



**AMENDMENT #1**

**RFP NO. 2022-05**

**Issued: October 21<sup>st</sup>, 2022 @ 4:00 P.M. EST**

The Palm Beach MPO  
d/b/a  
The Palm Beach Transportation Planning Agency (TPA)

is providing responses to questions received regarding RFS 2022-05 and associated amendments for:

**CONSULTANT SERVICES REQUIRED FOR THE PREPARATION OF:  
2050 LONG RANGE TRANSPORTATION PLAN FOR PALM BEACH  
COUNTY**

**IN ACCORDANCE WITH THE PROVISIONS OF ADA, THIS DOCUMENT MAY BE  
REQUESTED IN AN ALTERNATE FORMAT**

**Palm Beach County Mayor Robert Weinroth - TPA Governing Board Chair  
Valerie Neilson, Executive Director**

**Palm Beach Transportation Planning Agency  
301 Datura Street  
West Palm Beach, FL 33401**

**RFP DATE ISSUED: October 5<sup>th</sup>, 2022 @ 4:00 P.M. EST**

**RFP CLOSING DATE AND TIME: November 7<sup>th</sup>, 2022 @ 4:00 P.M. EST**

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**Item #1 Proposed Contract Start Date**

The expected Contract Start Date for the services rendered under RFP 2022-05 is corrected from 01/03/2022 to be 01/03/2023 as indicated below.

**Section 1.6 Timetable**

Contract Start Date	01/03/2022 01/03/2023	9:00am	
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**Item #2 DBE Bidders Opportunity List Submission Process**

The TPA hereby amends RFP 2022-05 Section 2.10.4 to require the submission of a DBE Participation Statement and Bidder's Opportunity List (BOL) with the proposal (as attached to this amendment) with a commitment by the respondent to submit the BOL within the FDOT reporting system as soon as practicable.

As published:

**2.10.4 DBE Reporting**

*All bidders must provide Bidders Opportunity List information in the FDOT Equal Opportunity Compliance (EOC) System. Instructions for doing so are located on the FDOT website at [https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/content/equalopportunity/eoc-help/bidders-opportunity-list/report-bidders-list.pdf?sfvrsn=dde4e3b5\\_0](https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/content/equalopportunity/eoc-help/bidders-opportunity-list/report-bidders-list.pdf?sfvrsn=dde4e3b5_0)*

*The selected consultant must use the FDOT EOC system to report the use (or lack thereof) of DBEs. The consultant must enter both its DBE commitments and subcontractor list in EOC. Instructions for doing so are located on the FDOT website at <https://www.fdot.gov/equalopportunity/eoc.shtm>.*

*The selected consultant must access FDOT at least every thirty (30) days to update commitments and enter EOC payments. Instructions for doing so are located on the FDOT website at <https://www.fdot.gov/equalopportunity/eoc.shtm>.*

*For further assistance or information contact the system administrator at [eoohelp@dot.state.fl.us](mailto:eoohelp@dot.state.fl.us).*

As Amended:

**2.10.4 DBE Reporting**

**All bidders must provide a Bidders Opportunity List using attachments 8 and 9, attached herein, in the proposal submission.** In addition, all bidders hereby commit to submit Bidders'

Opportunity Lists within the FDOT Equal Opportunity Compliance (EOC) System as early as the system and applicable system information is available for submission. **The Agreement Number for BOL submissions within the EOC system is G2917.** Instructions for doing so are located on the FDOT website at [https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/content/equalopportunity/eoc-help/bidders-opportunity-list/report-bidders-list.pdf?sfvrsn=dde4e3b5\\_0](https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/content/equalopportunity/eoc-help/bidders-opportunity-list/report-bidders-list.pdf?sfvrsn=dde4e3b5_0)

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### **Respondent Question #1**

We're interested in pursuing this project as a cost-estimating subconsultant and wanted to see if there might be a list of plan holders or list of pre-qualified A/E firms that you might be able to provide us with?

### **TPA Response #1**

A/E = Architecture and Engineering

The Palm Beach TPA does not have a list of prequalified vendors. The respondent may utilize the MyFloridaMarketplace vendor database to identify potential A/E firms.

<https://vendor.myfloridamarketplace.com/search/vendor>

The Palm Beach TPA is not affiliated with, nor does it control the contents or data found on MyFloridaMarketplace.

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### **Respondent Question #2**

In regards to RFP NO. 2022-05, are there any restrictions to where the Project Manager resides?

### **TPA Response #2**

No, however, there may be times where the project manager needs to be on-site for meetings and other activities.

Additionally, local knowledge of the Palm Beach County area is a factor in the scoring criteria for this procurement.

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### **Respondent Question #3**

Is there a conflict of interest for serving as a member of a TPA Committee or Board and also applying as a subconsultant for this solicitation?

### **TPA Response #3**

By Florida law, a TPA Committee or Board member would be barred from participating on a consultant team to revise the LRTP for the Palm Beach TPA.

Any person who is a member of a TPA committee is a “public officer” under the law. Section 112.313(1), Florida Statutes, provides that the term “public officer” includes any person elected or appointed to hold office in any agency, including any person serving on an advisory body.

Section 112.313(6), Florida Statutes, relating to misuse of public position is applicable. That statute provides that “[n]o public officer, . . . shall corruptly use or attempt to use his or her official position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or exemption for himself, herself, or others.” Given the nature of the proceeding, it could be claimed that use of the Committee or Board position was with a corrupt motive.

The second provision of law that is even more compelling is Section 112.313(7)(a), Florida Statutes, relating to conflicting contractual relationships. That statute provides that “[n]o public officer . . . shall have or hold any employment or contractual relationship with any business entity . . . , [which] is doing business with an agency of which he or she is an officer . . . .”

As a part of the consultant team for preparation of the LRTP revisions, a conflicting relationship would exist. Thus, by Florida law a TPA Committee or Board member would be barred from participating on a consultant team to revise the LRTP for the Palm Beach TPA.

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**Attachment 8 - DBE Participation Statement**

RFP Number: 2022-05

Contractor's Name: \_\_\_\_\_

Contractor's FEID Number: \_\_\_\_\_

Expected amount of contract dollars to be subcontracted to DBE(s): \$ \_\_\_\_\_

**OR**

It is our intent to subcontract \_\_\_\_\_% of the contract dollars to DBE(s). Listed, below are the proposed DBE sub-contractors:

<u>DBE (s) Name</u>	<u>Type/Specialty Work</u>	<u>Dollar Amount/ Percentage</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Submitted by: \_\_\_\_\_ Title: \_\_\_\_\_  
(Type or Print)

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

Note: This information is used to track and report anticipated DBE participation in TPA contracts. The anticipated DBE amount will not become part of the contractual terms.

**Attachment 9 - Bidder's Opportunity List**

**Prime Contractor / Prime Consultant:** \_\_\_\_\_

**Address/Telephone Number:** \_\_\_\_\_

**RFP Number/Advertisement Number:** 2022-05

**49 CFR Part 26.11** The list is intended to be a listing of all firms that are participating, or attempting to participate, on TPA contracts. The list must include all firms that bid on prime contracts, or bid or quote subcontracts and supplies or materials on TPA projects, including both DBEs and non-DBEs. For consulting companies this list must include all subconsultants contacting you and expressing an interest in teaming with you on a specific TPA project. Prime contractors and consultants must provide information for Numbers 1, 2, 3 and 4, and should provide any information they have available on Numbers 5, 6, 7 and 8 for themselves, and their subcontractors and subconsultants. Additional pages may be added as necessary.

1. Federal Tax ID Number: \_\_\_\_\_ 6.  DBE 8. Annual Gross Receipts:  
2. Firm Name: \_\_\_\_\_  Non-DBE  Less than \$1 Million  
3. Phone: \_\_\_\_\_  Between \$1- \$5 Million  
4. Address: \_\_\_\_\_  Between \$5- \$10 Million  
\_\_\_\_\_  Between \$10-\$15Million  
\_\_\_\_\_  More than \$15 Million  
5. Year Firm Established: \_\_\_\_\_ 7.  Sub-contractor  
 Sub-consultant

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7. Year Firm Established: \_\_\_\_\_ 7.  Sub-contractor  
 Sub-consultant

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**AS APPLICABLE, PLEASE SUBMIT THIS FORM WITH YOUR: PROPOSAL FAILURE TO COMPLETE, SIGN AND RETURN THE DBE PARTICIPATION STATEMENT AND BID OPPORTUNITY LIST MAY DEEM YOUR OFFER NON-RESPONSIVE.**