condition to potential proposers.
- H. The engagement of certain professional services, including those required by this Request for Proposals, is exempt from the provisions of the Administrative Procedure Act, Chapter 120, Florida Statutes, as amended, and therefore are not to be subject to the appeal process therein described at any time during the solicitation period.
- I. **Public Entity Crime Information** - A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposal on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for **CATEGORY TWO** for a period of 36 months from the date of being placed on the convicted vendor list.
- J. **Discrimination** - An entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid on a contract to provide goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposals on leases of real property to a public entity, may not award or perform work as a contractor, supplier, subcontractor, or consultant under contract with any public entity, and may not transact business with any public entity.

**ATTACHMENT #1**

**CITY OF DESTIN, FLORIDA**

**REQUEST FOR QUALIFICATIONS (RFQ) NO. 23-01-CD  
"PROPOSAL FOR TOWN CENTER CONCEPTUAL SITE MASTER PLANNING and  
LANDSCAPING CONSULTING SERVICES"**

SWORN STATEMENT UNDER SECTION 287.133 (3) (A) FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

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

1. This sworn statement is submitted with Bid, Proposal or Contract \_\_\_\_\_

2. This sworn statement is submitted by \_\_\_\_\_  
whose business address is \_\_\_\_\_

and (if applicable) Federal Employer  
Identification Number (FEIN) is \_\_\_\_\_ (If the entity has no FEIN, include the Social Security  
Number of the individual signing this sworn statement:

3. My name is \_\_\_\_\_ and my relationship to the entity named above is \_\_\_\_\_

4. I understand that a "public entity crime" as defined in Paragraph 287.133(a)(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 any 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.

5. I understand that "convicted" or "conviction" as defined in paragraph 287.133(a)(b), Florida Statutes, means 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 records 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.

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

1. A predecessor or successor of a person convicted of a public entity crime; or
2. 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 of shares constituting a controlling income among persons when not for fair interest in another person, or a pooling of equipment or income among persons when not for fair market value under a

length agreement, shall be a prima facie case that one person controls another person. A person who was knowingly convicted of a public entity crime, in Florida during the preceding 36 months shall be considered an affiliate.

7. 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 the state or of the United States with the legal power to enter into a binding contract for 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.

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

\_\_\_\_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 affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

\_\_\_\_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. (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 public interest to remove the person or affiliate from the convicted vendor list. (please attach a copy of the final order)

\_\_\_\_The person or affiliate has not been placed on the convicted vendor list. (Please describe any action taken by, or pending with, the Department of General Services.)

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

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

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

PERSONALLY APPEARED BEFORE ME, the undersigned authority, who, after first being sworn by me, affixed his/her signature at the space provided above on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and is personally known to me, or has provided \_\_\_\_\_ as identification.

My Commission expires:

\_\_\_\_\_  
Notary Public

**ATTACHMENT #2**

**CITY OF DESTIN, FLORIDA**

**REQUEST FOR QUALIFICATIONS (RFQ) NO. 23-01-CD  
“PROPOSAL FOR TOWN CENTER CONCEPTUAL SITE MASTER PLANNING and  
LANDSCAPING CONSULTING SERVICES”**

**DRUG-FREE WORKPLACE CERTIFICATION**

The below signed Bidder certifies that it has implemented a drug-free workplace program. In order to have a drug-free workplace 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 occurring in the workplace no later than five (5) working days after such conviction.
5. Impose a sanction on or require the satisfactory participation in drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is 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 this statement, I certify that this firm complies fully with the above drug-free workplace requirements.

COMPANY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

NAME (TYPED OR PRINTED): \_\_\_\_\_

TITLE: \_\_\_\_\_

**ATTACHMENT #3**

**CITY OF DESTIN, FLORIDA  
REQUEST FOR QUALIFICATIONS (RFQ) NO. 23-01-CD  
“PROPOSAL FOR TOWN CENTER CONCEPTUAL SITE MASTER PLANNING and  
LANDSCAPING CONSULTING SERVICES”**

**CONFLICT OF INTEREST DISCLOSURE FORM**

Does any City employee acting as a purchasing agent, or City public officer acting in official or private capacity or his/her spouse, or child own more that 5% of the bidder/proposer’s interest?

YES \_\_\_\_\_

NO \_\_\_\_\_

Does any City employee acting as a purchasing agent, or City public officer acting in official or private capacity hold any employment or contract with the bidder/proposer?

YES \_\_\_\_\_

NO \_\_\_\_\_

If either question number 1 or 2 above has been answered YES, does the bidder/proposer assert any exemptions related to prohibited employment & business relationships?

YES \_\_\_\_\_

NO \_\_\_\_\_

If YES, please describe:

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FIRM NAME: \_\_\_\_\_

BY (PRINTED): \_\_\_\_\_

BY (SIGNATURE): \_\_\_\_\_

TITLE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

PHONE NO. \_\_\_\_\_

E-MAIL \_\_\_\_\_

**ATTACHMENT #4**

**CITY OF DESTIN, FLORIDA**

**REQUEST FOR QUALIFICATIONS (RFQ) NO. 23-01-CD  
“PROPOSAL FOR TOWN CENTER CONCEPTUAL SITE MASTER PLANNING and  
LANDSCAPING CONSULTING SERVICES”**

**LIABILITY & INDEMNIFICATION FORM**

**To the fullest extent permitted by law, CONSULTANT shall indemnify and hold harmless CITY, its officers and employees from liabilities, damages, losses, and costs including but not limited to reasonable attorney fees, to the extent caused by the negligence, recklessness, or intentional wrongful conduct of the CONSULTANT and other persons employed or utilized by the CONSULTANT in the performance of this Agreement.**

\_\_\_\_\_  
CONSULTANT’s Company Name

\_\_\_\_\_  
Authorized Signature – Manual

\_\_\_\_\_  
Physical Address

\_\_\_\_\_  
Authorized Signature – Typed

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Title

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
FAX Number

\_\_\_\_\_  
Cellular Number

\_\_\_\_\_  
After-Hours Number(s)

\_\_\_\_\_  
Email address

\_\_\_\_\_  
DATE

**ATTACHMENT #5**

**CITY OF DESTIN, FLORIDA**

**REQUEST FOR QUALIFICATIONS (RFQ) NO. 23-01-CD  
“PROPOSAL FOR TOWN CENTER CONCEPTUAL SITE MASTER PLANNING and  
LANDSCAPING CONSULTING SERVICES”**

**CERTIFICATION OF INDEPENDENCE AND NO CONFLICT OF INTEREST**

By submitting a proposal in response to the Request for Proposals for RFQ No. 23-01-CD - **PROPOSAL FOR TOWN CENTER CONCEPTUAL SITE MASTER PLANNING and LANDSCAPING CONSULTING SERVICES FOR THE CITY OF DESTIN**, the undersigned certifies the following:

1. The proposal has been developed independently, without consultation, communication or agreement with any employee or consultant to the City who has worked on the development of this RFQ, or with any person serving as a member of the evaluation committee.
2. The proposal has been developed independently, without consultation, communication or agreement with any other firm or parties for the purpose of restricting competition.
3. Unless otherwise required by law, the information found in the proposal has not been knowingly disclosed and will not be knowingly disclosed prior to the award of the contract, directly or indirectly, to any other firm.
4. No attempt has been made or will be made by (Name of Firm) to induce any other firm to submit or not to submit a proposal for the purpose of restricting competition.
5. No relationship exists or will exist during the contract period between (Name of Firm) and the City that interferes with fair competition or is a conflict of interest.

Sincerely,

---

Name and Title

STATE OF FLORIDA- DEPARTMENT OF TRANSPORTATION  
Vendor Eligibility Check Prior to Contract Award

375-030-91  
PROCUREMENT  
07/15

Project Description(s): \_\_\_\_\_

Financial Project Number(s): \_\_\_\_\_

In accordance with State law:

Section 287.133(2)(b), Florida Statutes, provides that public entities may not contract with firms that have been excluded from participating in the public contracting process.

A public entity may not accept any bid, proposal, or reply from, award any contract to, or transact any business in excess of the threshold amount provided in s. 287.017, F.S., for CATEGORY TWO with any person or affiliate on the convicted vendor list for a period of 36 months following the date that person or affiliate was placed on the convicted vendor list unless that person or affiliate has been removed from the list pursuant to Section 287.133(3)(f), F.S. A public entity that was transacting business with a person at the time of the commission of a public entity crime resulting in that person being placed on the convicted vendor list may not accept any bid, proposal, or reply from, award any contract to, or transact any business with any other person who is under the same, or substantially the same, control as the person whose name appears on the convicted vendor list so long as that person's name appears on the convicted vendor list.

A contract award (reference 2 CFR 180.220) must not be made to parties listed on the government-wide Excluded Parties List System in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR Part 1986 Comp., p. 189) and 12689 (3 CFR Part 1989 Comp., p. 235), "Debarment and Suspension." The Excluded Parties List System in SAM contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

The Convicted Vendor List/ Suspended Vendor List / Discriminatory Vendor List / Federal Excluded Parties List/ Vendor Complaint Lists are available at the following Department of Management Services site:

[http://www.dms.myflorida.com/business\\_operations/state\\_purchasing/vendor\\_information/convicted\\_suspended\\_discriminatory\\_complaints\\_vendor\\_lists](http://www.dms.myflorida.com/business_operations/state_purchasing/vendor_information/convicted_suspended_discriminatory_complaints_vendor_lists)

I have checked the aforementioned lists to verify that the vendor is eligible for contract award/execution:

Procurement Office or Contracting Awarding  
Office:

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

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

## SCORE TABLULATION SHEET

**Bid Committee Member** \_\_\_\_\_

Date \_\_\_\_\_

[illegible]

[illegible]