

RFQ 2021- 01 OWNER'S REPRESENTATIVE SERVICES FOR  
HEALTHY WEST ORANGE PAVILION

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**THE ROTARY CLUB OF WINDERMERE, INC.**

**REQUEST FOR QUALIFICATIONS**

**RFQ: #2021-01**

**OWNER'S REPRESENTATIVE SERVICES FOR  
HEALTHY WEST ORANGE PAVILION**

**RESPONSES ARE DUE BY 2:00 PM EST OCTOBER 8, 2021**

**MAIL OR DELIVER RESPONSES TO:**

The Rotary Club of Windermere, Inc  
501 Forest St.  
Windermere, FL 34786  
Phone: (407) 876-2563, Fax (407) 876-0103

# RFQ 2021- 01 OWNER’S REPRESENTATIVE SERVICES FOR HEALTHY WEST ORANGE PAVILION

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## 1. OVERVIEW

**Services Requested.** The Rotary Club of Windermere Inc. (“Rotary”), a 501c3 Organization is issuing a Request for Qualifications (RFQ) from qualified firms or individuals (“Proposer”) to act as the owner representative for the Rotary for the new Healthy West Orange Pavilion project (“Project”) to be located in the Town of Windermere (“Town”). The owner representative services to be provided to the Rotary are described below in Section 5 (the “Services”).

**CCNA.** The Rotary will select the qualified Proposer in accordance with Section 287.055 of the Florida Statutes, the Consultants’ Competitive Negotiation Act (the “CCNA”). RFQ responses shall be evaluated by the Rotary. Three or more Proposers, deemed as best qualified using the factors set forth in Section 287.055, Florida Statutes, shall be selected by a committee of at least three appointees for discussions and/or presentations, ranking, and subsequent negotiations for a contract with the highest ranked Proposer.

**Project Description.** The Project includes a covered stage furnished with a retractable projection screen and appropriate lighting and sound equipment, men's and women's restrooms (a minimum of three stalls in each plus a urinal in the men's restroom), two family restrooms, and concession stand with an equipped kitchen in downtown Windermere at the corner of Forest Street and Fifth Avenue where the existing community building stands. The Project will include the demolition of the existing community building, installation of new septic drainfield and tank, repaving and refurbishing of basketball courts if necessary, appropriate landscaping, and potentially redesigning the parking area. Behind the pavilion will be additional parking and beside and around the pavilion will be a pocket park with exercise stations. The new pavilion will be named the "Healthy West Orange Pavilion" and will support the Town in meeting the goals of Healthy West Orange by providing a central location for health and wellness programs to be offered to residents of West Orange County. The Healthy West Orange logo and/or name will be prominently and permanently placed on the pavilion and pocket park locations and signage will be included recognizing the West Orange Healthcare District as the benefactor and funder for the pavilion.

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## 2. SUBMISSION REQUIREMENTS:

**Submittal Instructions:** The response must be submitted on 8-1/2" X 11" paper, 12-point font, numbered, with headings, sections, and sub-sections that directly correlate/address specifically all required submittal information in their respective order identified below. Interested Proposers must submit three (3) bound copies, one (1) unbound original, and one (1) electronic copy (CD: PDF Format) of their qualifications prior to 5pm Eastern Standard Time, by the date set forth in Section 3, to the attention of **The Rotary Club of Windermere Inc, 501 Forest St. Windermere, FL 34786**. Qualification documents received after this date and time will not be considered.

Please include in your response:

**A. Title Page:** Identify the RFQ subject, RFQ #, name of Proposer, Proposer's address, phone and facsimile number, primary point of contact, primary point of contact's title, mailing address, e-mail address for receipt of notifications, and date of submittal.

**B. Letter of Transmittal:** Include the following:

- Type of business (sole proprietorship, partnership, limited liability company, corporation, etc.); and
- State of formation;
- If the Proposer is a certified minority business
- Headquarters location and if any offices are located in the State of Florida
- Include the names and contact information of the persons who will be authorized to bind the Proposer
- Include the name(s) of the person(s) that will be performing the Services; and
- Be signed by a representative who is authorized to contractually bind the Proposer and include the title.

**C. Qualifications:** State the experience and qualifications of the Proposer.

**1. Proposer Organization Description:** Give a brief history of the organizational structure of the Proposer, including the organization's date of inception. Indicate number of employees, and identify if the Proposer has a minority, women, and/or service-disabled veteran business status. Provide a web address for the Proposer. Provide copies of the Proposer's licenses, if any.

**2. Previous Experience:** Provide current/past experience within the last 10 years of the Proposer in successfully overseeing projects of similar size scope and complexity or larger. In order to submit a response to this RFQ, Proposers must be experienced in overseeing, managing, supervising or acting as an owner's representative for at least one (1) public or institutional project with a construction budget of at least \$1,000,000.00.

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- 3. References:** Provide at least three (3) references, including contact names and phone numbers, for projects of similar scope and complexity overseen in the last 10 years.
- 4. Key Personnel:** Provide biographies/resumes of the proposed individual that will act as the owner representative for this Project. The biography shall include their position, years of experience, tenure with the Proposer and similar projects.
- 5. Conflict of Interest:** Indicate any conflicts or potential conflicts of interest with the Town or the Rotary Club of Windermere, Inc.
- 6. Legal:** Provide a list, along with brief explanations, of all lawsuits by and against the Proposer over the past five (5) years, and the result of each lawsuit and if not resolved, the current status.
- 7. Scope of Services:** Each response should address a description of the Proposer's approach to the Services set forth in Section 5.

All questions pertaining to this Request for Qualifications (RFQ) should be directed, in writing, to Robert Smith, Town Manager, 501 Forest St. Windermere, FL 34786, by email [rsmith@town.windermere.fl.us](mailto:rsmith@town.windermere.fl.us). Any addenda to this RFQ shall be made on the Town of Windermere ([www.town.windermere.fl.us](http://www.town.windermere.fl.us)) web site. It is the sole responsibility of those submitting an RFQ to check the web site for addendums. These questions are due by the date set forth in Section 3.

The Rotary reserves the right to reject any and all proposals, to waive informalities in any or all qualification documents, to re-advertise for RFQ's, and to separately accept or reject any item or items and to negotiate contracts in the best interest of the Rotary. The Rotary reserves the right to reject any and all qualification documents received, to solicit new qualification documents, or take any other such actions that may be deemed to be in the best interest of the Rotary. MBE/WBE/DBE businesses are encouraged to participate. The Rotary strictly enforces open and fair competition. The Rotary may reject any response not in compliance with all prescribed solicitation procedures and requirements and other applicable law, and may reject any or all responses in whole or in part when the cancellation or rejection is in the best interest of the Rotary and at no cost to the Rotary.

While every effort has been made to ensure the accuracy and completeness of the information in this RFQ we recognize that the information may not be complete in every detail and that all Services may not be expressly mentioned in this RFQ. It is the responsibility of the proposing company to include in their proposal all pertinent information in accordance with the objectives of the Rotary.

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## 3. Calendar of Events

All times listed in the calendar of events is Eastern Daylight Time

Request for Qualifications Advertised	September 17, 2021
Technical Questions Due to the Rotary (written)	September 24, 2021
Responses to Questions Due from the Rotary	September 28, 2021
Proposals Due to the Rotary	October 8, 2021 by 2:00 p.m. EST
Short List Presentations (optional) or Discussions with top-three ranked Proposers	October 2021
Contract Negotiated with Rotary	October 2021
Board (Rotary & Town of Windermere) Approval of Negotiated Contract	October 2021

- The Rotary reserves the right to alter scheduled dates if necessary

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## 4. Additional Instructions to Proposers

### 4.01 Disqualification of Proposers

- A. **NON-COLLUSION AFFIDAVIT:** Any person submitting a response to this RFQ must execute the enclosed NON-COLLUSION AFFIDAVIT. If it is discovered that collusion exists among the Responders the response of all participants in such collusion shall be rejected, and no participants will be considered in future responses for the same work
- B. **PUBLIC ENTITY CRIME:** 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 response/bid on a contract to provide any goods or services to a public entity submit response/bids on leases 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, Florida Statutes, for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.
- C. **DRUG-FREE WORKPLACE FORM:** Any person submitting a response or qualification documents in response to this invitation must execute the enclosed DRUG-FREE WORKPLACE FORM and submit it with the response. Failure to complete this form in every detail and submit it with your response will result in immediate disqualification of your response.
- D. **CONFLICT OF INTEREST:** Any Proposer who is deemed to have a conflict of interest prohibited by Chapter 112, Florida Statutes, shall be disqualified.
- E. **PROHIBITED COMMUNICATION:** Any form of communication, except for written correspondence authorized herein, shall be prohibited regarding this particular request for qualifications, or any other competitive solicitation between:
  - 1. Any person or person's representative seeking an award from such competitive solicitation; and
  - 2. Any Rotary Members or any Town staff/contractor authorized to act on behalf of the Board to award a particular contract (Selection Committee Member, etc.)

For the purpose of this section, a person's representative shall include but not limited to, the person's employee, partner, officer, director, consultant, lobbyist, or any actual or potential subcontractor or consultant of the person.

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This prohibition on communication shall be in effect as of the publication of the bid advertisement. The provisions of this section shall not apply to oral communications at any public proceeding, oral presentations before selection committees, contract negotiations, presentations made to the Rotary or Town Council if requested, and protest hearings.

The provisions of this section shall terminate at time of award of grant writing services, rejects all bids, or otherwise takes action which ends the solicitation process.

## **4.02 EXAMINATION OF RFQ DOCUMENTS**

Each Proposer shall carefully examine the RFQ and other documents, and inform him or herself thoroughly regarding any and all conditions and requirements that may in any manner affect cost, progress, or performance of the Services to be performed under the awarded contract. Ignorance on the part of the Proposer in no way relieves the Proposer of the obligations and responsibilities assumed under the contract.

Should a Proposer find discrepancies or ambiguities in, or omissions from, the specifications, or be in doubt as to their meaning, Proposer shall notify the Town Manager in writing prior to the Response Question Due Date.

## **4.03 INTERPRETATIONS, CLARIFICATIONS, AND ADDENDA**

No oral interpretations will be made to any potential Proposer as to the meaning of the contract documents. Any inquiry or request for interpretation received on or before the deadline set forth in Section 3 will be given consideration. Any changes or interruption will be made in writing in the form of an addendum and, if used, will be posted on the Town Web Site [www.town.windermere.fl.us](http://www.town.windermere.fl.us). Each Proposer shall acknowledge receipt of any addenda in their proposal. If the acknowledgement is not included, the response to the RFQ will constitute acknowledgment. It is the responsibility of all Proposers to verify all addenda prior to submitting a response to the RFQ.

## **4.04 GOVERNING LAWS AND REGULATIONS**

The Proposer is required to be familiar with and shall be responsible for complying with all Federal, State, and Local laws, ordinances, rules, and regulations that in any manner affect the Services including grant award terms for all grants to which a Proposer may apply on behalf of the Rotary.

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## **4.05 SIGNATURE OF PROPOSER**

The Proposer must sign the response forms in the space provided for the signature. If the Proposer is a professional association or other business entity, the title of the officer signing the response on behalf of the entity must be stated and evidence of the officer's authority to sign the response must be submitted. The Proposer shall state in the response the name and address of each person interested therein.

## **4.06 COST OF PROPOSAL**

The Rotary assumes no responsibility or liability for the costs incurred by the submitting firm to prepare and/or submit a proposal. The entire cost of preparing and submitting qualification documents, or any work in connection therewith will be borne by the submitting Proposer.



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## 5. Scope of Services

### 5.01 Services will include the following to the extent approved by the Rotary

- Consult with the Project Architect regarding the Project design.
- Assist in negotiation of contract(s) for Architect and Contractor or Design-build firm.
- Monitor permitting process.
- Make 2-4 site visits to the Project site per month or as needed, with one at or near the time that each request for disbursement of funds is received, to evaluate the progress of the Project and confirm conformance and compliance with the construction drawings and specifications submitted, and to meet with the Contractor, Architect, and the Town at the Project Site to discuss the status of the Contractor's work.
- After each site visit, prepare an email report which will include an estimate of the percentage of overall completion of the Project with comments on the request for disbursement of construction funds for each draw period; a comparison of construction advancement to the Contractor's construction progress schedule; a list of any construction deficiencies; photographic documentation of the work as it progresses and any specific deficiencies and provide recommendations for corrections; and a list and update of any change orders.
- Serve as the representative on behalf of the Rotary, communicate with the Contractor and Architect, and report to the Rotary matters concerning the Project.
- Review change orders requested by the Rotary or prepared by the Contractor or Architect and present to the Rotary for discussion and approval; also comment on the general impact the change orders may have on the Project time schedule and Project cost. Provide recommendations during construction for potential changes to the Work.
- Review pay requests for work by the Contractor and make recommendations to the Rotary for approval of payment or partial payment.
- Be available for and participate in conferences with Rotary, Town, Architect, and/or Contractor as needed or requested by the Rotary or Town or Town's representatives.
- Comment on the type and quantity of materials stored on-site.
- Advise when the work has achieved substantial completion and conduct a substantial completion inspection with Rotary, Town, Architect, and Contractor. Assist with Contractor's preparation of a punch list and determine an estimate of the dollar amount of the work necessary to complete the punch list in order that the estimated cost of punch list work may be withheld from funding until all punch list items are satisfactorily completed.
- Advise when the work has achieved final completion and conduct a final completion inspection with Rotary, Town, Architect, and Contractor. Advise Rotary and Town on Project close out documentation.

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- Consult with Rotary on conflicts between Town, Architect, and Contractor that arise during construction.

## **5.02 Required Insurance**

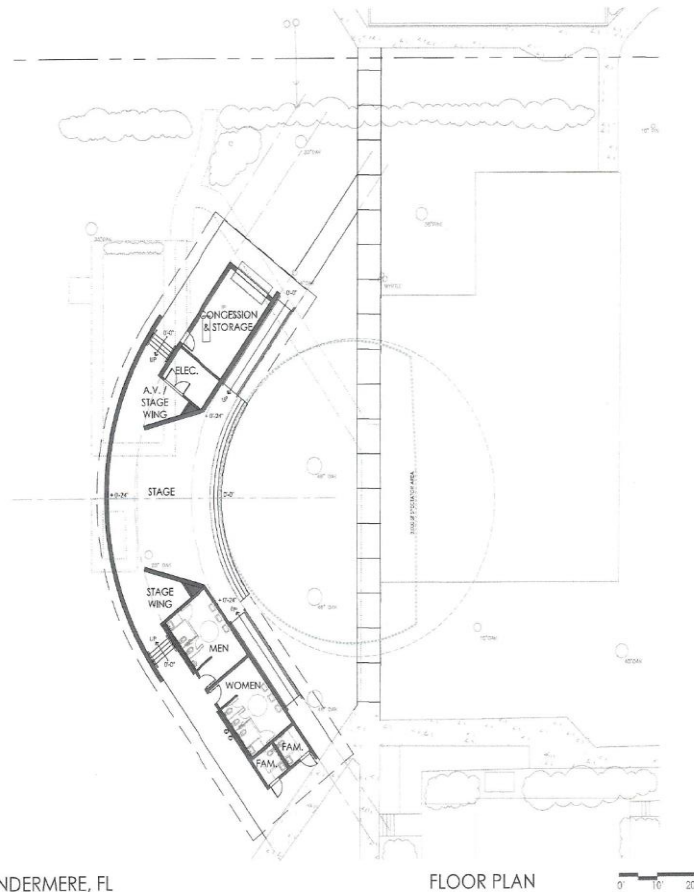
- The Town shall be named as additional insured on all policies. The Proposer is required to maintain a minimum coverage of General Liability Insurance in the amount of \$1,000,000 (with a deductible permitted not in excess of \$50,000) will be required for this Project. Insurance carriers providing coverage required must be licensed to conduct business in the State of Florida and must possess a current A.M. Best's Financial Strength Rating of A- Class VIII or better. Additionally, Proposer is required to maintain any coverage required by federal and state workers' compensation laws.

## **5.03 Project Duration Schedule**

- Design and Permitting – 1-3 Months
- Procurement & Preconstruction - 1-3 months
- Construction - 4-6 Months

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5.04 Project Concepts: (Available at [www.town.windermere.fl.us](http://www.town.windermere.fl.us) or [rsmith@town.windermere.fl.us](mailto:rsmith@town.windermere.fl.us))



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3D VIEW - OPTION 2



WINDERMERE PAVILION | WINDERMERE, FL  
10.20.19

# RFQ 2021- 01 OWNER'S REPRESENTATIVE SERVICES FOR HEALTHY WEST ORANGE PAVILION

**RESPONSE TO: RFQ 2021-01 Owner's Representative Services for Healthy West Orange Pavilion  
THE ROTARY CLUB OF WINDERMERE INC  
501 FOREST ST. WINDERMERE, FL 34786**

I acknowledge receipt of any/all Addenda: \_\_\_\_\_

I have included:

- Hold Harmless Agreement
- Certificate of Insurance
- Non Collusion Affidavit
- Drug Free Workplace Form

Mailing Address:

\_\_\_\_\_  
TELEPHONE \_\_\_\_\_  
\_\_\_\_\_  
FAX: \_\_\_\_\_  
\_\_\_\_\_  
DATE \_\_\_\_\_

BY signing and submitting this proposal, I am certifying that (a) I am a citizen of the United States; and  
(b) I am not a member or an employee of the Town or a member of the Rotary Club of Windermere, Inc.

\_\_\_\_\_  
Signature of Proposer

\_\_\_\_\_  
Witness

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

THE FOREGOING INSTRUMENT was acknowledged before me by means of  physical presence or   
online notarization, this \_\_\_\_ day of \_\_\_\_\_, 2021, by \_\_\_\_\_, as  
\_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_, on behalf thereof, who  
 is personally known to me, or  produced \_\_\_\_\_ as identification.

[AFFIX NOTARY SEAL]

\_\_\_\_\_  
Notary Public Signature  
Print Notary Name: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

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**HOLD HARMLESS AGREEMENT**

I \_\_\_\_\_ (Proposer) agrees to indemnify and hold harmless the Rotary Club of Windermere Inc and the Town of Windermere, Florida, and any of its respective employees and agents from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorneys' fees, to the extent caused by the negligence, recklessness, or intentionally wrongful conduct of the Proposer and other persons employed or utilized by the Proposer in the performance of the contract contemplated by this RFQ.

In the event the completion of the Project awarded pursuant to this RFQ (to include the work of others) is delayed or suspended as a result of the Proposer's failure to purchase or maintain the required insurance, the Proposer shall be responsible to reimburse the Town for all increased expenses resulting from such delay.

\_\_\_\_\_  
Signature of Proposer

\_\_\_\_\_  
Witness

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

THE FOREGOING INSTRUMENT was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_ day of \_\_\_\_\_, 2021, by \_\_\_\_\_, as \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_, on behalf thereof, who  is personally known to me, or  produced \_\_\_\_\_ as identification.

[AFFIX NOTARY SEAL]

\_\_\_\_\_  
Notary Public Signature  
Print Notary Name: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

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NON-COLLUSION AFFIDAVIT

I \_\_\_\_\_ (Proposer) of the firm of \_\_\_\_\_ (Proposer Firm Name) responded to the RFQ for Owner’s Representative Services for Healthy West Orange Pavilion for The Rotary Club of Windermere Inc. Our response has been executed with full authority to do so. This response has been arrived at independently without collusion, consultation, communication or agreement for the purposes of restricting competition, as to any matter relating to qualifications or responses of any other responder or with any competitor, and no attempt has been made or will be made by the Proposer to induce any other person, partnership or corporation to submit, or not to submit, a response for the purpose of restricting competition.

The Statements contained within this affidavit are true and correct, and made with full knowledge that The Rotary Club of Windermere Inc relies upon the truth of the statements contained in this affidavit in awarding contracts for said Services.

\_\_\_\_\_  
Signature of Proposer

\_\_\_\_\_  
Witness

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

THE FOREGOING INSTRUMENT was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_ day of \_\_\_\_\_, 2021, by \_\_\_\_\_, as \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_, on behalf thereof, who  is personally known to me, or  produced \_\_\_\_\_ as identification.

[AFFIX NOTARY SEAL]

\_\_\_\_\_  
Notary Public Signature  
Print Notary Name: \_\_\_\_\_  
My commission expires: \_\_\_\_\_



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## DRUG FREE WORKPLACE CERTIFICATION

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 an employee 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, available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees from drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under this solicitation a copy of the statement specified in subsection (1) above.
4. In the statement specified in subsection (1), notify the employees that, as a condition of working in the commodities or contractual services that are under this solicitation, the employee will abide by the terms of the statement and will notify the employee 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 work place 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.

\_\_\_\_\_  
Signature of Proposer

\_\_\_\_\_  
Witness