



DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY

ADDENDUM NO. 1 TO REQUEST FOR QUALIFICATIONS (RFQ) CRA NO. 2023-05 PROFESSIONAL ARCHITECTURAL SERVICES & LANDSCAPE ARCHITECTURAL SERVICES ON A CONTINUING CONTRACT BASIS

DECEMBER 11, 2023

TO ALL PROPOSERS AND OTHERS CONCERNED

The Delray Beach Community Redevelopment Agency ("CRA") has heretofore published a RFQ dated November 6, 2023, with respect to its intent to receive and consider Proposals from qualified individuals, partnerships, firms, companies, and corporations (Proposers) to provide professional architectural services and landscape architectural services on a continuing contract basis, pursuant to Florida Statute Section 287.055 (Consultants' Competitive Negotiation Act or CCNA), and in accordance with the terms, conditions, and specifications contained in the RFQ.

The intent of this Addendum is to address questions and/or errors, and to clarify other aspects of the RFQ. Questions contained in this Addendum include ones asked at the November 15, 2023, Voluntary Pre-Proposal Meeting. Proposers submitting Proposals for the above-referenced RFQ shall take note of the following changes, additions, deletions clarifications, etc., which shall become a part of and have precedence over anything shown or described otherwise.

MODIFICATIONS, REVISIONS, & CLARIFICATIONS:

1. Wherever applicable throughout the RFQ document, Proposers are hereby advised that the Proposal Submission Due Date and Time has been extended to Wednesday, January 3, 2024, at 11:00AM EST. The location of delivery for the Proposals has not changed.
2. Wherever applicable throughout the RFQ document, Proposers are hereby advised that "Irrigation Contractor" shall hereby be replaced with "Irrigation Designer."

Section V, Submittal Requirements, Paragraph A, Proposal Requirements, Subsection 21, Qualifications of the Irrigation Contractor – where reference is made to "Structural Engineer", is a scrivener's error and shall be revised to state "Irrigation Designer."

No other revisions and/or changes are being made at this time as it relates to the Irrigation Designer; all minimum qualification and experience requirements remain unchanged.

3. Section VII, General Terms and Conditions, Paragraph E, Agreement Terms and Conditions, Proposers are hereby advised to delete "duty to defend" in accordance with Florida Statutes.

4. Section IV, Team Members and Minimum Qualification and Experience Requirements, of the RFQ states that “[f]or any Work Assignment, the Consultant shall designate a primary lead individual, referred to as the “Lead Architect” or “Lead Landscape Architect” to lead all design efforts for a project. In addition, the Consultant shall also designate a second lead individual, referred to as the "Project Manager" to manage a project. The Consultant shall directly employ the Lead Architect and/or Lead Landscape Architect and the Project Manager. The other Team Members may be employed directly by the Consultant or by a sub-contractor/sub-consultant.”

As a point of clarification, the Lead Architect and Project Manager for Architectural Services may be the same person – Project Reference Forms will need to be submitted for each role even if the same person is serving in both capacities. And the same applies for the Lead Landscape Architect and Project Manager for Landscape Architectural Services – the same person may serve in both roles and Project Reference Forms will need to be submitted for each role even if the same person is serving in both capacities.

5. Section IX, Required Forms, shall hereby include an E-Verify Affidavit; the E-Verify Affidavit is included with this Addendum No. 1. The E-Verify Affidavit will need to be included with all submitted Proposals.
6. In accordance with Florida Statutes, the Section VI, Evaluation and Selection, Paragraph B, Evaluation Criteria, shall be modified and revised to the below table and following paragraph regarding Certified Minority Business Enterprises:

REQUIREMENTS	POINTS
Qualifications and Experience of the Proposer	30 Points
Qualifications and Experience of the Assigned Lead Architect and/or Lead Landscape Architect and Project Manager	20 Points
Qualifications and Experience of the Proposer’s Team – including Organizational Structure (capacity, resources, personnel)	20 Points
Design Philosophy and Process Statement	18 Points
Technical Capabilities and Approach Statement	18 Points
Certified Minority Business Enterprise (as defined by Florida Statute Section 288.703)	4 Points
	100 Total Points

Certified Minority Business Enterprises:

A total of four (4) points is possible.

A Proposer who is a Certified Minority Business Enterprise should include proof of such certification as part of its Proposal to obtain two (2) points.

A Proposer who utilizes sub-consultants and/or sub-contractors as part of its Team who are Certified Business Enterprises and provides proof of such certification for its sub-consultants and/or sub-contractors as part of its Proposal, may obtain two (2) points.

QUESTIONS:

1. Can a Landscape Architectural firm submit for this RFQ or do we need to be part of a team with an Architect?

A Landscape Architectural firm may submit a Proposal for Landscape Architectural Services – please refer to Section III, Scope of Services, within the RFQ.

2. If we are going to submit a Proposal for Architectural Services, do we have to submit with a subconsultant team to meet the following sub-disciplines: Landscape Architecture, Civil Engineering, MEP Engineering, Structural Engineering, Irrigation, Arborist? Or can we just submit for Architecture Services?

Proposers submitting for either discipline, Architectural Services or Landscape Architectural Services, are not required to submit a Proposal with any sub-consultants. However, if a CRA project requires a range of services that include Landscape Architecture, Civil Engineering, MEP Engineering, Structural Engineering, Irrigation Design, Arboriculture, then the CRA may choose to select a Consultant from the consultant pool who is best able to provide the required services based on the resultant Agreement, which is based on and includes the submitted Proposal.

3. For the Project Reference Forms, can we submit the same project for multiple team members' experience?

Yes. Each team member's specific role and services provided on the project used for the Project Reference Form will need to be described on their respective forms.

4. Can an Irrigation Designer be listed in lieu of an Irrigation Contractor?

Please see the MODIFICATION AND REVISION included with this Addendum.

5. Can you please provide a copy of the sample agreement?

A draft of the Agreement will be provided to Successful Proposers prior to the start of negotiations.

6. Can the CRA address the language in RFQ CRA No. 2023-05 - the indemnity in Section VII, E. Agreement Terms and Conditions on page 34 of 51 does not comply with Florida Statute 725.08 by requiring a defense. Would the CRA please consider rewording the same to conform with the statute and deleting the requirement to "defend"?

Please see the MODIFICATION AND REVISION included with this Addendum.

7. Can a Landscape Architecture firm submit as a sub-consultant on an Architecture team and also submit a Proposal as a prime to provide Landscape Architectural services?

Yes. Per the RFQ two (2) separate pools will be created for the two (2) disciplines – one (1) pool will be created for Architectural Services and one (1) pool will be created for Landscape Architectural Services.

If a Proposer is submitting a Proposal as a prime and/or the main applicant for one discipline, it can also be listed as a sub-consultant and/or sub-contractor within another Proposal submitted by another Proposer for a separate discipline (e.g. Architecture Firm ABC submits a Proposal to provide Architectural Services with Landscape Architecture Firm DEF as a sub-consultant. Landscape Architecture DEF may still submit a Proposal to provide Landscape Architectural Services.)

If a Proposer is submitting a Proposal as a prime and/or the main applicant for one discipline, it cannot be listed as a sub-consultant and/or sub-contractor within a Proposal submitted by another Proposer within the same discipline (e.g. Architecture Firm ABC submits a Proposal to provide Architectural Services, Architectural Firm ABC cannot then be listed as a sub-consultant within a Architecture Firm XYZ's Proposal that is submitted to provide Architectural Services. In that instance, both Proposals will be deemed non-responsive.)

8. How can interior design services be included in the qualifications?

Team members or sub-consultants and/or sub-contractors who may be providing services outside of the sub-disciplines specifically mentioned may be included as Other Team Members as provided in Section IV and Section V of the RFQ.

9. If an architectural design project has been created and is pending approval by the client for the next phase, can that project be submitted in our qualifications?

Projects that are currently ongoing may be used on the Project Reference Forms. In that instance, the Proposer should be specific as to the contracted scope of work for the project and the services provided to date.

The CRA reserves the right to validate any and all information provided by the Proposer.

10. If a Proposer is only pursuing the Landscape Architectural Services discipline as a prime consultant, are they able to be a subconsultant under the Architectural Services discipline and vice versa?

See Answer provided for Question 7.

11. The RFQ calls for an irrigation contractor, can you clarify if the CRA is looking for an irrigation designer rather than a contractor?

Please see the MODIFICATION AND REVISION included with this Addendum.

ADDENDUM NO.1 ATTACHMENTS:

1. E-Verify Affidavit

DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY
E-VERIFY FORM UNDER SECTION 448.095, FLORIDA STATUTES

1. Definitions:

“*Contractor*” means a person or entity that has entered or is attempting to enter into a contract with a public employer to provide labor, supplies, or services to such employer in exchange for salary, wages, or other remuneration. “Contractor” includes, but is not limited to, a vendor or consultant.

“*Subcontractor*” means a person or entity that provides labor, supplies, or services to or for a contractor or another subcontractor in exchange for salary, wages, or other remuneration.

“E-Verify system” means an Internet-based system operated by the United States Department of Homeland Security that allows participating employers to electronically verify the employment eligibility of newly hired employees.

2. Effective January 1, 2021, Contractors, shall register with and use the E-verify system in order to verify the work authorization status of all newly hired employees. Contractor shall register for and utilize the U.S. Department of Homeland Security’s E-Verify System to verify the employment eligibility of:

- a) All persons employed by a Contractor to perform employment duties within Florida during the term of the contract; and
- b) All persons (including subvendors/subconsultants/subcontractors) assigned by Contractor to perform work pursuant to the contract with the Delray Beach Community Redevelopment Agency (“CRA”). The Contractor acknowledges and agrees that registration and use of the U.S. Department of Homeland Security’s E-Verify System during the term of the contract is a condition of the contract with the CRA; and
- c) Should vendor become the successful Contractor awarded for the above-named project, by entering into the contract, the Contractor shall comply with the provisions of Section 448.095, Fla. Stat., "Employment Eligibility," as amended from time to time. This includes, but is not limited to registration and utilization of the E-Verify System to verify the work authorization status of all newly hired employees. Contractor shall also require all subcontractors to provide an affidavit attesting that the subcontractor does not employ, contract with, or subcontract with, an

unauthorized alien. The Contractor shall maintain a copy of such affidavit for the duration of the contract.

3. Contract Termination

a) If the CRA has a good faith belief that a person or entity with which it is contracting has knowingly violated s. 448.09 (1) Fla. Stat., the contract shall be terminated.

b) If the CRA has a good faith belief that a subcontractor knowingly violated s. 448.095 (2), but the Contractor otherwise complied with s. 448.095 (2) Fla. Stat., shall promptly notify the Contractor and order the Contractor to immediately terminate the contract with the subcontractor.

c) A contract terminated under subparagraph a) or b) is not a breach of contract and may not be considered as such.

d) Any challenge to termination under this provision must be filed in the Circuit Court no later than 20 calendar days after the date of termination.

e) If the contract is terminated for a violation of the statute by the Contractor, the Contractor may not be awarded a public contract for a period of 1 year after the date of termination.

Company Name:
Authorized Signature:
Print Name:
Title
Date:
Phone:

STATE OF _____)
COUNTY OF _____)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, _____, by _____ on behalf of _____. He/she is personally known to me or has produced _____ as identification.

NOTARY PUBLIC

(Name of Notary Typed, Printed or Stamped)

Title or Rank

Serial number, if any