



Document 00101: Advertisement for Bids

Notice is hereby given that SEALED BIDS will be received by THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, (SBBC) at the Procurement & Logistics Operations Department, 7720 W. Oakland Park Blvd., Sunrise, FL 33351 up to 02:00 PM on _____, 20__, and opened immediately thereafter in Bid Room #1, #2, #3 and/or #4, for provision of all materials and labor necessary for the construction of:

Bid No:
Project Title:
Project No:
Location No:
Facility Name:

Duration of the Project: _____ Consecutive calendar days from the commencement date stipulated on Document 00550: Notice To Proceed

SCOPE OF WORK: Work of this Contract comprises the general construction of, but not limited to:

ALTERNATES:

Bid details can be found online by visiting the following website:

https://www.demandstar.com/supplier/bids/agency_inc/bid_list.asp?f=search&LP=BB&mi=10150
(Click the "View Our Bids on Demand Star" link).

Bidding Documents may be obtained from the bid posting on Demand Star under the heading "Documents."

A ☐ Mandatory / ☐ Non-Mandatory bidder's conference and site visit have been scheduled for:

Date:
Time:
Location:

***A site visit will follow the Mandatory pre-bidder's conference.**

Bidders must attend the Mandatory Pre-Bidder's Conference and at least one of the site visits. Failure to attend the Pre-bidder's conference and at least one of the site visits will result in bidder deemed non-responsive.

All SBBC activities are subject to the COVID-19 Guidelines. All individuals must adhere to CDC and SBBC guidelines (i.e., face masks, social distancing, etc.) while participating in-person at pre-bidder's conference and site visits.

All general contract and subcontract Bidders and suppliers are invited. Representatives of the Owner and the Project Consultant will be in attendance.

Each Bid shall be accompanied by a Certified Check or Bid Bond issued by a company approved by the U. S. Treasury Department in the amount of 5% of the base bid payable to The School Board of Broward County, Florida. Bid Bonds, Performance Bonds, and Payment Bonds shall be issued by the Surety Company on the forms provided within the Bidding Documents. No other forms will be acceptable. Review Document 00700 for insurance requirements.

Be advised that in order for bids for this project to be accepted by the SBBC, the bidder must be Pre-Qualified in accordance with 1013.46 F.S., State Requirements for Educational Facilities Ch. 4.1 (1), and Board Policy 7003.1 at the time of the bid opening. Bids submitted from firms, not in compliance with these requirements will not be opened.

ECONOMIC DEVELOPMENT & DIVERSITY COMPLIANCE DEPARTMENT (EDDC)

Supplier Diversity Outreach Program (SDOP)

SBBC has implemented School Board Policy 3330 Supplier Diversity Outreach Program. The provisions of the Policy shall apply to all competitive solicitations for construction, professional services, commodities and other contractual services, and any resulting contract documents including change orders, and amendments.

SBBC is committed to ensuring the awarding of construction subcontracts to minority and Women-Owned es. In accordance with Florida Statute 1001.41(1) & (2) and the School Board Policy 3330, EDDC requires that all projects that are assigned an Affirmative Procurement Initiatives (API) that Contractors awarded work on such projects fully participate in the Supplier Diversity Outreach Program. Compliance with the SDOP requirements is **mandatory**.

Minority/Women-Owned Business Enterprise (M/WBE) Subcontracting Program:

Nondiscrimination:

Each Bidder hereby certifies and agrees that the following information is correct:

In preparing its response to this project, the Bidder has considered all proposals submitted from qualified, potential subcontractors and suppliers, and has not engaged in "discrimination" as defined in School Board Policy 3330 – Supplier Diversity Outreach Program, Section D.1.; to wit: discrimination in the solicitation, selection, or commercial treatment of any subcontractor, vendor, supplier, or commercial customer on the basis of race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation or on the basis of disability or other unlawful forms of discrimination. Without limiting the foregoing, "discrimination" also includes retaliating against any person or other entity for reporting any incident of "discrimination." Without limiting any other provision of the solicitation for responses on this project, it is understood and agreed that, if this certification is false, such false certification will constitute grounds for SBBC to reject the response submitted by the BIDDER on this project, and terminate any contract awarded based on the response. As a condition of submitting a response to SBBC, the Bidder agrees to comply with SBBC's Commercial Nondiscrimination Policy as described under its School Board Policy 3330 – Supplier Diversity Outreach Program, Section D.1.

CERTIFICATION INSTRUCTIONS

To ensure that firms seeking to participate in the SDOP qualify as Small Business Enterprises (SBEs), or are at least fifty-one (51%) percent legitimately owned, operated and controlled by minorities and/or women, each such firm shall be required to be certified as to its Small/Minority/Women-Owned Enterprise (M/WBE) ownership status by the EDDC's Office at the time of the bid opening.

Important Points to Remember:

- a) Please visit the www.browardschools.com/Page58415 for information on How to become Certified.
- b) Visit www.browardschools.com/SDOP to access the Certified Supplier Directory.

Bidder shall be responsible to ensure that all SBBC certified subcontractor (s) are certified and licensed for the scope of work to be performed

DEFINITIONS

The following terms shall have the listed meanings as referenced in SDOP Guidelines - Document 00467.

Affirmative Procurement Initiative (API): refers to various SDOP tools and Solicitation Incentives that are used to encourage greater prime and subcontract participation by M/WBE firms, including bonding assistance, evaluation preferences, subcontracting goals, and joint venture incentives. (For full descriptions of these and other SDOP tools, see, Section E of SBBC Policy No. 3330 and the SDOP Standard Operating Procedures (SOP).)

Minority Business Enterprise (MBE) – any legal entity, except a joint venture, that is organized to engage in for-profit transactions, which is certified as being at least fifty-one percent (51%) owned, managed and controlled by one or more minority group members, and that is ready, willing, and able to sell goods or services that are purchased by the SBBC. To qualify as an MBE, the enterprise annual revenues and number of employees shall be no greater than fifty percent (50%) of the small business size standards for its industry as established by the U.S. Small Business Administration and meets the significant business presence requirements as defined herein. In addition, for purposes of being a certified MBE that is eligible to benefit from race- and gender-conscious APIs in this Policy, the enterprise shall meet the size standards for being "small" as defined herein. Unless otherwise stated, the term MBE as used in this Policy is not inclusive of women-owned business enterprises (WBEs).

Minority Women-Owned Business Enterprise (M/WBE) – a firm that is certified as either a minority business enterprise or as a Women-Owned enterprise and which is at least fifty-one percent (51%) owned, managed, and controlled by one or more minority group members and/or women, and that is ready, willing, and able to sell goods or services that are purchased by the School District.

Women-Owned Enterprises (WBE) – any legal entity, except a joint venture, that is organized to engage in for-profit transactions, that is certified for purposes of this Policy as being at least fifty-one percent (51%) owned, managed, and controlled by one (1) or more non-minority women individuals that are lawfully residing in, or are citizens of, the United States or its territories, that is ready, willing, and able to sell goods or services that are purchased by the SBBC and that meets the significant business presence requirements as defined herein.

In addition, for purposes of being a certified WBE that is eligible to benefit from race- and gender-conscious APIs in this Policy, the enterprise annual revenues and number of employees shall be no greater than fifty percent (50%) of the small business size standards for its industry as established by the U.S. Small Business Administration; and meets the significant business presence requirements as defined herein. Unless otherwise stated, the term WBE as used in this Policy is not inclusive of MBEs.

Small Business Enterprises (SBEs): a corporation, partnership, sole proprietorship, or other legal entity for the purpose of making a profit, which is certified in accordance with SBBC Policy No. 3330 as being independently owned and operated by individuals legally residing in, or that are citizens of, the United States or its territories, and which annual revenues and number of employees shall be no greater than fifty percent (50%) of the small business size standards for its industry(ies) as established by the U.S. Small Business Administration, and meets the significant business presence requirements as defined SBBC. Policy No. 3330.

Significant Business Presence: to qualify for participation as an M/WBE firm in the SDOP policy, an M/WBE must be headquartered or have a *significant business presence* for at least one year within the relevant marketplace, defined as: an established place of business in one or more of the three counties that make up the Southern Florida relevant marketplace, from which at least fifty percent (50%) of its full-time, part-time, and contract employees are domiciled and regularly based, and from which a substantial role in the M/WBE's performance of a commercially useful function is conducted. A location utilized solely as a post office box, mail drop or telephone message center, or any combination thereof, with no other substantial work function, shall not be construed to constitute a significant business presence.

In accordance with SBBC Policy No. 3330, the Goal Setting Committee (GSC) may establish M/WBE Subcontracting Program for this Bid, based upon relative M/WBE availability data collected by the SBBC through its Centralized Bidder Registration (CBR) system and from other jurisdictions within its three-county relevant marketplace for construction contracts, and the SBBC's utilization of M/WBEs for similar contracts. The M/WBE subcontracting program provides opportunities to Firms certified as M/WBE by SBBC. It is the goal of the District to actively promote equal opportunity for all segments of the contracting and business community to participate in School Board Contracts.

INDUSTRY-SPECIFIC REMEDIAL AFFIRMATIVE PROCUREMENT INITIATIVES

The GSC has considered the following in the course of reaching a determination regarding which, M/WBE industry-specific remedial programs shall be applied to this Bid and resulting contract:

M/WBE Subcontracting Program

In accordance with SBBC Policy No. 3330, Section E.2.b., the GSC has established on a contract-by-contract basis, at its discretion, that a predetermined percentage of a specific construction contract, up to forty percent (40%), be subcontracted to eligible M/WBEs. Factors to be considered by the GSC in making this determination shall include the relative availability of M/WBE firms to perform commercially useful functions on the specific contract. The application of segmented M/WBE goals is intended to ensure that those segments of M/WBEs that have been most significantly and persistently underutilized receive a fair measure of remedial assistance.

For this Bid and the resultant contract, the following terms and conditions shall apply:

In accordance with SBBC Policy No. 3330, Section E.2.b., the GSC has established an **M/WBE Subcontracting Program** to provide opportunities to Firms certified as M/WBE by The School Board of Broward County, Florida (SBBC). It is the goal of the District to actively promote equal opportunity for all segments of the contracting and business community to participate in School Board Contracts.

SBBC has identified a Fifteen percent 15% subcontracting participation goal for eligible SBBC-certified M/WBE firms..

NOTE: A M/WBE Prime who is self-performing must perform a minimum of 15% of the work with its own labor force pursuant to Document 00425 – Certificate of Intent. Also, the M/WBE Firm who is self-performing must identify itself by completing Form 00470 and 00475. (Also, a copy of the Prime's SBBC MWBE Certificate or Letter of MWBE Certificate must be included with proposal)

NOTE:

One of the following documents must be submitted with proposal for all SBBC Certified MWBE subcontractors listed on Forms 00475 and 00470.

- a. SBBC M/WBE Certificate**
- or**
- b. SBBC Letter of M/WBE Certification**

Also visit browardschools.com/Page/59879 for the list of current SBBC certified firms.

**THE FORMS LISTED BELOW MUST BE SUBMITTED FOR THE SUPPLIER
DIVERSITY OUTREACH PROGRAM (SDOP)**

The Forms must have complete information detailing Prime Firm's name, Subcontractors' name, contact information, scope of work, dollar amounts, percentages, and signatures:

- 1. Form 00470 - Statement of Intent**
- 2. Form 00475 - M/WBE Subcontractor Participation Schedule**
- 3. SBBC M/WBE Certificate or Letter of M/WBE Certification**

Failure of a proposer/bidder to commit and submit as required in the solicitation to satisfying the M/WBE Subcontracting Program shall render its response non-responsive to the MWBE requirements.

Such contract award is contingent upon a commercially useful function being assigned by the Bidder to the M/WBE subcontractors. Any bid submitted in response to this solicitation with an inadequate commitment for M/WBE and M/WBE subcontract participation and insufficient documentation of good faith efforts to satisfy the M/WBE Subcontracting Goal shall be rejected as non-responsive to the M/WBE requirements. In the event this contract-specific M/WBE Subcontracting Goal requirement is not satisfied by any proposer, the SDOP Office may, in its sole discretion, reduce or waive the application of the

goal on this specific contract due to the current unavailability of identified ready, willing, and able M/WBE subcontractors. In the alternative, the School District may reject all bids and rebid this contract using this or an alternative industry-specific remedial Affirmative Procurement Initiative option to achieve overall program objectives. M/WBE goals shall operate in the same manner as the M/WBE Subcontracting Program set forth in Section E. 2. b. of this SDOP Policy.

For this Bid and the resultant contract, the following terms and conditions shall apply:

*****NOTE TO BIDDERS*****
STEPS TO MEET M/WBE REQUIREMENTS

1. To Be in Compliance with the M/WBE Requirements

At Bid Submission, Bidder is required to state its commitment for M/WBE participation per project by utilizing the following forms: Document 00470 - Statement of Intent, and Document 00475 - M/WBE Subcontractor Participation Form. At the time of the proposal, the assigned, awarded Bidder shall identify all M/WBE firms which will be utilized, including an M/WBE Prime who is self-performing. The M/WBE participation commitment will be tracked and monitored based on total contract value of work assigned. Such

contract award shall be contingent upon a commercially useful function being assigned by the Prime to the

M/WBE subcontractors.

2. Prime & Subcontractor Terms and Conditions

In keeping with the objective of Policy 3330 and Chapters 9 and 13 of the Standard Operating Procedures, SBBC requires the terms and conditions that are included in the Prime Contractor or Prime Consultant or Prime Vendor's (Prime) Agreement between the Prime and SBBC be extended in similar or equal capacity in the contracts between the Prime and all lower tier Subcontractors. Refer to Document 00472 - Prime/Subcontractor Contract Terms & Conditions.

3. Penalties and Sanctions

In the absence of a waiver granted by the SDOP or the self-performance of a portion or all of the M/WBE subcontracting goal by a certified M/WBE Prime contractor, the failure of a Prime contractor to attain a subcontracting goal for M/WBE participation in the performance of its contract or otherwise comply with the provisions of this API shall be considered a material breach of contract, grounds for termination of that contract with the SBBC, and shall be subject to any penalties and sanctions available under the terms of the SDOP policy, its contract terms with the SBBC, or by law pursuant to the penalties and sanctions set forth in Section 13 of the Standard Operating Procedures for this Policy.

4. Suspension

The temporary stoppage of an M/WBE firm's beneficial participation in the District's SDOP for a finite period of time due to cumulative contract payments the an M/WBE firm received during a fiscal year that exceed a certain dollar threshold as set forth in Section (7) of the Standard Operating Procedures for this Policy or pursuant to the penalties and sanctions set forth in Section 13 of the Standard Operating Procedures for this Policy.

Good Faith Effort:

If the Bidder is unable to meet the M/WBE Participation goals, on a project by project basis, the Bidder must complete and submit a fully completed and executed Document Number 00485 - Good Faith Effort Form for that specific project, including all required supporting information. Refer to Document 00467 - SDOP Guidelines for more information.

Reporting Requirements:

Once a project is assigned and an NTP is issued, the assigned, awarded Bidder is required to submit the Document Number 00485 - Monthly Utilization Report Form. The assigned, awarded Bidder must also adhere to Section 9 and 13 of the SDOP SOP. All EDDC Forms, SOP, policies and Supplier Certified Directory are available at browardschools.com/Page/59114 . For information on the SDOP, please contact us at 754-321-0505.

SBBC prohibits any policy or procedure which results in discrimination on the basis of age, color, disability, gender identity, gender expression, national origin, marital status, race, religion, sex or sexual orientation. Individuals who wish to file a discrimination and/or harassment complaint may call the Executive Director, Benefits & EEO Compliance at (754) 321-2150 or Teletype Machine TTY (754) 321-2158.

Individuals with disabilities requesting accommodations under the Americans with Disabilities Act Amendments Act of 2008, (ADAAA) may call Equal Educational Opportunities (EEO) at (754) 321-2150 or Teletype Machine TTY (754) 321-2158.

~~SBBC reserves the right to reject any and all Bids and to waive any technicalities~~

