



RFP 2023-01 State Legislative Advocacy Consultant

CALENDAR OF EVENTS

Listed below are the important dates and times by which the actions noted must be completed. If the Department of Finance and Administration finds it necessary to change any of these dates or times, the change will be accomplished by addendum. All dates are subject to change.

<u>ACTION</u>	<u>COMPLETION/DUE DATE</u>
Issue RFP	July 21, 2022
Deadline for Submitting Questions	August 10, 2022 at noon
Proposals Due	August 17, 2022 at 12:00 p.m.
Initial Proposal Review	August 29, 2022
Vendor Presentations (if required)	To be determined
Request for Board Approval to Award	September 14, 2022
Contract Negotiation	To be determined
Contract Period Begins	November 1, 2022 (contingent upon successful negotiations)

METROPLAN ORLANDO
2023-01 State Legislative Advocacy Consultant
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RFP 2023-01 State Legislative Advocacy Consultant

Section I

Scope of Work



RFP 2023-01: State Legislative Advocacy Consultant

Scope of Services

Introduction

MetroPlan Orlando is soliciting proposals for state legislative advocacy services to represent its transportation interests before the State of Florida Legislature and committees, and before the Executive Branch of the State of Florida Government. The firm or firms selected must be experienced in transportation policy, and funding issues and advocacy before State of Florida transportation authorizers, appropriators and regulators.

MetroPlan Orlando (the “Organization”) is the Orlando Urban Area Metropolitan Planning Organization (MPO) for the three-county area of Orange, Osceola and Seminole Counties and is the duly designated and constituted body responsible under federal and state laws for carrying out the urban transportation planning and programming process for the Orlando Urban Area (Orange, Seminole, and Osceola Counties).

The Organization’s Board is comprised of representatives from Orange, Seminole and Osceola County governments; the cities of Orlando, Apopka, Altamonte Springs, Sanford and Kissimmee; the Central Florida Regional Transportation Authority, the Greater Orlando Aviation Authority, the Central Florida Expressway Authority and the Sanford Airport Authority.

The initial term of the representation will be for five (5) years, and may be extended at the Organization’s option for two (2) additional one-year periods.

Scope of Work

Legislative Representation

Consultant will represent the Organization with the Florida State Legislature, its committees, the Executive Branch of the State of Florida Government and with other state agencies. Consultant also will collaborate with other organizations that share an interest in the same legislative priorities. The goal of such representation will be to secure passage of state legislation and secure funding for programs and projects identified by the Organization as priorities. Consultant will also represent positions taken by the Organization which may be in support of, in opposition to, or neutral to proposed legislative initiatives. Explicit responsibilities of the Consultant include:

- Coordinate and pursue efforts to establish and maintain relationships with state agencies to secure support of the Organization’s funding and legislative priorities.
- Provide advice to the Organization in the development of its annual legislative priorities and positions.
- Assist the Organization in developing a plan of action for pursuing the approved State legislative priorities.
- Work to develop support and passage of the Organization’s State legislative priorities.

- Advocate positions before the State Legislature and the Executive Branch that are beneficial to the Organization and oppose harmful measures.
- Coordinate the Organization's State legislative activities with other groups having similar interests, including but not limited to the Florida Metropolitan Planning Organization Advisory Council.
- Monitor and report state legislative and regulatory actions of importance to the Organization. Review and report on any proposed transportation legislation or appropriations which may positively or negatively affect statewide or local transportation system, and/or the Organization, directly or indirectly, including, but not limited to, matters concerning highways, public transportation, airport-related surface transportation systems, bicycle and pedestrian facilities, traffic safety, environmental regulations, organizational issues and funding. This review shall also include all appropriate pre- and post-legislative session committee meetings, hearings and conferences.
- Identify additional areas where state funding may be available to local governments or regional transportation entities.
- Assist in the preparation of requests for funding for various transportation projects to the Florida Department of Transportation, other state agencies and the Florida Legislature.
- Provide specialized assistance in expediting and processing applications submitted to state agencies.
- From time to time, facilitate meetings between MetroPlan Orlando Board members, staff and other local government officials with members of the Legislature and state agencies.
- The Consultant will work closely with the Executive Director and assigned staff who will be available to communicate the Organization's priorities and provide background information and data to assist the Consultant in advancing the Organization's efforts in Tallahassee.
- If necessary, provide assistance with federal legislative matters or direct the Organization to effective consultant contacts in Washington, D.C.

Reporting

The Consultant will prepare and present oral reports to staff and the Organization's Board as needed or as requested on a periodic basis (more frequently while engaged in special projects such as during the Legislative session). The Consultant shall provide the Organization each month with detailed written narrative reports delineating all services provided by the Consultant in the previous month and the results of the Consultant's efforts. Each report required herein will be submitted to the Executive Director and assigned staff within ten (10) days after the end of the applicable reporting period.

Revisions

The Organization may make revisions to the Scope of Work, highlighting or de-emphasizing certain facets or activities, as the Organization's priorities evolve and new information becomes available.

Qualifications and Experience

- The firm selected will be an established, experienced company with a strong history of representing public organizations, transportation entities and related interests in Tallahassee, Florida. The firm selected, however, shall take precaution not to represent such entities that may compete with the Organization for state (or federal funding) or private entities whose interests may be in direct opposition to the positions of the Organization's. Nor shall the firm selected engage in representing

those competing entities during the duration of the resulting contract. Consultant shall disclose any such representation in order to fully assess whether such conflict exists.

Innovation

In addition to completing the above scope of services, firms should demonstrate additional innovative ways to further the goals of the Organization's Legislative Priorities in Tallahassee. The Organization encourages firms to suggest additional approaches to complement the scope of services above.

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Section II

Proposal Response Instructions



RFP 2023-01: State Legislative Advocacy Consultant Proposal Response Instructions

Due Dates:

1. Proposals must be received no later than **12:00 p.m., Wednesday, August 17, 2022**
2. Questions about this RFP must be received by **12:00 p.m., Wednesday, August 10, 2022**
 - a. Must be in writing
 - i. Email to RFP@metroplanorlando.org
OR
 - ii. Mail to Director of Finance & Administration, MetroPlan Orlando, 250 South Orange Avenue, Suite 200, Orlando, FL 32801-3443
 - b. All questions and responses will be posted on the MetroPlan Orlando website within two (2) business days of receipt.

Submittal Requirements:

1. Entire proposal package must be sealed and submitted to:
Director of Finance and Administration
MetroPlan Orlando
250 South Orange Avenue, Suite 200
Orlando, Florida 32801
2. Identified as the Proposal, and bearing on the outside the following:

Proposal For: 2023-01 State Legislative Advocacy Consultant
Submitted To: MetroPlan Orlando
Submitted By: Proposer's Name
Proposer's Address
City, State, Zip Code
Proposer's Phone Number
Proposer's Contact Number and E-Mail Address
Date Submitted
3. Contain five (5) proposals
4. Include one (1) separately sealed envelope with one (1) set of DBE forms and (1) Conflict of Interest Form
5. Include one (1) PDF color copy of the entire proposal on CD or DVD or USB drive (including DBE forms)
 - A separate PDF file should be created for each document type (i.e. Proposal.pdf, DBE forms.pdf)
 - PDFs must be printable

Required Contents/ Structure of Proposal:

1. Proposal Cover – Must contain the following contact information:
 - Clearly state “RFP 2023-01: State Legislative Advocacy Consultant”
 - Company name
 - Address
 - Contact name
 - Email address
 - Phone number
 - Fax number
 - SAM.GOV Unique Entity ID

2. **25 page limit** inclusive of items 3 – 8 below (Cover pages, table of contents, and dividers – if included – do not count as a page; two-sided pages count as two pages; pages larger than letter size count as two pages)
3. Include a signed transmittal letter by an officer of the company with authority to enter into a contract should they receive the proposal award
4. A table of contents that includes a clear identification of the material by section and by page number
5. General Information
 - a. Name of business and brief description of agency
 - b. Names of Officers or Principals and names of persons to be contacted for information or services if different from name of person(s) in charge
 - c. Business hours of operation
 - d. State if business is local, national, or international and indicate the business legal status (corporation, partnership, sole proprietor, etc.) and provide taxpayer ID number.
 - e. Give the location of the office from which the work is to be done and the number of professional staff employees at the said office.
 - f. State if the business is licensed, permitted and/or certified to do business in the State of Florida
 - g. Indicate whether the business is a parent or subsidiary in a group of firms/agencies
 - h. Range of services, i.e., lobbying, legal – legislation/bill drafting, advertising, marketing, and public relations
6. Explain how the firm is organized and how its resources will be put to work for the Organization. Include, as a minimum:
 - a. Names, resumes, professional credentials and experience of those who will actually perform the services for the Organization, including any sub-consultants.
 - b. Location of firm(s) and dates established.
 - c. A summary of work and professional experience relative to the Scope of Work, with documented experience in representing public organizations, transportation entities and related interests in Tallahassee. If work has been done representing clients in federal matters, this should be noted too.
 - d. Submit descriptions of experiences and relationships with existing clients, including county and municipal governments and other transportation related industries, businesses or agencies. Indicate previous liaison work with the Florida Legislature, the Governor’s Office and associated state agencies such as the Florida Department of Transportation, the Florida Department of Environmental Protection and the Florida Department of Economic Opportunity.
 - e. Background information, preferably with examples, of legislation successfully introduced and passed and appropriations obtained for transportation-related clients.
 - f. Documented state experience in the field of transportation.

- g. Identify at least three (3) references of clients your firm presently represents or has represented before State transportation authorizers, appropriators and regulators. For each reference provide (1) name of the organization; (2) contact person; (3) address and telephone number for reference; and (4) dates of representation.
 - h. If applicable, provide any Federal level experience on the services addressed in the Scope of Work.
7. State how the firm will approach this project and complete the objectives as stated in the Scope of Services. Proposers may offer alternative solutions/options to achieve successful completion of the Scope of Work described herein. Explain how the firm will focus on the executive branch and the Legislature. Give examples of strategy employed for presentation to the Florida Legislature or State government agencies.
8. Submit an annual fee quotation for the period October 1 through September 30. Do not submit hourly rates. The firm will be compensated a flat annual fee, dispersed monthly upon receipt of an invoice supported by a narrative of contractual efforts completed on the Organization's behalf. In addition, the consultant will be reimbursed for qualified, direct expenses as supported by receipts or appropriate documentation at rates as approved in the MetroPlan Orlando Travel Policy. Expenses must be approved in advance by the Organization's Executive Director and in compliance with the Organization's policies.

The initial term of the representation will be for five (5) years, and may be extended at the Organization's option for two (2) additional one-year periods.

Separately Sealed Required Items & Only one copy required (Not part of the 25 page proposal document)

1. DBE Forms (Required whether or not DBE certified)
 - a. DBE Participation Statement Form 375-030-21 (Located in Forms section of this document)
 - b. Bid Opportunity List Form 275-030-10 (Located in Forms section of this document)
 - c. Copy of the UCP certification certificates -if certified*

*Located at <https://fdotxwp02.dot.state.fl.us/EqualOpportunityOfficeBusinessDirectory/>

2. Conflict of Interest Form (Located in Forms section of this document)

Other Proposal Information:

MetroPlan Orlando reserves the right to accept or reject any and all proposals without cause, to waive technicalities, and/or whose award will, in the sole opinion of MetroPlan Orlando, be in the best interest of and most advantageous to MetroPlan Orlando.

It is the sole responsibility of the Proposer to ensure that his or her proposal reaches the Department of Finance and Administration. Proposals received after the specified date and time will not be accepted or will be marked non-responsive. The time/date phone system clock located in MetroPlan Orlando's offices shall serve as the official authority to determine lateness of any proposal.

Important information regarding this RFP will be posted on the MetroPlan Orlando website within the Consultant Services page (<https://metroplanorlando.org/about-us/doing-business-with-us/>). This includes important documents, Q&A about this RFP, meeting dates, and other purchasing related documents and materials. Proposers should check the MetroPlan Orlando website frequently for updated information.

Disadvantaged business programs

This RFP **Will Not Use FHWA Funds**

Contracts Not Involving Federal Highway Funds

MetroPlan Orlando has an overall goal of 20% percent of the dollar value of work awarded to go to MBEs in contracting opportunities for goods and services that are bid in accordance with our procurement policy. Please include MBE Certification in your proposal if applicable.

MetroPlan Orlando's Internal Operating Procedures Section XI MINORITY BUSINESS ENTERPRISE PROGRAM shall be followed. (Policy located on the MetroPlan Orlando website) The evaluation criteria for MBE participation shall be a separate criterion and shall carry the weight of at most 15 points out of 100. Points shall be awarded as follows:

MBE PARTICIPATION PERCENTAGE	EVALUATION POINTS EARNED
0%	0
1% - 10%	5
11% - 19%	10
20% OR GREATER	15

Required Contract Language:

MetroPlan Orlando shall include the DBE Program language provided below in all contract agreements with their primes.

Participation by Disadvantaged Business Enterprises: The Consultant shall agree to abide by the statements in Paragraph (1) and (2) which follow. These statements shall be included in all subsequent agreements between the Consultant and any subconsultant or contractor.

- 1. Policy: It is the policy of MetroPlan Orlando that disadvantaged businesses, as defined by **49 Code of Federal Regulations, Part 26**, shall have an opportunity to participate in the performance of MetroPlan Orlando contracts in a non-discriminatory environment. The objectives of the Disadvantaged Business Enterprise program are to ensure non-discrimination in the award and administration of contracts, ensure firms fully meet eligibility standards, help remove barriers to participation, create a level playing field, assist in development of a firm so it can compete successfully outside of the program, provide flexibility, and ensure narrow tailoring of the program.*
- 2. MetroPlan Orlando, its contractors, suppliers, and consultants shall take all necessary and reasonable steps to ensure that disadvantaged businesses have an opportunity to compete for and perform the contract work of MetroPlan Orlando in a non-discriminatory environment.*

MetroPlan Orlando shall require its contractors, suppliers, and consultants to not discriminate on the basis of race, color, national origin, religion, gender, age, or disability in the award and performance of its contracts/subcontracts.

*This policy covers in part the applicable Federal regulations and the applicable statutory references contained therein for the **Disadvantaged Business Enterprise Program Plan, Chapters 337 and 339, Florida Statutes, and Rule Chapter 14-78, Florida Administrative Code.***

It is understood and agreed that if the Consultant at any time learns that the certification it provided MetroPlan Orlando in compliance with 49 CFR, Section 23.51, was erroneous when submitted or has become erroneous by reason of changed circumstances, the Consultant shall provide immediate written

notice to MetroPlan Orlando. It is further agreed that the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction" as set forth in 49 CFR, Section 29.510, shall be included by the Consultant in all lower tier covered transactions and in all aforementioned Federal Regulation.

Required USDOT assisted contract language

CONTRACT ASSURANCE

The Organization will ensure that the following clause is placed in every USDOT-assisted contract and subcontract:

The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of USDOT assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

Prompt Payment

The Organization will ensure that the following requirements will be placed in every USDOT-assisted contract and subcontract:

(A) Every contract let by the MPO for the performance of work shall contain a provision requiring the prime contractor, before receipt of any progress payment under the provisions of such contract, to certify that the prime contractor has disbursed to all subcontractors and suppliers having an interest in the contract their pro rata shares of the payment out of previous progress payments received by the prime contractor for all work completed and materials furnished in the previous period, less any retainage withheld by the prime contractor pursuant to an agreement with a subcontractor, as approved by the MPO for payment. The MPO shall not make any such progress payment before receipt of such certification, unless the contractor demonstrates good cause for not making any such required payment and furnishes written notification of any such good cause to both the MPO and the affected subcontractors and suppliers.

(B) Every contract let by the MPO for the performance of work shall contain a provision requiring the prime Contractor, within 30 days of receipt of the final progress payment or any other payments received thereafter except the final payment, to pay all subcontractors and suppliers having an interest in the contract their pro rata shares of the payment for all work completed and materials furnished, unless the Contractor demonstrates good cause for not making any such required payment and furnishes written notification of any such good cause to both the MPO and the affected subcontractors or suppliers within such 30-day period.

Each invoice on a contract with DBE participation will be required to be submitted on our standard invoice format requiring DBE breakout and the above Prompt Payment statement attached to it.

Confidentiality of Proposals

Proprietary Information:

"In accordance with Chapter 119 of the Florida Statutes (Public Records Act), and except as may be provided by other applicable State and Federal Law, all proposers should be aware that Requests for Proposals and the responses thereto are in the public domain.

However, the proposers are requested to **identify specifically** any information contained in

their proposals which they consider confidential and/or proprietary and which they believe to be exempt from disclosure, citing specifically the applicable exempting law.”

Please note that Sections 119.07(3)(m) of the Florida Statutes address in part the issue of the public nature of sealed bids or proposals as well as the non-public nature of certain trade secrets. The proposal submitted by your company may contain **areas**, which are designated “**confidential**” or “**exempt from disclosure**”. If your proposal contains such information you are required to advise MetroPlan Orlando with **specificity** the applicable law making those provisions exempt from disclosure in accordance with the Public Records Law. **A generic notation that information is “confidential” will not suffice.**

Failure to provide the Department of Finance and Administration with a detailed explanation and justification including statutory cites and specific reference to your bid package detailing what provisions, if any, you believe are exempt from disclosure, may result in your proposal being subject to disclosure in accordance with Chapter 119 of the Florida Statutes.

Evaluation of Proposals

A Selection Committee will be established to review and evaluate all responsive proposals, taking into consideration the evaluation factors set forth below (not ranked in order of importance):

- Responsiveness, organization and clarity of proposal related to the information requested in the scope.
- Experience, credentials and qualifications of the firm and individual members of the firm in accomplishing similar services.
- Experience and qualifications of the firm and individual members of the firm in transportation and with other similar clients.
- The capacity, skill, creativity, availability, and adaptability of the Proposer to meet the specific needs of the Organization; proven ability to provide such services on a timely basis.
- Responses of the client references.
- The degree of participation by qualified minorities within the firm and/or subcontracts with MBE/DBE Enterprises.
- Cost of services.
- The sufficiency of financial resources and ability of the business to perform the contract.
- Such other information as may be required or secured, including but not limited to demonstration of innovative approaches to advance the Organization’s state advocacy efforts.

The evaluation (and, if deemed necessary, the interview process) will be conducted by a Selection Committee of the Organization’s staff and representatives from the Organization’s business partners in the following process:

The Selection Committee will evaluate the firms which have submitted proposals and determine the best qualified firms on the basis of their submittals, solicit oral presentations from short listed firms if deemed appropriate, develop a ranking of those firms based on their submittals and oral presentations, and recommend a ranked list of firms to the Organization’s Board. The Organization’s Board will make the final selection and authorize the Executive Director to negotiate a contract.

Proposal Selection Committee and Procedure for Review of Proposals

A Selection Committee (hereinafter referred to as “the Committee”) consisting of at least three (3) members appointed by the Organization’s Executive Director will be established to review and evaluate all proposals submitted in response to this Request For Proposals (RFP). The Committee shall evaluate all proposals on the basis of the information provided and other evaluation criteria as set forth in this Request for Proposals or as reasonably determined by the Committee.

The Committee will first review each proposal for compliance with the minimum qualifications and mandatory requirements of the RFP. Failure to comply with any mandatory requirements may disqualify a proposal. In addition to the proposed cost, proposals will be evaluated on the qualifications of the consultant, demonstrated technical ability and experience, approach to the scope of work, and ability to meet the cost parameters and participation by disadvantaged/minority business enterprises.

The Committee reserves the right to conduct pre-award discussion and/or pre-contract negotiations with any or all responsive and responsible Proposers who submit proposals determined to be reasonably capable of being selected for award. Proposers shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals, and such revisions may be permitted after submission of proposals and prior to award of a contract.

If warranted, the Organization, in its sole discretion, may request selected firms to provide an oral presentation and discussion of proposals. When oral presentations are required, the Committee will rank the firms and submit the proposed ranking to the Director of Finance and Administration after the conclusion of scheduled presentations.

The Director of Finance and Administration will submit the Committee’s ranked recommendations to the MetroPlan Orlando Board for approval and to authorize the Executive Director to negotiate a contract with the top ranked firm. If agreement cannot be reached with the top ranked firm, the same procedure will be followed with the second ranked firm and, if necessary, the third ranked firm.

The MetroPlan Orlando Board may award a contract based on responses to this Request for Proposals without conducting interviews. Therefore, each response to this RFP should contain the Proposer's best terms and conditions for consideration.

Questions Regarding Specifications or Proposal Process

To ensure fair consideration for all Proposers, the Organization prohibits communication to or with any department or employee during the submission process, except as provided in the fourth paragraph below. Additionally, the Organization prohibits communications initiated by a Proposer to any of the Organization’s officials (including Board members) or to people evaluating or considering the proposals prior to the time an award decision has been made. Any communication between the Organization and the Proposer will be through the Director of Finance and Administration in order to obtain information or clarification needed to develop a proper, accurate evaluation of the proposal. Any communication between the Proposer and the Organization will be through the Director of Finance and Administration. Violations shall be grounds for disqualifying the offending Proposer from consideration for award of the proposal and/or any future proposal.

Conflict Of Interest Guidelines For Professionals Representing The Organization

A consultant shall not represent a client if the representation of that client will be directly adverse to the

interests of MetroPlan Orlando, unless the consultant reasonably believes the representation will not adversely affect his responsibilities to and relationship with MetroPlan Orlando and the Organization and the other client consent after consultation.

A consultant shall not represent a client if the consultant's exercise of independent professional judgment in the representation of that client may be materially limited by the consultant's responsibilities to the Organization unless the consultant reasonably believes the representation will not be adversely affected and the Organization consents after consultation.

When representation of multiple clients in a single matter is undertaken, the consultation shall include explanation of the implications of the common representation and the advantages and risks involved.

The term "interest of the Organization" as used in paragraph 1 and "responsibilities to the Organization" as used in paragraph 2 above shall mean the Organization's legislative policy agenda adopted by the Board each year, the transportation projects which are listed in the Organization's Long Range Transportation Plan and the projects which the consultant has been advised may be included in an amended or updated Long Range Transportation Plan.

Americans with Disabilities Act

Persons with disabilities needing a special accommodation regarding submitting proposals to participate in this proceeding should contact the Department of Finance, 315 E Robinson Street, Suite 355, Orlando, FL 32801-1949, telephone (407) 481-5672, not later than SEVEN (7) days prior to the date on which the accommodation is requested.

Conditions of Proposals

Late Proposals: Proposals received by the Organization after the time specified for receipt will not be considered. Proposers shall assume full responsibility for timely delivery of the proposals to the location designated for receipt of proposals.

Completeness: All information required by the Request for Proposal must be supplied to constitute a legitimate proposal.

Public Opening: All proposals will be publicly opened at the time and place specified and made available for public inspection within ten (10) days after the proposal opening or when an award decision is made, whichever is earlier.

Award Presentation: The Director of Finance and Administration will present to the Organization's Board a ranked list for approval or a recommendation to reject all proposals within one hundred and twenty (120) calendar days from the date of opening of proposals.

Purchasing Code: This Request for Proposal is issued in accordance with and shall be governed by the provisions of Resolution Number 05-01 and the Internal Operating Rules of the Organization.

Right to Audit Records

The Organization shall be entitled to audit the books and records of a contractor or any sub-contractor to the extent that such books and records relate to the performance of such contract or sub-contract. Such books and records shall be maintained by the contractor for a period of five (5) years from the date of final payment under the prime contract and by the sub-contractor for a period of five (5) years from the date of final payment under the sub-contract unless a shorter period is otherwise authorized in writing.

Fiscal Year Funding Appropriation

SPECIFIED PERIOD: Unless otherwise provided by law, a contract for supplies or services may be entered into for any period of time deemed to be in the best interest of the Organization, provided the term of the contract and conditions of renewal or extension, if any, are included in the solicitation and funds are available for the first fiscal period at the time of contract. Funds for payment and performance obligations for succeeding fiscal periods shall be subject to appropriation by the Organization Board.

CANCELLATION DUE TO UNAVAILABILITY OF FUNDS IN SUCCEEDING FISCAL PERIODS: When funds are not appropriated or otherwise made available to support continuation of performance in a subsequent fiscal period, the contract shall be cancelled and the contractor shall be entitled to reimbursement for the reasonable value of any nonrecurring cost incurred but not advertised in the price of the supplies or services delivered under the contract or otherwise recoverable.

Insurance/Performance Bonds

Insurance and/or Performance Bond coverage required by the Contract Specifications must be in force throughout the Contract term. Should a Proposer fail to provide acceptable evidence of current insurance and/or a Performance Bond within seven (7) days prior to the expiration date of an insurance policy or bond at any time during the Contract term, the Organization shall have the absolute right to terminate the Contract without any further obligation to the Proposer. The Proposer shall be liable for the entire additional cost of procuring performance and the cost of performing the incomplete portion of the Contract at the time of termination.

The Proposer receiving the award will obtain or possess the following insurance coverages, and will provide Certificates of Insurance to the Organization to verify such coverage:

Workers' Compensation – The vendor shall provide coverage for its employees with statutory workers' compensation limits, and no less than \$100,000.00 for Employers' Liability. Said coverage shall include a waiver of subrogation in favor of MetroPlan Orlando and its agents, employees and officials.

Comprehensive General Liability - The vendor shall provide coverage for all operations including, but not limited to Contractual, Products and Completed Operations, and Personal Injury. The limits shall not be less than \$500,000.00, per occurrence, Combined Single Limits (CSL) or its equivalent. The General Aggregate limit shall either apply separately to this CONTRACT or shall be at least twice the required occurrence limit.

Comprehensive Automobile Liability – The Vendor shall provide coverage for all owned, non-owned, and hire vehicles with limits of not less than \$500,000.00, per occurrence, Combined Single Limits (CSL) or its equivalent.

Such insurance shall be written by a company or companies licensed to do business in the State of Florida and rated satisfactory to the Organization. Prior to commencing any work under the engagement letter, certificates evidencing the maintenance of said insurance shall be furnished to and approved by the Organization.

The insurance shall provide that no material alteration or cancellation, including expiration and non-renewal, shall be effective until thirty (30) days after receipt of written notice by the Authority.

Public Entity Crimes

A person or affiliate, as defined in §287.133 of the Florida Statutes, who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the

construction or repair of a public building or public work, may not submit bids 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 §287.01 of the Florida Statutes for CATEGORY TWO, for a period of 36 months from the date of being placed on the convicted vendor list.

Foreign Corporations

In accordance with F.S. 607.1501, a foreign corporation may not transact business in Florida until it obtains a certificate of authority from the Florida Department of State. Foreign corporations may submit bids or proposals prior to obtaining a certificate of authority from the Florida Department of State; however, a foreign corporation shall be in compliance with F.S. 607.1501, prior to entering into an Agreement with MetroPlan Orlando.

Florida Prompt Payment Act

PROPER INVOICE

In order to assist in ensuring that payments for goods or services provided to the Organization are made on a timely basis, we are providing you with what is considered the minimum requirements for an invoice to be deemed a "proper invoice" for payment.

The Organization requires that for purposes of billing submission and payment procedures, a "proper invoice" by a contractor, vendor or other invoicing party shall consist of at least all of the following:

- a) An original
- b) Full name of the vendor, contractor or other party who is supplying the goods and/or services including a mailing address in case of a dispute and a mailing address for payment purposes (if they are different) and a telephone number
- c) Purchase Order number
- d) Tax identification number
- e) Invoice date
- f) Identification of receiving department
- g) Shipping date
- h) Delivery date
- i) Payment terms (including any applicable discounts)
- j) Adequate description of good/service for identification (including quantity) of the goods and/or services provided reasonably sufficient to identify it (or them) and the time period covered by the services
- k) Quantity
- l) Unit price
- m) Extended price
- n) Shipping/handling charges
- o) Total invoice amount

It is the policy of the Organization to pay all invoices upon receipt of a proper invoice according to the time frame in Florida Statute 218.73 and Resolution 05-01 provided that the goods/services have been delivered, received and accepted by the Organization, and that the provider is not in default of any contract/agreement terms or conditions, including flow down requirements.

Purchases over Category II amounts as defined in Florida Statute Section 287 require compliance with the Public Entity Crime Act.

All invoices, in order to be classified as a proper invoice, shall be delivered to Accounts Payable, Finance

Department, MetroPlan Orlando, 250 South Orange Avenue, Suite 200, Orlando, Florida, 32801-3443.

Finally, in addition to all of the above, in order to be considered a proper invoice, it must be based on a proper delivery, installation, or provision of the goods and/or services to and acceptance by MetroPlan Orlando (or party on behalf of MetroPlan Orlando); the vendor, contractor or other party who is supplying the goods and/or services has otherwise complied with all of the contract's terms and conditions and is not in default of any of them; and if the contract requires any subcontractors or other parties to be bound by similar other "flow-down" requirements that those requirements have been complied with.

Dispute Resolution

In the event a dispute occurs between a contractor, vendor or other invoicing party ("invoicing party") and the Organization concerning payment of an invoice, the Department which has the dispute, along with the Director of Finance & Administration of the Organization and the invoicing party, shall meet to consider the disputed issues. The invoicing party shall provide to the Organization such material and information as they may reasonably require.

Any such procedure shall be initiated by either party notifying the other in writing of a dispute and stating with specificity its nature. This procedure shall commence not later than forty-five (45) days, and be resolved not later than sixty (60) days, after the date on which the proper invoice was received by the Organization. Any decision by the Director of Finance & Administration shall constitute the final decision of the Organization regarding these matters and shall be communicated in writing to the invoicing party within five (5) business days after such decision. If no decision is rendered within the time period as set out above, then a decision against the invoicing party shall be deemed to have been issued.

Florida Sales Tax

The Organization is a governmental agency and a political subdivision under Florida law. Purchases by the Organization under this Contract are exempt from Florida sales tax. No purchase made by any entity is qualified to be exempt other than those made directly by MetroPlan Orlando.

MetroPlan Orlando's sales tax exemption does not apply to goods and services purchased separately by a Proposer in connection with its fulfillment of its contract obligations. The Proposer shall be responsible for paying any taxes, fees or similar payments which are required to be paid in connection with the contract work.

Travel Reimbursement

All travel must be approved in advance by MetroPlan Orlando and follow the guidelines and reimbursement schedule set in the MetroPlan Orlando travel policies and procedures document. <https://metroplanorlando.org/wp-content/uploads/Travel-Policy-2019.pdf>. Invoices that include travel must include a State of Florida Voucher for Reimbursement of Travel Expenses form properly completed along with appropriate receipts attached.



RFP 2023-01 State Legislative Advocacy Consultant

FORMS

MetroPlan Orlando

Conflict of Interest Statement

RFP NO. _____

9. The following known business/family relationships exist between an employee of the above mentioned firm and a MetroPlan Orlando employee or board member. The relationships below are for informational purposes only and do not pose a conflict of interest based upon the statements above nor do the relationships violate Florida Statutes, Chapter 112, Part III, Code of Ethics for Public Officers and Employees, or the Internal Operating Procedures of MetroPlan Orlando.

Proposing Entities Employee Name	Employee's Title	Name of MetroPlan Employee or Board Member	Description of Relationship

In the event that a conflict of interest is identified in the provision of services, I, on behalf of the above named entity, will immediately notify MetroPlan Orlando in writing.

DATED this _____ **day of** _____, 20_____.

Printed Name of Affiant

Signature of Affiant

Title

Sworn to and subscribed before me this _____ day of _____, 20_____.

Personally known _____ OR Produced identification _____

Notary Public - State of _____ My commission expires: _____

(Printed typed or stamped commissioned name of notary public)

DBE PARTICIPATION STATEMENT

Note: The Consultant is required to complete the following information and submit this form with the technical proposal.

Project Description: _____

Consultant Name: _____

This consultant (is) (is not) a Department of Transportation certified Disadvantaged Business Enterprise (DBE). If yes, percentage of fees to DBE consultant: _____ %

Expected percentage of contract fees to be subcontracted to DBE(s): _____ %

If the intention is to subcontract a portion of the contract fees to DBE(s), the proposed DBE sub-consultants are as follows:

DBE Consultant/Sub-Consultant	Type of Work/Commodity
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

By: _____
Title: _____
Date: _____

BID OPPORTUNITY LIST

Please complete and submit in a separate envelope than your proposal

MetroPlan Orlando
250 S Orange Ave, Ste 200
Orlando, FL 32801
Email: RFP@metroplanorlando.com
Telephone: (407) 481-5672 x310
Fax: (407) 481-5680

49 CFR Part 26.11 requires the Florida Department of Transportation to develop and maintain a "bid opportunity list." The list is intended to be a listing of all firms that are participating, or attempting to participate, on DOT-assisted contracts. The list must include all firms that bid on prime contracts, or bid or quote subcontracts and materials supplies on DOT-assisted 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 DOT assisted project. Prime contractors and consultants must provide information for Nos. 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.

Prime Contractor/Consultant: _____

Address: _____

Phone: _____ Federal Tax ID Number: _____

Bid/Proposal Number: _____ Quote Submitted MM/YY: _____

DBE Designation: Annual Gross Receipts:

Year Firm Established _____

Sub Contractor/Consultant: _____

Address: _____

Phone: _____ Federal Tax ID Number: _____

DBE Designation: Annual Gross Receipts:

Sub Type: Year Firm Established: _____

Sub Contractor/Consultant: _____

Address: _____

Phone: _____ Federal Tax ID Number: _____

DBE Designation: Annual Gross Receipts:

Sub Type: Year Firm Established: _____

Sub Contractor/Consultant: _____

Address: _____

Phone: _____ Federal Tax ID Number: _____

DBE Designation: Annual Gross Receipts:

Sub Type: Year Firm Established: _____

BID OPPORTUNITY LIST

Page 2 for _____
Bid/Proposal# _____

Sub Contractor/Consultant: _____
Address: _____
Phone: _____ Federal Tax ID Number: _____
DBE Designation: Annual Gross Receipts:
Sub Type: Year Firm Established: _____

Sub Contractor/Consultant: _____
Address: _____
Phone: _____ Federal Tax ID Number: _____
DBE Designation: Annual Gross Receipts:
Sub Type: Year Firm Established: _____

Sub Contractor/Consultant: _____
Address: _____
Phone: _____ Federal Tax ID Number: _____
DBE Designation: Annual Gross Receipts:
Sub Type: Year Firm Established: _____

Sub Contractor/Consultant: _____
Address: _____
Phone: _____ Federal Tax ID Number: _____
DBE Designation: Annual Gross Receipts:
Sub Type: Year Firm Established: _____

Sub Contractor/Consultant: _____
Address: _____
Phone: _____ Federal Tax ID Number: _____
DBE Designation: Annual Gross Receipts:
Sub Type: Year Firm Established: _____

Sub Contractor/Consultant: _____
Address: _____
Phone: _____ Federal Tax ID Number: _____
DBE Designation: Annual Gross Receipts:
Sub Type: Year Firm Established: _____