

**DESIGN CRITERIA PROFESSIONAL CONSULTING SERVICES FOR
DEVELOPMENT OF DESIGN CRITERIA PACKAGE TO BUILD A NEW PUBLIC LIBRARY**

RFQ 756-16



**CITY OF RIVIERA BEACH
600 WEST BLUE HERON BOULEVARD, SUITE 140
RIVIERA BEACH, FL 33404**

Randy Wood, Contract Administrator
Fax (561) 842 5105; Email: rwood@rivierabch.com

The City of Riviera Beach invites qualified firms to submit Statements of Qualification and Experience for professional services pursuant to Florida State Statute 287.055, Consultants Competitive Negotiation Act (CCNA). The City is requesting submissions from Design Criteria Professionals, licensed to practice in the State of Florida, interested in preparing a Design Criteria Package for the construction of a new City Library and to assist the City in facility programming, site selection and construction supervision and inspection.

This solicitation provides guidelines for submission and outlines the essential services desired by the City. Responses will be accepted at the City of Riviera Beach, Office of the City Clerk, 600 West Blue Heron Boulevard, Suite #140, Riviera Beach, FL 33404, until **3:30 pm, May 27, 2016(EST)**

Late submittals will not be accepted or considered.

This solicitation, including a scope of services, will be made available on Monday, April 18, 2016 and may be obtained by visiting the CITY's web-site at www.rivierabch.com, or may be obtained at the City of Riviera Beach, Purchasing Department, 2051 MLK Blvd., Suite 310, Riviera Beach, FL 33404.

Responses shall be prepared, addressed and submitted in compliance with this solicitation. The CITY reserves the right to reject any or all proposals and to waive technicalities, if such measures are deemed appropriate and in the best interest of the CITY.

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PLAN HOLDER INFORMATION SHEET

EMAIL RWOOD@RIVIERABCH.COM OR FAX TO 561-842-5105

**PROSPECTIVE PROPOSER INFORMATION
SHEET
RFQ #756-16**

PLEASE COMPLETE AND FAX THIS DOCUMENT TO THE PURCHASING DEPARTMENT. YOUR INFORMATION WILL BE ADDED TO THE CURRENT PLAN HOLDER LIST AND HELP TO INSURE RECEIPT OF CHANGES OR ADDITIONAL INFORMATION.

PURCHASING DEPARTMENT: FAX 561-842-5105

Contact Person _____

Business Name _____

Business Address _____

Business City, State, Zip _____

Email Address: _____

Business Phone # _____ Business Fax # _____

SECTION I

1-1 PURPOSE

The City of Riviera Beach invites qualified firms to submit Statements of Qualification and Experience for professional services pursuant to section 287.055, Florida Statutes, the Consultants' Competitive Negotiation Act. The City of Riviera Beach is seeking to engage the professional services of a firm that is deemed to be most qualified to provide Design Criteria Professional Architectural and Engineering Consulting Services as more fully described in Part II herein.

1-2 PROPOSAL SUBMISSION AND OPENING

Interested firms must submit their proposal to this Request for Statements of Qualifications ("RFQ") to the City of Riviera Beach no later than **3:30 pm, Tuesday, May 27, 2016** in order to be considered for award. The submitted proposal must include one (1) original hard copy of the proposal; six (6) bound hard copies of the proposal; and, seven (7) copies of the proposal on separate CDs to. The proposal must be submitted in sealed packaging with all external packaging clearly identified with the following:

"RFQ #756-16 DESIGN CRITERIA PROFESSIONAL SERVICES to be opened Friday, May 27, 2016 at 3:30 P.M."

The proposal should include the items listed in Section 2-3 of this RFQ and each category should be tabbed separately but numbered sequentially.

The completed proposal must be mailed or hand-delivered to the following address:

**City of Riviera Beach
Office of the City Clerk
600 West Blue Heron Boulevard, Suite 140
Riviera Beach, FL 33404**

The CITY will not accept or consider proposals submitted via facsimile transmission or email.

Proposals received after the deadline set forth above will not be considered. All CITY issued addenda and completed certification forms must be included with the proposal. It is the responsibility of each responding firm to inquire about addenda.

All responding firms must be a qualified engineering firm or individual licensed by the State of Florida to provide professional consulting engineering services. This proposal summary has been prepared in order to facilitate the CITY's review of the proposals.

1-3 INQUIRIES

For additional information, the CITY encourages qualified firms to contact Randy Wood, Contract Administrator, via email rwood@rivierabch.com Monday through Friday between 8:00 a.m. to 5:00 p.m. or by fax at 561-842-5105.

Mail Address:

**2051 MLK Blvd., Suite 310
Riviera Beach, FL 33404
Attention: Contract Administrator
Re: RFQ No 756-16**

Facsimiles must have a cover sheet which includes, at a minimum, the firm’s name, address, number of pages transmitted, phone number, facsimile number and e-mail address.

1-4 RFQ SCHEDULE

The CITY will use the following time lines which in the award of this solicitation. The City reserves the right to change and or delay scheduled dates.

<u>Event</u>	<u>Date</u>
RFQ Available	May 02, 2016
Last Day to submit Questions (4:00 pm EST)	May 17, 2016
Proposals Due (3:30 p.m. EST)	May 27, 2016
Evaluation Committee Meeting	TBD, 2016
Oral Presentation – if required	TBD, 2016

1-5 PROPOSAL DISCLOSURE

Upon opening, proposals become “public records” and shall be subject to public disclosure consistent with Chapter 119, Florida Statutes. Each firm submitting a proposal must invoke in writing the exemptions to disclosure (provided by law) in the response to this RFQ by referencing the specific statutory authority for claimed exemptions, identifying the data or other materials to be protected, and stating the reasons why such exclusion from public disclosure is necessary. Failure to do so will result in the entire proposal being open to public inspection.

1-6 ACCEPTANCE OR REJECTION OF PROPOSALS

The CITY reserves the right to reject any and all proposals when (1) such rejection is in the best interest of the CITY; or, (2) if the proposal contains any irregularities; provided, however, that the CITY reserves the right to waive any minor irregularities and to accept the most responsive and responsible proposal. The CITY reserves the right to cancel this RFQ at any time and/or to solicit and re-advertise for other proposals. The CITY is not obligated to enter a contract on the basis of any proposal submitted in response to this RFQ.

1-7 DISQUALIFICATIONS

The City reserves the right to disqualify proposals before or after the submission date, upon evidence of collusion with intent to defraud or other illegal practices on the part of the submitting firm. It also reserves the right to waive any immaterial defect or informality in any proposal; to reject any or all proposals in whole or in part, or to reissue this RFQ.

Any responses submitted by a firm or individual who is in arrears (money owed) to the City or where the City has an open claim against the firm or individual for monies owed the City at the time of submission, will be rejected as non-responsive and shall not be considered for award.

1-8 PUBLIC ENTITY CRIME

Pursuant to Florida Statutes Section 287.133, as amended: 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 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 Proposer , supplier, sub proposer , 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 s. 287.017 for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

1-9 CODE OF ETHICS

If any firm violates or is a party to a violation of the code of ethics of the State of Florida and/or Palm Beach County with respect to this RFQ, such firm may be disqualified from performing the services for which the proposal is submitted and may be further disqualified from bidding on any future contract with the CITY.

1-10 EQUAL OPPORTUNITY REQUIREMENTS

It is the policy of the CITY to comply with all Federal, State, County and local laws to provide minorities and women equal opportunity for participating in all aspects of the CITY's contracting and procurement programs. It is further the policy of the CITY to prohibit discrimination against any person or business in pursuit of these opportunities on the basis of race, color, national origin, creed, sex, age, handicap or veteran's status. Each firm should state their commitment to meet these same requirements.

1-11 CONTRACTUAL AGREEMENT/TERM OF CONTRACT

The CITY anticipates, but does not guarantee, that it will enter a CITY standard Professional Services Agreement with the selected firm(s) to perform the services on a continuing basis. The term of the Professional Services Agreement may be for a period of three (3) years with two (2) one year options to renew, at the sole discretion of the City, unless another term is in the best interest of the City. The CITY reserves the right to award a Professional Services Agreement with no term but with the right of either party to terminate the Agreement with written notice. The Agreement for Professional Services shall prevail as the basis for contractual obligations between the selected firm(s) and the CITY for any terms and conditions not specifically stated in this RFQ.

Any and all legal action necessary to enforce the resulting Agreement will have venue in Palm Beach County and the contractual obligations will be interpreted according to the law of the State of Florida. Any specialized contractual provisions required by the responding firms must be enclosed in their proposal at the time of submittal.

1-12 INDEMNIFICATION

The selected firm(s) shall indemnify and hold harmless the CITY, and its officers and employees, 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 selected firm(s) or individual(s) and other persons employed or utilized by them in the performance of the resulting Agreement.

1-13 CONE OF SILENCE

No firm submitting a proposal to this RFQ shall through their principal, attorneys, or agents, or third parties acting on their behalf, contact the City Council, CRA, or City Staff for any purposes of discussing any aspect of this RFQ for any possible decision on the RFQ. Any action in violation of this provision shall be cause for disqualification of violating firm.

1-14 NON-COLLUSION STATEMENT

By signing this offer, the proposer certifies that this offer is made independently and free from collusion. Proposer shall disclose below, to their best knowledge, any Riviera Beach officer or employee, or any relative of any such officer or employee as defined in Section 112.3135 (1) (c), Florida Statutes, who is an officer or director of, or has a material interest in, the vendor's business, who is in a position to influence this procurement. Any Riviera Beach officer or employee who has any input into the writing of specifications or requirements, solicitation of offers, decision to award, evaluation of offers, or any other activity pertinent to this procurement is presumed, for purposes hereof, to be in a position to influence this procurement. For purposes hereof, a person has a material interest if he/she directly or indirectly owns more than five percent (5%) of the total assets or capital stock of any business entity, or if they otherwise stand to personally gain if the contract is awarded to this proposer.

Failure of a proposer to disclose any relationship described herein shall be reason for debarment in accordance with the provisions of the City Procurement Code.

1-15 LOBBYING

Contact with the any CITY employee, appointed official or elected official other than the individual identified above for inquiries regarding this RFQ, shall be grounds for elimination from the selection process. This restriction includes lobbying any CITY employee, appointed official or elected official.

Lobbying consists of introduction, communication, discussions related to the selection process, or any other discussions or actions that may be interpreted as attempting to influence the outcome of the selection process for this RFQ. This includes holding meetings thereof, engaging in the aforementioned prohibited lobbying and/or prohibited contact; which actions may immediately disqualify the Respondent from further CITY consideration for this project. Lobbying does not include any oral presentations before evaluation/selection teams, contract negotiations, or public presentations made to the CITY during any duly noticed public meeting.

By submitting a proposal, qualifications or other response for this RFQ, the responding firm certifies that it and all of its affiliates and agents have not lobbied or attempted to lobby CITY employees, appointed officials or elected officials as defined herein.

1-16 GRATUITY PROHIBITION

Responding firms shall not offer any gratuities, favors, or anything of monetary value to any official, employee, or agent of the CITY for the purpose of influencing the decision-making process for this RFQ.

1-17 DISCREPANCIES AND ADDENDA

Any discrepancies, errors or ambiguities in the RFQ or addenda (if any) must be reported in writing to the CITY's Purchasing Department (Randy Wood) prior to the RFQ submission deadline. Should it be necessary, the CITY will issue a written addendum to the RFQ clarifying such conflicts or ambiguities. The CITY reserves the right to amend this RFQ at any time. Only written addenda will be binding. No verbal or written information which is obtained other than through this RFQ or its addenda shall be binding on the CITY. No employee of the CITY OF RIVIERA BEACH is authorized to interpret any portion of this RFQ or give information as to the requirements of the RFQ in addition to that obtained in this written RFQ document.

1-18 REQUESTS FOR ADDITIONAL INFORMATION

Prior to the final selection, the responding firms may be required to submit additional information which the CITY may deem necessary to further evaluate the qualifications.

1-19 RIGHT OF WITHDRAWAL

A proposal may not be withdrawn before the expiration of ninety (90) days from the response due date.

1-20 EXCEPTIONS TO THE RFQ

It is anticipated that responding firms may find instances where they may take exception with certain requirements or specifications of the RFQ. All exceptions shall be clearly identified, and written explanations shall include the scope of the exceptions, the ramifications of the exceptions for the CITY, and a description of the advantage to be gained or disadvantages to be incurred by the CITY as a result of these exceptions.

1-21 DENIAL OF REIMBURSEMENT

Neither the City nor its representatives shall be liable for any expenses incurred in connection with the preparation, submission or presentation of a proposal to this RFQ including, without limitation, costs; attorney's fees; travel and/or per diem.

1-22 TRUTH IN NEGOTIATION CERTIFICATE

For all lump sum or cost-plus-a-fixed-fee professional service contracts over \$50,000 the firm receiving the award shall execute a truth-in-negotiation certificates stating wage rates and other factual unit costs supporting the compensation are accurate, complete and current at the time of contracting. The contract price shall be adjusted to exclude any significant sums where the CITY determines the contract price was increased due to inaccurate, incomplete or non-current wage rates and other factual unit costs. Contract adjustments shall be made within one year following the end of contract.

1-23 NON-APPROPRIATION OF FUNDS

In the event that insufficient funds are appropriated and budgeted or funding is otherwise unavailable in any fiscal period for services to be provided under this RFQ, then the CITY, shall have the unqualified right to terminate the work order(s) or agreement upon written notice to the selected firm(s), without any penalty or expenses to the CITY. No guarantee, warranty or representation is made under this RFQ that any particular work or any project(s) will be assigned to any selected firms.

1-24 SUB-CONTRACTOR(S)

A sub-contractor is an individual or firm utilized by the selected firm(s) to assist in the performance of services required under this RFQ. A sub-contractor shall be paid by the selected firm(s) and not paid directly by the CITY. Proposals submitted in response to this RFQ shall clearly reflect the major sub-contractor(s) to be utilized in the performance of the required services and include all requested information on said sub-contractor(s). The CITY retains the right to accept or reject any sub-contractor proposed prior to agreement execution. Any and all liabilities regarding the use of a sub-contractor shall be borne solely by the selected firm(s) (s) and insurance for each sub-contractor must be maintained in good standing and approved by the CITY throughout the duration of the resulting Agreement. Neither the selected firm(s) nor any of its sub-contractors are considered to be employees or agents of the CITY.

1-25 LOCAL VENDOR PREFERENCE

Under the City's Procurement Code, the CITY has a preference for local businesses. A local business, for the purposes of the application of the local vendor preference, means a responding firm which has a permanent, physical place of business within the city limits, and a valid business tax receipt and certificate of occupancy applicable to the required goods, services, or construction items being procured. Post office boxes or locations at a postal service center are not verifiable and shall not be used for the purpose of establishing said physical address. If the business is a joint venture/partnership, it is sufficient for qualification as a local business if at least one party of the joint venture/partnership meets the test set forth in this section. Each responding firm shall have the burden of demonstrating that it meets this definition. Permanent physical location must be established for a minimum of twelve (12) months prior to the published date of this solicitation.

The application of the local vendor preference shall not change the actual cost proposal. Further, in no event will it cause the CITY to pay more than \$25,000.00 above the amount proposed by the non-local vendor which would have been recommended for award if the local vendor preference had not been applied.

1-26 MINORITY/WOMEN BUSINESS ENTERPRISE PARTICIPATION

All responding firms have an ability to increase their opportunity to be awarded a CITY contract/project by maximizing their use of qualified MBEs in accordance with the CITY's MBE Program. The CITY shall have the right to consider price, quality, past performance including meeting qualified MBE commitments, time required for performance and qualifications of the responding firms in making awards.

The responding firms shall seek to maximize their use of qualified MBEs and shall complete the Tabulation of Subcontractors and Material Suppliers form (See Schedule One and Two) that is provided by the CITY with this RFQ. The total qualified minority business participation shall be the percentage of the total contract/project dollar amount that will be completed by qualified minority businesses. The total qualified minority business participation shall be completed by qualified minority businesses. The total qualified minority business participation percentage is non-cumulative; however, or more qualified minority businesses can comprise the total qualified minority business participation percentage. The percentage of total bonus points awarded of maximum allowable points in non-cumulative and is the percentage of points to be awarded to a proposer based on the total qualified business participation.

All proposed qualified business shall provide a letter of participation on its own letterhead and signed by the chief operating office stating the actual dollar amount or percentage of work to be completed by its own forces.

1-27 BID PROTEST COST AND FILING FEES

The City's Procurement Code addresses the process and procedure for solicitation protests. Time is of the essence with all protests and a protest must be timely submitted to the City or it will be waived. The following amounts must be submitted with the protest:

- A. Written Protest. The written protest submitted to the Purchasing Manager must be accompanied by a filing fee in the form of a money order or cashier's check in the amount equal to \$500.00 or 2% of the value of the proposal, whichever is greater up to a maximum of \$2,500.
- B. Appeal to the City Manager. The written appeal to the City Manager must be accompanied by a filing fee in the form of a money order or cashier's check in the amount equal to \$500.00 or 2%, whichever is greater, up to a maximum of \$2,500.
- C. Appeal to the City Council. The written request for an appeal to the City Council must be accompanied by a filing fee in the form of a money order or cashier's check in the amount equal to \$500.00, or 2%, whichever is greater, up to a maximum of \$2,500.

Refund of Filing Fees. All costs resulting from a protest shall be borne by the protestor. If a protest is upheld by either the Purchasing Manager or CITY Manager, as applicable, the filing fee shall be refunded to the protestor less costs incurred by the CITY. If the protest is denied the filing fee shall be forfeited to the CITY in lieu of payment of costs incurred by the CITY.

1-28 RIGHTS TO INVESTIGATE AND AUDIT: OFFICE OF THE INSPECTOR GENERAL

The Inspector General of Palm Beach County has the authority to investigate and audit matters relating to the negotiation and performance of any awarded contract and in furtherance thereof may demand and obtain records and testimony from the contractor and its subcontractors and lower tier subcontractors. All responding firms understand and agree that in addition to all other remedies and consequences provided by law, any failure of it, its subcontractors or lower tier subcontractors to fully cooperate with the Inspector General when requested may be deemed by the CITY to be a material breach of any contract entered into between the parties as justification for termination.

1-29 OTHER ACKNOWLEDGEMENTS

By submitting a proposal to this RFQ, the responding firms acknowledge and confirm that they have not been placed on the convicted vendors list as described in section 287.133(2) (a), Florida Statutes.

1-30 CITY OF RIVIERA BEACH RESERVATIONS

The CITY reserves the right to reject any or all proposals or to accept any proposals which is in its best interest. The CITY also reserves the right to waive any informalities, irregularities and technicalities in procedure.

The CITY reserves the right, before awarding any contract, to require a firm to submit such evidence of qualifications and any current or updated information that was requested in the RFQ as it may deem necessary, and may consider any information available to it of the financial, technical, and other qualifications and abilities of a proposer, including past performance with other governmental agencies. Responding firms are advised that requests for additional information or site visitation are not to be construed as an indication of the CITY's intent to award.

Throughout this RFQ, the phrases "must" and "shall" will denote mandatory requirements. Any response that does not meet the mandatory requirements is subject to immediate disqualification.

If a satisfactory contract cannot be negotiated with the selected firm(s), negotiations simultaneously will then be started with the first alternate vendor.

The successful responding firm(s) shall become an integral part of the contract, but may be modified by the provisions of the contract.

The CITY reserves the right to cancel the contract, or portions thereof, without penalty at any time.

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SECTION II
SCOPE OF SERVICES

2-1 INTRODUCTION

The City of Riviera Beach is a vibrant coastal community with a culturally diverse population of approximately 35,000 residents. Incorporated in 1922, the City began as a fishing community and is now in the midst of resurgence.

Strategically located in northern Palm Beach County, the City is home to a bustling seaport and serves as a major hub for international trade and regional commerce for the Gold Coast communities of Southeastern Florida. Riviera Beach and is also home to regional service and distribution operations for numerous Fortune 500 companies including United Parcel Service (UPS), Fed-X, Coca-Cola, Pepsi, Sysco Foods, Lockheed Martin, and Florida Power & Light.

The City operates as a Mayor-Council-Manager form of government and provides the following services: public safety, road and street facilities, community development, recreation and parks, library, general administrative services, municipal marina and water/sewer utility. Riviera Beach is home to the Port of Palm Beach and the U.S. Coast Guard Station. Our Marina is located on the mainland in a slow-speed zone just to the north of the Port of Palm Beach. It's only a few minutes from the all-weather Lake Worth inlet.

The City has been awarded a Library Construction Grant by the State of Florida to assist in the construction of a \$10 million, 30,000 square foot Library. The City seeks professional services from a firm or firms who has a proven track record in the ability to deliver Design Criteria Packages on schedule.

2-2 SCOPE OF SERVICES

The services sought under this RFQ will be awarded via a **continuing services contract**, as provided for in Section 287.055, Florida Statutes. The specific services sought are:

Design Criteria Professional for Architectural & Engineering Services:

The City seeks professional services from a firm or firms who has a proven track record in the ability to deliver Design Criteria Packages on schedule.

The purpose of this Request for Proposals is to identify a Design Criteria Professional who will:

- Prepare a Design Criteria Package in accordance with Florida Statute 287;
- Assist the City in developing programming for the Library;
- Assist the City with site selection; and
- Serve as the City's representative to provide architectural and engineering supervision and inspection through construction.

More specifically, the purpose of this Request for Proposal is to retain a Design Criteria Professional who will:

Phase 1 – Develop a Facility Program

- Work with Library staff, Library Board members and City Council to identify programming for the new Library
- Conduct interviews with key stakeholders
- Submit a final Facility Program to include floor space requirements, library and public function space, and shelving, staff, lighting and technology requirements

Phase 2 - Develop options for site selection

- Work with Library staff, Library Board members and appropriate City professional to identify site requirements
- Develop a listing of potential sites located within the City boundaries
- Conduct interviews with key stakeholders
- Submit a final report for facility site selection including a narrative evaluation for each site

Phase 3 – Design Criteria Package

- Develop concise, performance-oriented drawings or specifications of the project sufficient in nature to permit design-build firms to prepare a bid or a response to the City's request for proposals.

Phase 4 – Construction

- Provide architectural or engineering supervision and inspection during construction

2-3 PROPOSAL REQUIREMENTS

Proposals must address the following topics:

- Description of the firm or firms, structure, areas of expertise, time in business, number of employees, professional affiliations and other data that helps to characterize the firm, including the addresses of the main office and the office that will manage the project
- Experience: Briefly describe five recent projects that demonstrate your experience relevant to the project. Include the type of organization, size of community, and degree of success in reaching the goals. In addition, answer the following questions:
 - How many Design Criteria Packages have you completed? Please provide a summary of Design Criteria Packages completed in the last three years.
 - Have you designed a public library and, if so, please provide a list of the most recent five libraries designed?

For each project listed above, provide the name, address, and a contact name of the client's representative who can be contacted regarding your performance. Include the name of the lead firm in cases where you worked in partnership or in an auxiliary capacity.

- References: List at least five non-profit or municipal clients for whom you have performed similar work in the past five years. For each project listed, provide the name, address, and a name of the client's representative who can be contacted regarding your performance.
- Personnel: Provide professional resumes for the key people to be assigned to this project. Include those of consultants and describe their relevant experience. Describe proposed responsibilities of key people. Identify the person who would be the primary contact point for the client. Provide an organizational chart of the project team.
- Provide a narrative description of how you propose to execute the project, including a timeframe for both the feasibility study and the fundraising itself. Address your expectation of the Library staff, the Library Board, and other City professionals during the process.
- Submit a statement on why you believe you are best qualified to carry out the project and the best fit for the City of Riviera Beach.
- Provide an itemized cost of your services, broken down by each phase or aspect of the project.

Proposers must respond to the questions in the order presented and may provide additional supporting documentation pertinent to clarification of the proposal.

All responses to this Request for Proposal should address the following issues:

- How long have you been in business and how many library designs you completed?
- Have you lead communities through programming and site selection process for public facilities?
- How familiar are you or your firm with the City of Riviera Beach? Describe any work you have done with an organization with a similar demographic in the past.
- What is the success rate of projects/organizations for which you have performed the above listed work?
- What timeframe would be required for Phases 1-3 to be completed?
- Please provide at least five references from non-profit or municipal clients.
- Please provide any vendor relationships you are proposing as part of this proposal.

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**Section III
Minimum Requirements**

3-1 MINIMUM REQUIREMENTS

Proposals will only be considered from firms that normally engaged in providing the types of services specified herein. The CITY reserves the right to inspect the consultant's facilities, equipment, personnel, and organization at any time, or to take any other action necessary to determine contractor's ability to perform. The Purchasing Manager reserves the right to reject proposals where evidence or evaluation is determined to indicate inability to perform.

No proposal will be accepted from, nor will any contract be awarded to any person who has an outstanding debt to the City, or who is a defaulter, as surety or otherwise, upon any obligation to the City, or who is deemed irresponsible or unreliable by the City.

The firms and their sub-consultant team will have demonstrated the required experience and credentials as professional engineering consultants in accordance with the following:

- A. The firm must be actively performing similar services for at least five (5) years prior to the date of issue of this RFQ. Verification shall be through the Florida Department of State Registration (Please include a copy of your 2015 Florida Department of State Division of Corporations Registration).
- B. The firm must be able to document a minimum of five (5) projects similar in scope and complexity as that identified in the RFQ requirements.
- C. The firm must have experience with library design.

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SECTION IV
MINORITY PARTICIPATION GOAL

**CITY OF RIVIERA BEACH MINORITY BUSINESS ENTERPRISE (MBE) PROGRAM AWARENESS,
COMPLIANCE AND ACTION PLAN**

As a matter of sound business practice, the CITY is committed to “supply diversity” and is committed to encouraging, promoting, and providing substantial opportunity for minority owned businesses to participate in City contracts whenever and wherever possible. Further, the City Procurement Code, Ordinance 2412, has established a 15% Minority Participation Goal for all City Contracts.

The City Procurement Policy provides that Minority Business Enterprises (MBEs) certified by the State of Florida or other county and municipal governmental organizations should have the maximum opportunity to participate in the performance of its contracts/projects.

Each responding Firm is strongly urged to use due diligence to further this policy by awarding subcontracts to minority-owned business enterprises or by using such enterprises to provide goods and services incidental to this agreement (second-tier suppliers), with a goal of awarding 15% of the contract price to such enterprises.

Monthly reports are required to be submitted to the Riviera Beach Purchasing Department, itemizing the costs of services and goods provided by certified firms. Reports should state the costs for the previous contract/project month.

Authority for the MBE participation goal is found in City of Riviera Beach Procurement Code, Ordinance 4010, Sec. 10-302 and details about the goal is available upon request.

A complete response on the following attachment must address the following components of the firm, its organization’s commitment/action plan:

- a)** Indication that you understand the **CITY’s goal**,
- b)** Listing of any **MBE vendors with which the firm intends to subcontract**,
- c)** Description of the various **second tier MBE expenses** (goods and services procured that are incidental to the contract/project; *examples are:* specific office supplies to perform the contract, percentage of cost for uniforms for contract staff, travel to perform the contract/project, percentage of facility maintenance services for your facility used directly by your staff during the contract/project period) your company/organization will be able to report that are in direct connection with the administration of this contract,
- d)** **Statement expressing firm’s commitment** to complete the required monthly or quarterly reports that will reflect your subcontracts for the period.

For information on local certified minority business enterprises, please contact:

Palm Beach County
Office of Small Business Assistance
50 S. Military Trail
Suite 209
West Palm Beach, FL 33415

Phone: (561) 242-5751 Fax: (561) 616-6850

A listing of area certified minority businesses, as well as the services and commodities they provide, is available on the web at: <http://www.pbcgov.org/osba>.

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**SECTION V
INSURANCE REQUIREMENTS**

The successful firm entering a resulting contract with the City shall provide, pay for, and maintain in full force and affect at all times during the services to be performed insurance as set forth below:

<u>Type of Coverage</u>	<u>Amount of Coverage</u>
Professional liability	\$1,000,000 per occurrence
Contractual, insurance broad form property, Independent contractor, personal injury)	\$3,000,000 annual aggregate
Automobile (owned, non-owned, & hired)	\$1,000,000 single limits
Worker's Compensation, as applicable	\$1,000,000 per accident \$1,000,000 disease each employee \$1,000,000 disease policy limit
Including employer's liability insurance	\$1,000,000 per occurrence

The successful firm must maintain in full force and effect, during the life of this engagement, Standard Professional Liability Insurance with limits not less than One Million Dollars (\$1,000,000.00) each occurrence with a maximum deductible of Twenty Thousand Dollars (\$20,000.00). Certificates of liability insurance, satisfactory to the City, shall be furnished to the City immediately upon commencement of any services, with complete copies of policies to be furnished upon the City's request. Such certificates of insurance will provide the City with thirty (30) days prior written notice of any cancellation or non-renewal.

The commercial general liability and excess liability policies will name the City as an additional insured, and proof of such coverage shall be furnished to the City by way of an endorsement to same or a certificate of insurance no later than ten (10) days prior to the provision of services under the awarded contract and upon renewal of each policy each year the awarded contract remains in effect and for a period of one (1) year after the termination of the contract. All such insurance must be with an insurance carrier approved and authorized to do business in the state of Florida, and who must have a rating of no less than "excellent" by A.M. BEST, or as mutually agreed upon by the City and the successful Respondent. All such insurance policies may not be modified or terminated without the express written authorization of the City. The insurance requirements set forth herein may be modified by the City in its sole discretion in competitive negotiations.

Misrepresentation of any material fact, whether intentional or not, regarding the insurance coverage, policies or capabilities may be grounds for rejection of the proposal and rescission of any resulting. **Evidence of ability to obtain appropriate insurance coverage shall be provided in each proposal.**

All policies shall be endorsed to provide sixty (60) days prior written notice of cancellation, non-renewal or reduction in coverage or limits to:

**City of Riviera Beach
Attn: Marie Sullin, Risk Manager
2051 MLK Blvd.
Riviera Beach, FL 33404
Email: msullin@rivierabch.com**

SECTION VI EVALUATION PROCESS

6-1 GENERAL OVERVIEW

The evaluation and award of the submitted proposals shall be consistent with Florida's Consultants' Competitive Negotiations Act (CCNA) (section 287.055, Florida Statutes). The City will assemble an Evaluation Committee to review the submitted proposals and determine which responding firms are deemed "qualified" consistent with the criteria set forth herein. The Evaluation Committee will rank the responding firms and engage in discussions with no fewer than the top three (3) ranked firms. The discussions may be in a presentation format before the Evaluation Committee at a public meeting or by written responses to follow-up questions from the Evaluation Committee or some other process established by the Evaluation Committee. After discussions, the Evaluation Committee shall rank the top qualified firms based on the evaluation criteria herein and make a recommendation to the City Council. City staff may negotiate with the highest ranked firm to prepare a contract to be submitted with the Evaluation Committee's recommendation to the City Council.

Each proposal will be reviewed to determine if the proposal is responsive to the submission requirements outlined in this RFQ. A responsive proposal is one which follows the requirements of the RFQ, includes all documentation, is submitted in the format outlined in the RFQ, is a timely submission, and has the appropriate signatures as required on each document. Failure to comply with these requirements may result in a proposal being deemed non-responsive.

As part of the proposal evaluation process, the City may conduct a background investigation of individuals working for the responding firms including a record check by the Riviera Beach Police Department. The submission of a proposal in response to this RFQ constitutes acknowledgment of the process and consent to such investigation. The City shall be the sole judge in determining proposal qualifications. The evaluation of proposals shall be to establish the ranking order of the responding firms. The Evaluation Committee shall evaluate all responsive proposals to establish the final ranking order.

The City reserves the right to reject any or all proposals or to accept any proposals which is in its best interest. The City also reserves the right to waive any informalities, irregularities and technicalities in the proposals or procedure.

The City reserves the right, before qualifying any responding firm, to require the responding firm to submit such evidence of qualifications and any current or updated information that was requested in the RFQ as it may deem necessary, and may consider any information available to it of the financial, technical, and other qualifications and abilities of a firm, including past performance with other governmental agencies. Proposers are advised that requests for additional information or site visitation are not to be construed as an indication that a firm will receive or is in the best position to receive a contract award.

The City Council may award a contract or reject any or all proposal(s). The City Council may, in its discretion, interview responding firms and/or evaluate based upon the criteria set forth herein. The City Council can award a contract based upon its independent review in rendering a decision.

The City reserves the right to cancel this RFQ, or portions thereof, without penalty at any time.

6-2 EVALUATION CRITERIA

A maximum total number of points are set out in the table following this discussion. Each category of evaluation criteria will be broken down further with points assigned to each. When appropriate, points will be awarded based upon a quantitative review of the proposals.

The following qualitative guidelines will be used for assigning points:

Outstanding Proposal: Highly comprehensive, excellent reply that meets all of the requirements of the areas within that category. In addition, the proposal covers areas not originally addressed within the RFQ category and includes additional information and recommendations that would prove both valuable and beneficial to the agency. This proposal is considered to be an excellent standard, demonstrating the responding firm's authoritative knowledge and understanding of the project.

Excellent Proposal: Provides useful information, while showing experience and knowledge within the category. The proposal is well thought out and addresses all requirements set forth in the RFQ. The responding firm provides insight into its experience, knowledge and understanding of the subject matter.

Good Proposal: Meets all the requirements within the category and has demonstrated in a clear and concise manner a thorough knowledge and understanding of the subject matter. This proposal demonstrates an above average performance with no apparent deficiencies noted.

Fair Proposal: Meets the requirements in the category in an adequate manner. This proposal demonstrates an ability to comply with guidelines, parameters, and requirements with no additional information put forth by the responding firm.

Inadequate Proposal: Minimally meets the requirements in the category.

Failed Proposal/ No Proposal (no points awarded): Does not meet the requirements for the category

Proposals will be evaluated on a "best value" basis using the stated evaluation criteria listed below.

MAX POINT VALUE	EVALUATION CRITERIA RANGE
25	OUTSTANDING: 21-25
	EXCELLENT: 16-20
	GOOD: 11-15
	FAIR: 6-10
	POOR: 0-5
20	OUTSTANDING: 17-20
	EXCELLENT: 13-16
	GOOD: 9-12
	FAIR: 5-8
	POOR: 0-4
15	OUTSTANDING: 13-15
	EXCELLENT: 10-12
	GOOD: 7-9
	FAIR: 4-6
	POOR: 0-3

Criteria	Points
Firms Qualifications	35
Experience of Staff	30
Past Projects	20
Project Understanding	20
Disputes / Litigation	15
Local Vendor	15
Small / W/MBE Participation	15
Total Available Points for Written Submittal	150

Possible Bonus Points Total qualified business participation as outlined in Ordinance No.4010, Section 10-302 (Please Refer to Appendix)	15
TOTAL POINTS: ORAL INTERVIEW Oral interviews shall be optional.	60
TOAL POINTS: WRITTEN, BONUS, & ORAL INTERVIEWS	225

The Evaluation Committee shall rank all proposals received, which meet the submittal requirements. The evaluation committee will consider the following factors when ranking the proposals received:

EVALUATION CATEGORIES	POINTS POSSIBLE
COMPANY/FIRM QUALIFICATIONS AND CAPABILITES- (35 points) Include the number of years in business, licenses, equipment, references, whether the proposer is local, regional, or national, corporation, sole proprietor, or partnership and other pertinent information to demonstrate that the proposer has the capacity necessary to perform the work as required. Need to identify library projects as part of submittal.	35
EXPERIENCE OF STAFF - (30 points) Identify your Project Manager and each individual who will work as part of the engagement. Include resumes for each person to be assigned. Describe the experience in conducting similar projects for the Project Manager(s) or individuals assigned to the engagement. Describe the organization of the proposed project team, detailing the level of involvement, and field of expertise. Need to identify library projects as part of submittal.	30
PAST EXPERIENCE (20 points) Provide a minimum of five (5) references (in matrix format), including at a minimum four (4) municipalities located in the State of Florida for which you provided a similar service within the past six (6) years of the scope and nature required by this RFQ. These references must include, as a minimum: name of company, address, contact person, phone number, dates of performance, and a general description of the work performed. Need to identify library projects as part of submittal.	20
PROJECT UNDERSTANDING (20 points) Describe in detail, your understanding of the Scope of Work and your positive commitment to timely perform the proposed contract work.	20
LITIGATION, ARBRITRATIONS, AND CLAIMS (15 points) List all construction arbitration demands filed by, or against, the contractor in the last seven (7) years, and identify the nature of claim, the amount in dispute, the parties, and the ultimate resolution of the proceeding.	15
Principal Office Location and Local Participation (15 points) Location Within: Riviera Beach Palm Beach County Florida Outside Florida	15 10 05 0
SBE OR M/WBE OWNED (15 points) Meet or Exceeds 15% participation < 15% participation	15 10 0
TOTAL WRITTEN POSSIBLE POINTS	150
EVALUATION CATEGORIES SECTION 5	

POSSIBLE BONUS POINTS: Total qualified business participation as outlined in Ordinance No. 4010, Section 10-302 (PLEASE REFER TO APPENDIX)	15
ORAL INTERVIEW POSSIBLE POINTS The interview evaluation focuses on the communication skills of the respondents, Do they express thoughts and ideas clearly. How does the team interact with each other? How will they interact with City' staff? How effective are each of the Project Executives? How complete and thorough is their understanding of the Project? How responsive and comprehensive are the answers to questions A. Communication Skills - 20 pts. B. Understanding – 20 Pts. C. Responses to Questions – 20 Pts.	60
OVERALL TOTAL POINT	225

Remainder of page left blank intentionally.

Required Forms

ATTACHMENT H
DRUG FREE WORKPLACE

Preference shall be given to businesses with drug-free workplace programs. Whenever two (2) or more proposals which are equal with respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a proposal received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process.

- 1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace...
2. Inform employees about the dangers of drug abuse in the workplace...
3. Give each employee engaged in providing the commodities or contractual services that are under contract a copy of the statement specified in subsection (1).
4. In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under contract...
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...
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 form complies fully with the above requirements.

THIS CERTIFICATION is submitted by _____ the
(INDIVIDUAL'S NAME)
_____ Of _____
(TITLE/POSITION WITH COMPANY/VENDOR) (NAME OF COMPANY/VENDOR)

who does hereby certify that said Company/Vendor has implemented a drug free workplace program which meets the requirements of Section 287.087, Florida Statutes, which are identified in numbers (1) through (6) above.

SIGNATURE DATE

**ATTACHMENT I
City OF RIVIERA BEACH**

NOTIFICATION OF PUBLIC ENTITY CRIMES LAW

Pursuant to Section 287.133, Florida Statutes (1995), you are hereby notified that 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 proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposals on leases or real property to a public entity, may not be awarded or perform work as a Bank , supplier, sub Bank , 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 s. 287.017 [F.S.] for CATEGORY TWO [\$10,000.00] for a period of 36 months from the date of being placed on the convicted vendor list.

Acknowledged by:

Bank Name

Signature

Name & Title (Print or Type)

Remainder of page left intentionally blank.

**ATTACHMENT J
TRUTH IN NEGOTIATIONS CERTIFICATE**

This is to certify that, to best of my knowledge and belief, the cost or pricing data submitted, either actually or by specific identification in writing, to the Contracting Officer or the Contracting Officer's representative in support of _____

*

are accurate, complete, and current as of _____

**

This certification includes the cost or pricing data supporting any advance agreements and forward pricing rate agreements between Bank and the City that are part of the proposal.

BANK: _____

SIGNATURE: _____

NAME: _____

TITLE: _____

DATE: _____

*Identify the proposal, request for price adjustment, or other submission involved, giving the appropriate identifying number (e.g., RFP No.).

** Insert the day, month, and year when price negotiations were concluded and price agreement was reached, of, if applicable, an earlier date agreed upon between the parties that is as close as practicable to the date of agreement on price.

*** Insert the day, month, and year of signing, which should be as close to practicable to the date when the price negotiations were concluded and the contract price was agreed to.

Remainder of page left intentionally blank.

**ATTACHMENT K
SWORN STATEMENT PURSUANT TO SECTION 287.133(3)(A), FLORIDA STATUTES,
ON PUBLIC ENTITY CRIMES**

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

1. THIS SWORN STATEMENT IS SUBMITTED TO City of Riviera Beach

by _____

(Print Individual's Name and Title)

for _____

(Print Name of Entity Submitting Sworn Statement)

whose business is _____

and (if applicable) its Federal Employer Identification Number (FEIN) is _____

2. I understand that a "public entity crime" as defined in Paragraph 287.133 (1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or of the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

3. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

4. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:

a. A predecessor or successor of a person convicted of a public entity crime; or

b. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

5. I understand that a “person” as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provisions of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term “person” includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.
6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Indicate which statement applies).

_____ Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity, nor any affiliates of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list. (Attach a copy of the final order).

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES, FOR A CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

(Signature)

Sworn and subscribed before me this _____ day of _____, 2016.

Personally known _____

(Notary)
OR produced identification _____

Notary Public State of _____

(Type of Identification)

My commission expires: _____

Remainder of page left intentionally blank.

Appendix A PUBLIC LIBRARY CONSTRUCTION GRANTS

GUIDELINES and APPLICATION

Application Deadline: April 1, 2015
**Florida Department of State Division of Library
and Information Services**
R.A. Gray Building, Tallahassee, Florida 32399-0250

Submit or postmark the application by **April 1, 2015**. Send to:

Grants Office
Division of Library and Information Services
R. A. Gray Building
500 S. Bronough Street
Tallahassee, Florida 32399-0250

These Guidelines and Application are also available electronically at: info.florida.gov/bld/grants/Construction/Construction.html and can be made available in alternative formats.

For Additional Assistance or Information

Contact the Grants Office:

850.245.6620 Voice

850.245.6643 Fax

850.922.4085 TDD

[email: grantsoffice@dos.myflorida.com](mailto:grantsoffice@dos.myflorida.com)

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FORMS

Application	(Form # DLIS/PLC01, effective 7/8/2014)
Payment Request #1	(Form # DLIS/PLC02, effective 7/8/2014)
Payment Request #2	(Form # DLIS/PLC03, effective 7/8/2014)
Payment Request #3	(Form # DLIS/PLC04, effective 7/8/2014)
Payment Request #4	(Form # DLIS/PLC05, effective 7/8/2014)
Closeout Report	(Form # DLIS/PLC06, effective 7/8/2014)

LAW AND RULE

Chapter 257, *Florida Statutes*

Rule 1B-2.011, *Florida Administrative Code*, Library Grant Programs

PUBLIC LIBRARY CONSTRUCTION GRANTS GUIDELINES

I. OVERVIEW

The Department of State, Division of Library and Information Services, provides state funds to governments to construct public libraries. Funds are awarded on a dollar for dollar match of the grant amount to selected governments after evaluation of applications postmarked on or before April 1. The Legislature determines the amount appropriated annually for the program. These guidelines specify program policies and procedures.

II. DEFINITIONS

- A. Applicant** means the government requesting a Public Library Construction Grant and which will own or have the unconditional use of the library building to be constructed, expanded, or remodeled and the site on which it is located.
- B. Application** means a completed Public Library Construction Grant application form consisting of a complete project proposal and all other required documents.
- C. Application Correction Period** means the period of time to allow applicants to complete and correct application deficiencies. Applicants will have 30 days after the notification date to complete and correct deficiencies. All corrections must be postmarked on or before the last day of the correction period specified by the Division. Failure to correct identified deficiencies within the 30-day period shall automatically make the application ineligible.
- D. Application Submission Period** means the formally announced period of time in a funding cycle for the submission of an application for a Public Library Construction Grant.
- E. Audit** means the annual audit of the government for that year carried out in accordance with the requirements of Section 215.97, *Florida Statutes*, and Chapter 10.550 *Rules of the Auditor General*, and generally accepted accounting principles.
- F. Building Program** means a narrative, in-depth description of the library's service philosophy and programs as they relate to the function and contribute to the design of the library building for which a Public Library Construction Grant is being sought.

G. Competitively Award means to award contracts based on the submission of sealed bids, proposals submitted in response to a request for proposal, proposals submitted in response to a request for qualifications, or proposals submitted for competitive negotiations in accordance with Section 255.20, *Florida Statutes*. This also includes contracts for construction management services or design-build contracts. Such awards to a private sector contractor must be permitted by applicable municipal or county ordinance, by special district resolution or by state law including Section 255.20, *Florida Statutes*. If competitive negotiations are used, the award shall be in accordance with Section 287.055, *Florida Statutes*.

H. Construction Project means the construction of new buildings, and the acquisition, expansion, or remodeling of existing buildings to be used for public library service. The project shall result in a completed library building on the specified site. Beginning with applications submitted for FY 2003-2004, a construction project may begin up to 12 months prior to the date of grant award. The project shall include the bidding or competitive negotiations; award of the construction contract; construction of the facility; submission of required documents; expenditure of all grant and local funds for the project; completion of the building; and submission and approval of the audit.

I. Deliverable means the quantifiable goods or services that must be provided in order to receive payment. Deliverables are directly related to the scope of work. Each task identified in the scope of work should be tied to a deliverable. Deliverables must be agreed upon by the Division and the grant recipient.

J. Department means the Department of State.

K. Division means the Division of Library and Information Services of the Department of State.

L. Expansion means adding square feet to an existing library facility.

M. Free Public Library Services means an established program of free public library services and resources which is maintained to provide library service without discrimination to all permanent residents of the service area taxed for library purposes.

N. Funding Cycle means the interval of time between the start of an announced application submission period and the date of grant award.

O. Government means a county, municipality, special district, or, special taxing district.

P. Governing Body means the governing body of a county; the governing body of a municipality; or the governing body of a special district or special taxing district.

- Q. Grant Agreement** means a written document setting forth the terms and conditions under which a grant is provided to an applicant by the Department, including the rights and responsibilities of each party to the agreement, which is approved and signed by the Department and an authorized representative of the applicant. The agreement, incorporated herein by reference, will be sent to the library along with the grant award notification. The grant agreement will include a scope of work and project deliverables. The grant agreement must be signed between the grantee and the Department prior to February 1 of the second fiscal year after the grant award. If the agreement is not executed by this date, the grant funds shall revert to the Legislature (216.301(3) *Florida Statutes*).
- R. Grant Award** means funding provided to the applicant by the legislature for the construction project. The date of grant award shall be July 1.
- S. Grantee** means the government to which a grant is awarded.
- T. Performance measures** provide the criteria for evaluating the successful completion of each deliverable.
- U. Performance metrics** describe the documentation to be used to prove the deliverable has been met.
- V. Performance standards** describe the acceptable level of services to be performed, or products to be delivered.
- W. Project Closeout** means the submission and approval by the Division of all project documents, reports and payment requests.
- X. Remodeling** means any structural alteration to the permanent interior walls, floors, ceilings or exterior shell of a previously completed building. The term does not include maintenance or repairs such as repainting, replacing worn carpet, repairing leaky roofs, replacing HVAC, or paving parking lots unless they are part of an eligible construction project.
- Y. Scope of Work** means a description of the specific work to be performed under the grant agreement in order to complete the project. It is typically broken down into specific tasks with deadlines.
- Z. Site Evaluation** means a narrative analysis of the suitability of the location for the library building.

AA. Unconditional Use means that the building to be remodeled, expanded or constructed and the site of such building are or will be owned by or under lease to the applicant. This must occur no later than 90 days after the date of the grant award, or, at the time of application submission if the applicant anticipates starting a project prior to the date of the grant award. Such ownership or lease interest must be continuous and for at least 20 years from completion of the remodeling, expansion or construction of the building. Leases shall not be revocable at will. Release from the unconditional use requirement may be requested and will be granted if a situation arises which will provide a library facility to serve the same community that will result in a higher level of library service. The request shall be submitted in writing to the Director of the Division of Library and Information Services. If the facility is not maintained exclusively as a public library for the 20-year period, and release from the unconditional use requirement has not been requested and approved, the grant funds shall be repaid as follows: for each year that the facility is maintained as a public library, reduce the amount to be repaid by 5% per year. The 20-year period begins on the date of project closeout.

III. ELIGIBILITY

To be eligible to apply for or to receive a library construction grant:

- A. Applications must be filed with the Division using the Public Library Construction Grant Application form (DLIS/PLC01 effective 7/8/2014) and postmarked on or before April 1 to receive consideration. The Division will reject applications not postmarked on or before April 1.
- B. The applicant for a library construction grant must be a county, municipality, special district, or special tax district.
- C. The applicant requesting a Public Library Construction Grant shall either own or have unconditional use of the library building to be constructed, expanded, or remodeled and the site on which it is located. Assurance of unconditional use by the applicant's governing body must be submitted to the Division no later than 90 days after the grant award. If an applicant anticipates starting a project prior to the date of the grant award, the assurance of unconditional use must be submitted at the time of application submission.

Unconditional use means that the building to be remodeled, expanded or constructed and the site of such building are or will be owned by or under lease to the applicant. This must occur no later than 90 days after the date of the grant award, or, at the time of application submission if the applicant anticipates starting a project prior to the date of the grant award. Such ownership or lease interest must be continuous and for at least 20 years from completion of the remodeling, expansion or construction of the building. Leases shall not be revocable at will.

- D. An applicant for a Public Library Construction Grant shall be eligible to receive funding for a construction project from more than one state-funding source provided that the following criteria are met:
1. The additional state funding source(s) must be based on a statutorily approved process administered by another state agency, and
 2. The applicant must demonstrate that the project will provide a higher level of service to residents or that the project is in partnership with another organization or agency.
- E. A government receiving a library construction grant must have an established program of free public library services and resources which is maintained to provide library service without discrimination to all permanent residents of the service area taxed for library purposes.
- F. Library construction grants will be awarded on a matching basis only and the applicant shall assure the Division that local matching funds will be available and unencumbered at the time of grant award. The Division of Library and Information Services will waive the financial matching requirements on grants for rural communities that have been designated in accordance with Sections 288.0656 and 288.06561, *F.S.* Eligible communities applying for a Public Library Construction grant must request waiver of matching requirements at the time of grant application.
- G. The applicant shall employ a professional librarian, who has completed a library education program accredited by the American Library Association, functioning as a building consultant to prepare the site evaluation and the building program and to serve as a consultant to the applicant and its architect throughout the design and construction of the project. The professional librarian functioning as the building consultant may be a library staff member and may also be the project manager.
- H. A project will not be eligible for a grant when:
1. The state portion of the project will be less than \$10,000;
 2. The project will result in a total building of less than 3,000 square feet; or
 3. The project will not result in a complete library facility.

IV. TIMELINE

Year 1	April 1	Applications due. Applications must be postmarked to the Division on or before this date.
	April	Division Staff review.
	May	Application correction period. Applicants will have 30 days after the notification date to complete and correct deficiencies. All corrections must be postmarked on or before the last day of the correction period specified by the Division. Failure to correct identified deficiencies within the 30-day period shall automatically make the application ineligible.
	May and June	Division Legislative Budget request developed for inclusion in the Department of State's Budget Request.
	July 1	Projects may begin prior to the grant award, if desired. If the project begins prior to the grant award, all required documents listed in Section IX. C., must be submitted at the time of application submission.
Year 2	January – February	Legislative committees hear budget requests and make recommendations as part of the overall budget.
	May-June	Legislature approves budget.
	July 1	Grant Award.
Year 3	December 23	540 days after grant award, the grantee must place the construction project under contract. No waivers or extensions will be provided unless there is pending litigation.
Year 3	February 1	18 months after the grant award, the grant agreement must be signed between the grantee and the Department. If the agreement is not executed prior to this date, the grant funds shall revert to the State.
Year 5 or later		The construction project shall be completed within 24 months of the date of issuance of the Certificate of Substantial Completion (AIA Document G704). An extension of this time period shall be granted by the Division due to litigation or disputes over expenditures. Failure to complete the project within the 24-month period will result in the loss of the final 10% of the total grant award.

V. APPLICATION

- A.** Applications must be filed with the Division using the Public Library Construction Grant Application form (DLIS/PLC01, effective 4/10/2012) and postmarked on or before April 1 to receive consideration. The Division will reject applications not postmarked on or before April 1.
- B.** Application availability will be announced in the *Florida Administrative Register*.
- C.** An applicant for a Public Library Construction Grant shall be eligible to receive funding for a construction project from more than one state-funding source provided that the following criteria are met:
 - 1. The additional state funding source(s) must be based on a statutorily approved process administered by another state agency, and
 - 2. The applicant must demonstrate that the project will provide a higher level of service to residents or that the project is in partnership with another organization or agency.
- C.** An applicant whose project was partially funded during a funding cycle may not reapply in the subsequent funding cycles for funds to add to the previous award.
- D.** An applicant that receives a grant to build a new library, expand or remodel an existing library may not apply for a grant to expand the same library until the original project has been closed out with the Division.
- E.** Only one grant will be awarded to a government until all other eligible applicants have been awarded a grant during the funding cycle.
- F.** The following documents must be submitted at the time of application and should be assembled, labeled and submitted in the order listed below:
 - 1. Certification of Application. The chair of the governing body of a county; the governing body of a municipality; or the governing body of a special district or special taxing district that will own or have unconditional use of the building to be constructed, expanded, or remodeled must sign the Certificate of Application.

2. An ordinance, an adopted and certified resolution, or an approved agenda item from the governing body of the county, municipality, special district or special taxing district including:
 - a. Authorization for submission of the application;
 - b. Name or position title of person authorized to sign the application and provide required certifications;
 - c. Assurance that the required match of a dollar for dollar of the grant request will be available and unencumbered at the time of grant award;
 - d. Assurance that funding is sufficient and will be available in order that the project will result in a completed library building;
 - e. Assurance that upon completion of the project, sufficient funds will be available to operate the facility; and
 - f. Assurance that the building will be used exclusively for the public library purposes for which constructed or altered, and submit proposed changes in use to the Division for approval if within 20 years of the completion of the construction project.
3. Copy of documents that establish the library, such as a contract, resolution, or ordinance of the government. A copy of the interlocal agreement(s) for library cooperatives and multicounty libraries may be used to meet this requirement.
4. A narrative description of the construction project prepared and signed by a professional library staff member who has completed a library education program accredited by the American Library Association. The narrative statement must describe:
 - a. How the building will function in a currently established multicounty, county, or municipal library. This includes, but is not limited to, programs, services, and governance;
 - b. How the construction project will contribute to new or improved services in the area it will serve; and
 - c. The effects of staffing, maintaining, and costs of operating the proposed facility.
5. A detailed written building program, prepared and signed by a professional librarian, who has completed a library education program accredited by the American Library Association, functioning as a building consultant. The professional librarian functioning as the building consultant may be a library staff member. The building program must include:
 - a. A brief overview of the library including a historical perspective, mission and goals (or roles) of the library;
 - b. A description of how library functions relate to each other in terms of space, including a description of patron use and work flow patterns; and
 - c. Projection of future needs based upon anticipated future demographics.

6. If an applicant is applying for funding for a construction project from more than one state funding source, the following information must be provided:
 - a. Identify all additional state funding sources being applied for. Include the name of the funding program and the state agency administering the program, and
 - b. Describe how:
 1. The multiple funding sources will result in a project to provide a higher level of service to residents; or
 2. The project is in partnership with another organization or agency and how it will provide a higher level of service to residents; or
 3. Each funding source will be used to accomplish a different or unique portion of the entire construction project.
7. If an applicant anticipates starting a project prior to the date of the grant award, the additional documentation required in Section IX. C., must be submitted at the time of application submission.

H. The applicant may withdraw applications at any time prior to grant award without penalty.

If any library construction project that has previously been awarded a grant that is later withdrawn or vacated files a new application during the next application submission period for substantially the same project, the project shall be considered only after the Division has acted upon all other applications during the funding cycle.

- I. An applicant whose project was not funded during the previous funding cycle may either update the application already on file or submit a new one. If an applicant intends to update or resubmit an application, a letter of intent should be submitted to the Division within 30 days after notification from the Division. The updated information specified in Section V. I.2., shall be submitted within 60 days after notification from the Division. Failure to meet this deadline shall result in rejection of this application.
 1. If a new application is submitted by the application submission date, it will be reviewed for eligibility and completeness, and evaluated.
 2. If the applicant requests that the application already on file be considered for funding, it will not be reevaluated. The point values assigned during the previous review period will remain unchanged. The application will be included in the ranked listing along with new applications. Using the Public Library Construction Grant Application form (DLIS/PLC01, effective 4/10/2012), the applicant must update and provide the following information:
 - a. Applicant Information;
 - b. Certification of Application; and
 - c. Ordinance or an adopted and certified resolution from the governing body of the government as required and described in Section V. G.2.

VI. APPLICATION REVIEW

Following the close of the application submission period, all applications will be reviewed for eligibility and completeness. In reviewing applications, the Division has the authority to ensure compliance with these guidelines. The Division will determine the eligibility of an applicant, the sufficiency of the application, and the eligibility of a project element or expense.

- A. The Division will notify applicants in writing of any application deficiencies. Eligible applicants will have an application correction period of up to 30 days after notification date to correct deficiencies. Insufficient applications or the failure to correct the identified deficiencies shall result in rejection of the application. All corrections must be postmarked on or before the last day of the correction period specified by the Division. Since the purpose of this period is to determine eligibility, point totals already assigned to applications will not be changed during the correction period unless there is a change in the square feet of the building.

The Division will evaluate eligible applications in accordance with the Section VII, Criteria for Evaluating and Ranking Grant Applications, and assign a total point score to each application. Applications will be ranked based on the point score with the applications with the most points ranked highest.

- B. The Secretary of State shall have final authority to approve or deny all grant applications and to award grants based on the Division's evaluation and ranking. Such approval or denial is the final agency action for purposes of requesting a hearing under the Administrative Procedures Act, Chapter 120, *Florida Statutes*.
- C. Applications that are approved by the Secretary of State will be included in the Department of State's Legislative Budget Request for consideration by the Legislature.

VII. CRITERIA FOR EVALUATING AND RANKING APPLICATIONS

1. An application can receive a maximum of 100 points. Applications will be ranked based on the point score with the most points ranked the highest.
2. If multiple applications are submitted by one government, then the application with the higher point total will be placed in the higher ranked position. If multiple applications from one government receive the same score, the applicant will be asked to rank the applications. The higher ranked application will be placed in the higher ranked position. The other application(s) shall be placed at the bottom of the rankings. For those application(s) placed at the bottom of the rankings, the application with the higher point totals will be ranked before those with a lower point totals.
3. If two or more applications from different applicants receive the same score, the applicant having the most need based on the Community Need, Section VII. 4.D., will receive the higher ranking. If two or more applications remain tied, the applicant having received the lowest amount of construction funds within 5 years of the application date will receive the higher ranking.

4. The points for each section are:

A. Type Library Building. Only one category can apply to an application:

1. Headquarters for a multicounty or library cooperative - 20;
2. Headquarters for a single county library **not** in a multicounty -15;
3. Headquarters for a single county library in a multicounty - 12;
4. Branch or member of a multicounty library that represents the only library facility in a county - 8;
5. Branch or member library that is part of a county or multicounty, or, a municipal library and its branches operating independently of a county or multicounty library - 4;

B. Project Narrative, prepared and signed by the library director. The narrative statement must describe:

1. How the building will function in a currently established multicounty, county, or municipal library. This includes, but is not limited to, programs, services, and governance - 5;
2. How the construction project will contribute to new or improved services in the area it will serve - 10; and
3. The effects of staffing, maintaining, and operating the proposed facility - 5.

C. Building Program prepared and signed by a professional librarian, who has completed a library education program accredited by the American Library Association, functioning as a building consultant. The building program must include:

1. A brief overview of the library including a historical perspective of the library system (if applicable) and the facility covered by the application, the mission, and the goals (or roles) of the library - 5;
2. A description of how library functions relate to each other in terms of space, including a description of patron use and workflow patterns - 20; and
3. Projection of future needs based upon anticipated future demographics - 5.

D. Community Need. Points are awarded based on the extent to which the applicant's present or existing facilities meet the standard of .6 square foot per capita for total floor space in its multicounty, county, or municipal library. The total square feet will be taken from the most current Annual Statistical Report Form for Public Libraries on file with the Division of Library and Information Services. The report is available free of charge from the Director, Division of Library and Information Services, R.A. Gray Building, Tallahassee, Florida 32399-0250. The population served will be taken from the most current Florida Estimates of Population, University of Florida.

The following describes how the square feet and population will be determined for each type of library. The calculation of the square footage is based upon the type of library:

For cooperative libraries consisting of a countywide system and/or municipal libraries:

- For the countywide library system, the population and square feet for only the legal (taxed) service area of the countywide system will be used.
- For a municipal library, the population and square feet for only the legal (taxed) service area of the municipal library will be used.
- For a multicounty library, the population and square feet for the applicable county will be used.

For consolidated single county libraries

- The population and square feet for the legal (taxed) service area of the county applying for the grant will be used. This includes consolidated multicounty libraries.

0 - 25 percent of standard - 30 points;
26 - 50 percent of standard - 25 points;
51 - 70 percent of standard - 20 points;
71 - 90 percent of standard - 15 points;
91 - 100 percent of standard - 10 points.

VIII. MAXIMUM GRANT AWARD

The total maximum grant award is \$500,000.

IX. ADMINISTRATION OF GRANTS

- A. Grant Agreement.** The application, if approved, will become a part of the grant agreement between the Department of State, Division of Library and Information Services, and the grantee. The Division shall be responsible for preparing a grant agreement. Grant agreements, incorporated herein by reference, will be sent to grantees along with the grant award. The grant agreement will include a scope of work and project deliverables. Beginning with applications submitted for FY2003-2004, a construction project may be initiated 12 months or less prior to the grant award. However, the Division shall not release any grant funds to the applicant before the grant funds have been appropriated by the Legislature and the grant agreement is executed between the Division and the grantee.
- B. Project Manager.** The project manager is the applicant's single authorized representative for all contact with the Division regarding the project. This includes all written and verbal communications with the Division, processing grant-related paperwork, receipt of grant payments, etc. If the project manager changes from the information provided in the application, the applicant or grantee must notify the Division in writing of this change. The project manager may be the same person as the applicant's building consultant.
- C. Additional Required Documents.** The following material shall be submitted to the Division for approval no later than 90 days after the date of grant award. If the applicant anticipates starting the construction project prior to the date of the grant award, the following material must be submitted for approval at the time of application submission. These documents will become a part of the grant application.
1. Specific location of site and a narrative evaluation of the site of the building to be constructed, expanded, or remodeled that is prepared and signed by a professional librarian, who has completed a library education program accredited by the American Library Association, functioning as a building consultant. The professional librarian functioning as the building consultant may be a library staff member and may also be the project manager. The site evaluation should justify the choice of site considering:
 - a. Plans for future expansion or growth;
 - b. Community growth and traffic pattern projections for the future;
 - c. Adequate parking, taking into consideration local zoning and building codes, or standards;
 - d. Convenient access to major pedestrian and vehicular traffic routes; and
 - e. Physical characteristics of the site.

2. Assurances, such as a deed, showing that the applicant has legal title to the property and building, a long-term lease of not less than 20 years or a resolution adopted by the applicant's governing body, that the applicant has unconditional use of the site and the building. If a resolution is used as proof, it shall state whether the applicant owns or leases the site and building. Release from the unconditional use requirement may be requested and will be granted if a situation arises which will provide a library facility to serve the same community that will result in a higher level of service. The request shall be submitted in writing to the Director of the Division of Library and Information Services. If the facility is not maintained as a public library for the 20-year period, and release from the unconditional use requirement has not been requested and approved, the grant funds shall be repaid as follows: for each year that the facility is maintained as a public library, reduce the amount to be repaid by 5% per year. The 20-year period begins on the date of project closeout.
3. A comparison of the proposed project to .6 square feet per capita for total floor space and standards for library facilities and services. Cite standards used and the source of standards. This shall include at a minimum:
 - a. Total floor space;
 - b. The amount and kind of space required for all library functions, including both public and staff areas, meeting space, and space for specific services;
 - c. Shelving required;
 - d. Staffing required;
 - e. Lighting required; and
 - f. Telecommunications and electrical requirements.
4. A list of the kind and amount of initial furniture and equipment needed for the project.
5. Subsurface soil analysis. This analysis, which involves soil borings, is to assure that the site can support the weight of a library building. The analysis is required for the following:
 - a. New construction;
 - b. Expansion of existing library facility onto previously unbuilt land, including parking lots; or
 - c. Projects involving an existing building that was not previously used as a library building.

If problems are identified in the analysis, the Division must be informed of how the problems will be corrected.

6. Certification that the construction project will be in compliance with Federal Executive Order 11988 Floodplain Management, as amended by Executive Order 12148, which are incorporated herein by reference, including certification that the use of flood plains in connection with the construction will be avoided as far as practicable.

Regulations governing the use of state funds for construction require that evaluations be made of the potential effect of any proposed construction in relation to flood hazards. Each applicant filing an application for construction funds must request an evaluation of the proposed site of construction from the U.S. Army Corps of Engineers. When submitting requests, the following information should be included regarding the project:

- a. A legal description of the site, giving exact boundaries, a location map showing the site, and a street address if available;
- b. The need for the evaluation in order to receive construction funds from the Division of Library and Information Services, Department of State, State of Florida; and
- c. The date by which the evaluation is needed. Allow at least two weeks to receive this evaluation prior to the additional required documents filing date.

Address requests to:

For areas east of Jefferson County:

Chief, Floodplain Management
Services U.S. Army Corps of Engineers
Jacksonville District
Post Office Box 4970
Jacksonville, Florida 32232-
0019 Attention: CESAJ-PD-PF
PHONE: 904. 232.2232

For areas west of Jefferson
County, including Jefferson County:

Chief FPM/SS
U.S. Army Corps of Engineers
Mobile District
Post Office Box 2288
Mobile, Alabama 36628-0001
PHONE: 205.690.2500

If problems are identified, the Division must be informed of how the problems will be corrected.

Copies of the evaluation reports and the plans for correction, if applicable, must be submitted for each application.

7. Assurance that the site selected for the construction project does not interfere with the protection of properties listed in, or eligible for listing in, the National Register of Historic Places in accordance with Section 267.061, *Florida Statutes*. This assurance can be obtained from the Department of State, Division of Historical Resources.

Regulations governing the use of state funds for construction require that evaluations be made of the potential effect of any proposed construction in relation to historic sites. Each applicant filing an application for construction funds must request an evaluation of the proposed site of construction from the agency listed. When submitting requests, the following information should be included regarding the project:

- a. State that an evaluation is needed in order to receive construction funds from the Division of Library and Information Services, Department of State, State of Florida;
- b. Provide the name, address and/or the tax parcel identification for the project;
- c. Provide a detailed written description of the proposed project, including related activities, which will be carried out in conjunction with the project. For example, the proposed rehabilitation (include specific details) or demolition of a building or structure, or the extent of proposed land clearing or ground disturbing activities;
- d. Provide the section, township and range coordinates from the legal description. Provide a site map(s) with dimensions and/or scale and the total project study area acreage;
- e. Provide a general project study area/project site location map. Provide an USGS Quadrangle map (to scale - additional enlargements may be included) depiction of the study area and project site. Depict the project study area on an aerial photograph (current and/or past), when available. Provide a detailed topographic map of the study, when available;
- f. Provide photograph(s) of the project site if available (no photocopies). Provide aerial photographs (current or past) of the project study area and project site are recommended, when available. If a project does or may involve building(s) or structure(s) 50 years of age or older, photographs must be provided of the exterior and interior (as appropriate). Provide photographs of specific elements of the building(s) affected by the project if applicable. All photographs should be keyed to a project or building sketch plan;

- g. For new construction projects, describe the present condition of the project study area and a history of the past land use activities, i.e., agriculture or silviculture. Describe any manmade improvements in the study area. Provide information on the study area drainage, wetlands, soils, vegetation, etc., information describing the natural environment(s) (biological and geological);
- h. Describe any surrounding buildings or structures (include photographs of such improvements keyed to a map). Indicate the recorded or estimated construction dates for each building or structure; and
- i. Indicate the date by which you need the evaluation. Allow ample time to receive this evaluation prior to the additional required documents filing date. Allow at least 30 days for the historic site evaluation.

Address requests to:

Director,
Division of Historical Resources
R. A. Gray Building, 4th Floor
500 S. Bronough Street
Tallahassee, Florida 32399-
0250 PHONE: 850.245.6333;

Copies of the letters of evaluation must be submitted for each application. If the project is covered in the protection of properties listed in, or eligible for listing in, the National Register of Historic Places in accordance with Section 267.061, *Florida Statutes*, the applicant must obtain written approval from the Division of Historic Preservation before the project is let for bid.

- 8. Certification by grantee's governing body such as a resolution, or, a signed document from the person or position designated by the grantee's governing body in the resolution submitted with the application, that the grantee will competitively award construction contracts based on the submission of sealed bids, proposals submitted in response to a request for proposal, proposals submitted in response to a request for qualifications, or proposals submitted for competitive negotiations. This also includes contracts for construction management services or design-build contracts. Such awards to a private sector contractor must be permitted by applicable municipal or county ordinance, by special district resolution or by state law including Section 255.20, *Florida Statutes*. If competitive negotiations are used, the award shall be in accordance with Section 287.055, *Florida Statutes*.

D. Planning Assistance. Division staff are available to provide planning assistance as the plans for the construction project are being developed. It is recommended that Division staff be involved during several points in the development of project plans: when the initial drawings have been completed based on the building program; approximately half way through design development; and, when the furniture and equipment plan for the facility is being developed.

E. Architectural Drawings and Specifications. The grantee shall provide the Division the following material no less than 30 days prior to the construction project being let for bid or Guaranteed Maximum Price being awarded. This also includes contracts for construction management services, or design-build contracts.

1. Final floor plan with furnishings and equipment;
2. Final site plan; and
3. Final elevations.

Submit two sets of drawings prepared by a licensed architect. One set of these plans shall be 24" x 36" or 30" x 42" and the other shall be 11" x 14".

If there are changes in the design or size of the building, the grantee shall provide revised floor plans, site plans, and elevations to the Division. An example of when this might occur would be if project bids exceed available funding necessitating a revision to project plans.

F. Architectural Supervision. The grantee shall provide engineering or architectural supervision and inspection to ensure that the completed work conforms with the approved plans and specifications.

G. Accessibility. All facilities constructed must comply fully with Sections 255.21 and 553.501- 513, *Florida Statutes*, relating to accessibility by persons with disabilities, and the Americans with Disabilities Act of 1990.

H. Timeline for Competitive Awards. The grantee must place the construction project under contract within 540 days from the date of grant award. No waivers or extensions will be provided unless there is pending litigation. If there is pending litigation, the grantee may request that the 540-day timeline be tolled until the litigation is resolved. A request to toll the 540-day timeline will be granted by the Division due to pending litigation. This request must be made in writing to the Division.

The grantee shall competitively award construction contracts based on the submission of sealed bids, proposals submitted in response to a request for proposal, proposals submitted in response to a request for qualifications, or proposals submitted for competitive negotiations. This also includes contracts for construction management services or design-build contracts. Such awards to a private sector contractor must be permitted by applicable municipal or county ordinance, by special district resolution

or by state law including Section 255.20, *Florida Statutes*. If competitive negotiations are used, the award shall be in accordance with Section 287.055, *Florida Statutes*.

All procurement of goods and services must be made in a manner so as to provide maximum free competition.

- I. Project Publicity.** If a library construction site sign is erected, other publicity is done for the project, or if specifications call for a plaque in the completed building indicating the date of completion and source of funds, the grantee shall give credit as follows: This project is funded in part from the [year i.e., 2002] Florida Legislature through the Florida Department of State.
- J. Final Inspection.** The grantee should notify the Division of the date and time of final inspection so that the Division may participate in such inspection for the purpose of concurring in the final acceptance of the building. The grantee shall also provide the Division with a copy of the Certificate of Substantial Completion (AIA Document G704).
- K. Project Completion.** The construction project shall be completed within 24 months of the date of issuance of the Certificate of Substantial Completion (AIA Document G704). An extension of this time period shall be granted by the Division due to litigation or disputes over expenditures. This extension must be requested in writing to the Division. Failure to complete the project within the 24-month period will result in the loss of the final 10% of the total grant award.
- L. Project Audit.** A financial audit of the government carried out in accordance with the requirements of Section 215.97, *Florida Statutes*, and Chapter 10.550 Rules of the Auditor General, and generally accepted accounting principles must be submitted.

If desired, a grantee may submit a project specific audit in lieu of the annual audit. The project specific audit must be carried out in accordance with the requirements of Section 215.97, *Florida Statutes*, and Chapter 10.550 Rules of the Auditor General, and generally accepted accounting principles.

- M. Withdrawal of Project.** The applicant may withdraw applications at any time prior to grant award without penalty.

If any library construction project that has previously been awarded a grant which is later withdrawn or vacated and files a new application during the next application submission period for substantially the same project, the project shall be considered only after the Division has acted upon all other applications during the funding cycle.

N. Payments. A maximum of four payments of grant funds will be made on a reimbursement basis.

1. The first payment will be 30%, of the grant award. Payment will be made upon expenditure of at least 30% of the construction contract and after receipt and approval of the following required documents. The percent of the construction contract expended is based on the percentage of the total contract sum, including all change orders, that has been paid to the contractor. This information is found on the Application and Certificate for Payment (AIA Document G702) and Continuation Sheet (AIA Document G703), or its equivalent. The following documents must be either on file with the Division or completed and submitted for payment 1:

- a. Public Library Construction Grant Program Payment Request # 1 form (DLIS/PLC02) certified by the project manager or authorized official and the chief financial officer of the grantee's governing body or authorized official assuring that at least 30% of the construction contract funds have been expended;
- b. Material required in Section IX. C., and Section IX. E;
- c. Executed contract for architectural services between the owner and architect;
- d. Certification by grantee's (county, municipality, special district, or, special taxing district) governing body such as a resolution, or, a signed document from the person or position designated by the grantee's governing body in the resolution submitted with the application, that the project was competitively bid and awarded in accordance with Section 255.20, *Florida Statutes*, and local bidding requirements. If competitive negotiations are used, the certification shall include that the contract was awarded in accordance with Section 287.055, *Florida Statutes*;
- e. Complete and executed contract(s) for construction that shows the total cost to construct the facility or the guaranteed maximum price;
- f. Application and Certificate for Payment (AIA Document G702) and Continuation Sheet (AIA Document G703), or the equivalent showing at least 30% of the construction contract funds expended. This item is the project deliverable for payment one.

2. The second payment will be 30%, of the grant award. Payment will be made upon expenditure of at least 60% of the construction contract and after receipt and approval of the following required documents. The percent of the construction contract expended is based on the percentage of the total contract sum, including all change orders, that has been paid to the contractor. This information is found on the Application and Certificate for Payment (AIA Document G702) and Continuation Sheet (AIA Document G703), or its equivalent. The following documents must be either on file with the Division or completed and submitted for payment 2:

- a. Public Library Construction Grant Program Payment Request # 2 form (DLIS/PLC03) certified by the project manager or authorized official and the chief financial officer or authorized official of the grantee's governing body assuring that at least 60% of the construction contract funds have been expended;
- g. Application and Certificate For Payment (AIA Document G702) and Continuation Sheet (AIA Document G703), or the equivalent or the equivalent showing at least 60% of the construction contract funds expended. This item is the project deliverable for payment two.

3. The third payment will be 30%, of the grant award. Payment will be made upon expenditure of 100% of construction contract funds and after receipt and approval of the following required documents. The percent of the construction completed is based on the percentage of the total contract sum, including all change orders, that has been paid to the contractor. This information is found on the Application and Certificate for Payment (AIA Document G702) and Continuation Sheet (AIA Document G703), or its equivalent. The following documents must be either on file with the Division or completed and submitted for payment 3:

- a. Public Library Construction Grant Program Payment Request # 3 form (DLIS/PLC04) certified by the project manager or authorized official and the chief financial officer or authorized official of the grantee's governing body assuring that 100% of the construction contract and other project funds have been expended;
- b. Certificate of Substantial Completion (AIA Document G704); and
- h. Application and Certificate for Payment (AIA Document G702) and Continuation Sheet (AIA Document G703) or the equivalent. The G702 form must show that all construction contract funds have been expended, including all retainages, and must show a zero balance on line 9. This item is the project deliverable for payment three.

4. The final payment will be 10% of the grant amount. Payment shall be made only after successful completion of the project and agreement obligations. The following documents must be either on file with the Division or completed and submitted for payment 4:

- a. Public Library Construction Grant Program Payment Request # 4 form (DLIS/PLC05) certified by the project manager or authorized official and the chief financial officer of the grantee's governing body that the project and all obligations have been completed;
- b. Audit in compliance with the requirements of Section 215.97, *Florida Statutes*, and Chapter 10.550 Rules of the Auditor General, and generally accepted accounting principles;
- i. Library Construction Closeout Report form (DLIS/PLC06) certified by the project manager and chief financial officer of the applicant's governing body assuring that all project funds have been expended and that the project has been closed out. This item is the project deliverable for payment four.

O. Noncompliance status. If the grant recipient is in noncompliance with any term(s) of the grant agreement or any other grant agreement with the Division of Library and Information Services, the Division of Historical Resources or the Division of Cultural Affairs, the Division may withhold grant payments until the organization and/or governing body comes into compliance. Violation of a grant program requirement, including but not limited to failure to submit grant reports and other grant documents; submission of incomplete grant reports or other grant documents; or violation of other contractual requirements; shall constitute a basis for the Division to place the recipient and/or its governing body in noncompliance status with the Department of State.

X. ALLOWABLE USES OF GRANT FUNDS

Funds provided under a library construction grant may be used to cover costs of any of the following, as long as the construction project results in a completed library facility:

- A. Architectural services;
- B. New construction;
- C. Expansion;
- D. Remodeling;
- E. Site preparation, including the provision of parking spaces;
- F. Engineering costs and legal fees directly related to the construction of the library;
- G. Initial or fixed equipment, including shelving, tables, chairs, information and building technologies, video and telecommunications equipment, machinery, utilities, built-in equipment and enclosures or structures necessary to house them, and all other items necessary to furnish and operate a new or improved facility for the provision of library services;
- H. Opening day collections.

XI. MATCHING FUNDS

Matching funds must equal the grant amount, dollar for dollar. The Division of Library and Information Services will waive the financial matching requirements on grants for rural communities that have been designated in accordance with Sections 288.0656 and 288.06561, *F.S.* Eligible communities applying for a Public Library Construction grant must request waiver of matching requirements at the time of grant application.

Eligible matching funds include cash, governmental appropriation, negotiable and non-negotiable securities, bonds sold or validated, funds used for advance plans, estimates, or the cost of the land for the construction or acquisition of a building not already in use as a public library.

For new construction, the current appraised fair market value of a currently owned site may be included as a part of the local matching portion. For remodeling and expansion projects, the current appraised fair market value of the site, building or portion of a building currently not being used as a public library and that will become part of the library as a result of the project may be included towards the local matching portion. The appraisal shall be prepared by an independent licensed appraiser.

There is no time limit prior to submitting the application when applicant must have ownership of the site being used toward match. However, if the site is being used towards match, the applicant must own the site no later than the time of grant award.

Funds expended to furnish and equip the facility such as shelving, computers, tables and chairs, and opening day collections may be used towards match as long as the funds are expended less than 12 months prior to the date of grant award or before the project is closed out.

All funds, including local matching and donated funds used toward the project, must be administered by the grantee.

XII. UNALLOWABLE USE OF GRANT AND MATCHING FUNDS

Funds are allowed for grant or matching expenditures only as specifically stated in Sections X. and XI. In addition, the following are not allowed as grant or matching expenditures:

In kind services may not be used for grant or matching expenditures.

XIII. OPERATION AND USE OF FACILITY

A facility that will be constructed, remodeled or expanded using state grant funds must be maintained as a public library for a period of 20 years. Failure to maintain the facility exclusively as a public library for the 20-year period will result in repayment of all or a portion of the grant funds. The 20-year period begins on the date of project closeout.

If the facility is not maintained as a public library for the 20-year period, and release from the unconditional use requirement has not been requested and approved, the repayment schedule is as follows:

For each year that the facility is maintained as a public library, reduce the amount to be repaid by 5% per year, i.e., 1 year – 95% of the grant funds, 5 years – 75% of the grant funds, 10 years – 50% of the grant funds, etc.

Release from the unconditional use requirement may be requested and will be granted if a situation arises which will provide a library facility to serve the same community that will result in a higher level of library service. The request shall be submitted in writing to the Director of the Division of Library and Information Services.

Florida Department of State, Division of Library and Information Services
**PUBLIC LIBRARY CONSTRUCTION GRANT
APPLICATION**

Application Deadline: April 1, 2015

I. APPLICANT INFORMATION

A. LEGAL NAME OF APPLICANT (Government)

Street _____ City _____ Zip _____ County _____

Name of Chairman of Applicant's Governing Authority _____

Federal Employer Identification (FEID) Number _____

B. NAME OF LIBRARY DIRECTOR

Telephone (_____) Fax _____ E-mail _____

Library _____

Street _____ City _____ Zip _____

C. NAME OF PROJECT MANAGER

Title _____

Agency, organization or governmental unit _____

Street _____ City _____ Zip _____

Telephone (_____) Fax _____ E-mail _____

D. NAME OF BUILDING CONSULTANT (MLS degree)

Street _____ City _____ Zip _____

T e l e p h o n e (____) _____

E. NAME OF REGISTERED ARCHITECT

Street _____ City _____ Zip _____

Telephone (_____) _____ Registration Number _____

**F. INDICATE IF CONSIDERING STARTING THE CONSTRUCTION PROJECT
PRIOR TO THE GRANT AWARD YES _____ NO _____**

II. PROPOSED PROJECT

A. Name of Proposed Facility _____

B. Type Construction Project (check one):

New Building _____ Expansion _____ Remodeling _____

C. Building to be Used as (check one):

_____ Single county library headquarters	_____ Single county branch or library cooperative member
_____ Multicounty or library cooperative headquarters	_____ Independent municipal library (headquarters)
_____ Multicounty or library cooperative branch or member (more than one library in county)	_____ Independent municipal library (branch)
_____ Multicounty or library cooperative branch or member (only library in county)	

III. PROJECT DATA

A. Floor Area in Square Feet

1. Facility prior to project (Check one and give square feet where applicable):
_____ a. No facility currently exists
_____ b. A facility currently exists, but will not be used as a library _____ sq. ft. after project completion
_____ c. A facility currently exists and will be used by library after _____ sq. ft. project (may be present library or another building)
2. New facility to be constructed _____ sq. ft.
3. Expansion of existing facility
Square footage of existing building _____ sq. ft.
Square footage of the portion of building to be expanded _____ sq. ft.
Total square feet of building after expansion _____ sq. ft.
4. Remodeling of existing facility (not included in # 3) _____ sq. ft.

B. Geographical Area And Population To Be Served By Proposed Facility:

1. Name of city(s), county(s) or region. (If the service area does not conform to city or county boundaries, give the location and population by census tracts.)

2. Current population _____
The population should be from the most current Florida Estimates of Population, University of Florida.

IV. ESTIMATED COST OF PROJECT

A. Funds By Category (Indicate project cost by applicable categories):

- | | |
|--|-----------|
| 1. Architect's Fees (include planning costs) | \$ ____ |
| 2. Site Acquisition | \$ ____ |
| 3. Acquisition cost of building | \$ ____ |
| 4. New Construction | \$ ____ |
| 5. Expansion of existing building | \$ ____ |
| 6. Remodeling of existing building | \$ ____ |
| 7. Initial Equipment | \$ ____ |
| 8. Other (Specify) | \$ ____ |
| <hr/> | |
| 9. TOTAL (Must equal B.4) | \$ |

B. Source of Funds:

- | | |
|---|----|
| 1. Local funds available | \$ |
| 2. Amount of funds requested from the Public Library Construction Grant Program (State General Revenue) | \$ |
| 3. Amount of funds requested from other State sources | \$ |
| 4. TOTAL (Must equal A.9) | \$ |

If total above includes funds already spent, please specify amounts, type and dates of expenditures. (Appraisal costs and incidental purchase costs such as surveys, title insurance, legal fees, etc., are not eligible expenditures and are not reimbursable.)

	<u>Amount</u>	<u>Dates</u>
Advance plans	\$ _____	
Estimates	\$ _____	
Acquisition of Lands	\$ _____	
Other (Specify)	\$ _____	
<hr/>		

V. REQUIRED DOCUMENTS

One copy of each of the following documents is required to be submitted as a part of the application for public library construction grant funds. Assemble, label and submit documents in the order listed below.

- A. Certification of Application. The chair of the governing body of a county; the governing body of a municipality; or the governing body of a special district or special taxing district that will own or have unconditional use of the building to be constructed, expanded, or remodeled must sign the Certificate of Application.
- B. An ordinance or an adopted and certified resolution from the governing body of the county, municipality, special district or special taxing district including:
 - 1. Authorization for submission of the application;
 - 2. Name or position title of person authorized to sign the application and provide required certifications;
 - 3. Assurance that the required match of a dollar for dollar of the grant request will be available and unencumbered at the time of grant award;
 - 4. Assurance that funding is sufficient and will be available in order that the project will result in a completed library building;
 - 5. Assurance that upon completion of the project, sufficient funds will be available to operate the facility; and
 - 6. Assurance that the building will be used exclusively for the public library purposes for which constructed or altered, and submit proposed changes in use to the Division for approval if within 20 years of the completion of the construction project.
- C. Copy of documents that establish the library, such as a contract, resolution, or ordinance of the government. A copy of the interlocal agreement(s) for library cooperatives and multicounty libraries may be used to meet this requirement.
- D. A narrative description of the construction project, prepared and signed by a professional library staff member who has completed a library education program accredited by the American Library Association. The narrative statement must describe:
 - 1. How the building will function in a currently established multicounty, county, or municipal library. This includes, but is not limited to programs, services and governance;
 - 2. How the construction project will contribute to new or improved services in the area it will serve; and
 - 3. The effects of staffing, maintaining, and costs of operating the proposed facility.

- E. A detailed written building program, prepared and signed by a professional librarian, who has completed a library education program accredited by the American Library Association, functioning as a library building consultant. The professional librarian functioning as the building consultant may be a library staff member. The building program must include:
1. A brief overview of the library including a historical perspective, mission and goals (or roles) of the library;
 2. A description of how library functions relate to each other in terms of space, including a description of patron use and work flow patterns; and
 3. Projection of future needs based on anticipated future demographics.
- F. If an applicant is applying for funding for a construction project from more than one state funding source, the following information must be provided:
1. Identify all additional state funding sources being applied for. Include the name of the funding program and the state agency administering the program, and
 2. Describe how:
 - a. The multiple funding sources will result in a project to provide a higher level of service to residents; or
 - b. The project is in partnership with another organization or agency and how it will provide a higher level of service to residents; or
 - c. Each funding source will be used to accomplish a different or unique portion of the entire construction project.

One copy of each of the following documents is required to be submitted to the Division for approval no later than 90 days after the date of grant award.

If the applicant anticipates starting the construction project prior to the date of the grant award, the following material must be submitted for approval at the time of application submission.

Assemble, label and submit documents in the order listed below.

A. Specific location of site and a narrative evaluation of the site of the building to be constructed, expanded, or remodeled that is prepared and signed by a professional librarian, who has completed a library education program accredited by the American Library Association, functioning as a library building consultant. The professional librarian functioning as the building consultant may be a library staff member. The site evaluation should justify the choice of site considering:

1. Plans for future expansion or growth;
2. Community growth and traffic pattern projections for the future;
3. Adequate parking, taking into consideration local zoning and building codes, or standards;
4. Convenient access to major pedestrian and vehicular traffic routes; and
5. Physical characteristics of the site.

B. Assurances, such as a deed, showing that the applicant has legal title to the property and building, a long-term lease of not less than 20 years or a resolution adopted by the applicant's governing body, that the applicant has unconditional use of the site and the building. If a resolution is used as proof, it shall state whether the applicant owns or leases the site and building.

C. A comparison of the proposed project to .6 square feet per capita for total floor space and standards for library facilities and services. Cite standards used and the source of standards. This shall include at a minimum:

1. Total floor space;
2. The amount and kind of space required for all library functions, including both public and staff areas, meeting space, and space for specific services;
3. Shelving required;
4. Staffing required;
5. Lighting required; and
6. Telecommunications and electrical requirements.

D. A list of the kind and amount of initial furniture and equipment needed for the project.

- E. Subsurface soil analysis. This analysis, which involves soil borings, is to assure that the site can support the weight of a library building. The analysis is required for the following:
1. New construction;
 2. Expansion of existing library facility onto previously unbuilt land, including parking lots; or
 3. Projects involving an existing building that was not previously used as a library building.

If problems are identified in the analysis, the Division must be informed of how the problems will be corrected.

- F. Certification that the construction project will be in compliance with Federal Executive Order 11988 Floodplain Management, as amended by Executive Order 12148, which are incorporated herein by reference, including certification that the use of flood plains in connection with the construction will be avoided as far as practicable. Certification can be obtained from the U.S. Army Corps of Engineers. If problems are identified, the Division must be informed of how the problems will be corrected. Include copies of the evaluation report and the plans for correction, if applicable.
- G. Assurance that the site selected for the construction project does not interfere with the protection of properties listed in the National Register of Historic Places in accordance with Section 267.061, *Florida Statutes*. Include a copy of the letter of evaluation. If the project is covered in the protection of properties listed in the National Register of Historic Places in accordance with Section 267.061, *Florida Statutes*, the applicant must obtain written approval from the Division of Historic Preservation before the project is let for bid.
- H. Assurances, such as a deed, showing that the applicant has legal title to the property and building, a long-term lease of not less than 20 years or a resolution adopted by the applicant's governing body, that the applicant has unconditional use of the site and the building. If a resolution is used as proof, it shall state whether the applicant owns or leases the site and building.
- I. Certification by grantee's governing body such as a resolution, or, a signed document from the person or position designated by the grantee's governing body in the resolution submitted with the application, that the grantee will competitively award construction contracts based on the submission of sealed bids, proposals submitted in response to a request for proposal, proposals submitted in response to a request for qualifications, or proposals submitted for competitive negotiations. This also includes contracts for construction management services or design-build contracts.

CERTIFICATION OF APPLICATION

I certify that this Library Construction Grant Application of the

(name of applicant)

is true and accurate to the best of my knowledge, that the applicant will comply with the standards established pursuant to Section 257.15, *Florida Statutes*; will furnish such reports and information and follow such procedures as will be required by the Department of State, Division of Library and Information Services; that all funds received for the project will be expended solely for the purposes for which granted and any such funds not so expended, including funds lost or diverted to other purposes, shall be paid to the Department of State, Division of Library and Information Services; and that the current annual appropriation for library service is \$ _____ .

Signature of Chair of Governing Body

Typed Name of Official

Date

Clerk of Circuit Court or Other Appropriate Officer

Date

Public Library Construction Grant Program
Payment Request #1

At least 30% of the construction contract funds must be expended before this payment request can be submitted. Complete this form and submit along with the following items, or indicate that the items are already on file with the Division.

Organization Name:

Project Number: ____

Project Name: _____

Required Document	On File With the Division	Attached	Not Applicable
<p>1. Specific location of site and a narrative evaluation of the site of the building to be constructed, expanded, or remodeled that is prepared and signed by a professional librarian functioning as a library building consultant. The site evaluation should justify the choice of site considering:</p> <ul style="list-style-type: none"> a. Community growth and traffic pattern projections for the future; b. Adequate parking, taking into consideration local zoning and building codes; c. Convenient access to major pedestrian and vehicular traffic routes; and d. Physical characteristics of the site. 			
<p>2. Certification that the construction project will be in compliance with Federal Executive Order 11988 Floodplain Management, as amended by Executive Order 12148, including certification that the use of flood plains in connection with the construction will be avoided as far as practicable. If problems are identified in the analysis, the Division must be informed of how the problems will be corrected.</p>			
<p>3. Assurance that the site selected for the construction project does not interfere with the protection of properties listed in the National Register of Historic Places in accordance with Section 267.061, <i>Florida Statutes</i>. If problems are identified in the analysis, the Division must be informed of how the problems will be corrected.</p>			

Required Document	On File With the Division	Attached	Not Applicable
4. Assurances, such as a deed, showing that the applicant has legal title to the property and building, a long-term lease of not less than 20 years or a resolution adopted by the applicant's governing body, that the applicant has unconditional use of the site and the building. If a resolution is used as proof, it shall state whether the applicant owns or leases the site and building.			
5. Subsurface soil analysis. If problems are identified in the analysis, the Division must be informed of how the problems will be corrected.			
6. A comparison of the proposed project to .6 square feet per capita for total floor space and standards for library facilities and services. Cite standards used and the source of standards. This shall include at a minimum: <ol style="list-style-type: none"> 1. Total floor space; 2. The amount and kind of space required for all library functions, including both public and staff areas, meeting space, and space for specific services; 3. The amount of parking required for library, patron, and staff vehicles; 4. Shelving required; 5. Staffing required; 6. Lighting required; and 7. Telecommunications and electrical requirements. 			
7. A list of the kind and amount of initial furniture and equipment needed for the project.			
8. Final floor plan with furnishings and equipment.			
9. Final site plan.			
10. Final elevations.			
11. Changes in the final floor plan, site plan and elevations after the project has been let for bid.			
12. Certification that the project was competitively bid and awarded in accordance with Section 255.20, <i>Florida Statutes</i> , and local bidding requirements. If competitive negotiations are used, the certification shall include that the contract was awarded in accordance with Section 287.055 <i>Florida Statutes</i> .			

Required Document	On File With the Division	Attached	Not Applicable
13. Executed contract for architectural services between the owner and architect.			
14. Complete and executed contract(s) for construction that shows the total cost to construct the facility or the guaranteed maximum price.			
15. Application and Certificate for Payment (AIA Document G702) and Continuation Sheet (AIA Document G703), or the equivalent showing at least 30% of the construction contract funds expended.			

I hereby certify that the information provided is accurate to the best of my knowledge; that all provisions of the library construction guidelines and the grant agreement have been met; that sufficient local matching funds have been disbursed, obligated, or are currently available, and at least 30% of the construction costs have been expended.

Signature: _____
Project Manager or Authorized Official

Signature: _____
Chief Financial Officer of Governing Body

Print/Type Name

Print/Type Name

Title

Title

Name of Agency

Name of Agency

Date

Date

Public Library Construction Grant Program

Payment Request #2

At least 60% of the construction contract funds must be expended before this payment request can be submitted. Complete this form and submit along with the following items, or indicate that the items are already on file with the Division.

Organization Name:

Project Number: ___

Project Name: _____

<i>Required Document</i>	<i>On File With the Division</i>	<i>Attached</i>
1. Application and Certificate for Payment and Continuation Sheet (AIA Documents G702 and G703 or its equivalent) showing at least 60% of the construction contract funds expended.		

I hereby certify that the information provided is accurate to the best of my knowledge; that all provisions of the library construction guidelines and the grant agreement have been met; that sufficient local matching funds have been disbursed, obligated, or are currently available, and at least 60% of the construction costs have been expended.

Signature: _____
Project Manager or Authorized Official

Signature: _____
Chief Financial Officer of Governing Body

Print/Type Name

Print/Type Name

Title

Title

Name of Agency

Name of Agency

Date

Date

Public Library Construction Grant Program

Payment Request #3

100% of the construction contract funds must be expended before this payment request can be submitted. Complete this form and submit along with the following items, or indicate that the items are already on file with the Division.

Organization Name:

Project Number: ___

Project Name: _____

<i>Required Document</i>	<i>On File With the Division</i>	<i>Attached</i>
1 . Certificate of Substantial Completion (AIA Document G704).		
2 . Application and certificate for Payment and Continuation Sheet (AIA Documents G702 & G703 or its equivalent). The G702 form must show that all construction funds have been expended, and must show a zero balance on line 9.		

I hereby certify that the information provided is accurate to the best of my knowledge; that all provisions of the library construction guidelines and the grant agreement have been met; that sufficient local matching funds have been disbursed, obligated, or are currently available, and 100% of the construction costs have been expended.

Signature:

Project Manager or Authorized Official

Signature:

Chief Financial Officer of Governing Body

Print/Type Name

Print/Type Name

Title

Title

Name of Agency

Name of Agency

Date

Date

**Public Library Construction Grant Program
Payment Request #4**

All construction costs must be expended and the project completed before this payment request can be submitted. Complete this form and submit along with the following items, or indicate that the items are already on file with the Division.

Organization Name:

Project Number: ____

Project Name: _____

<i>Required Document</i>	<i>On File With the Division</i>	<i>Attached</i>
1 . Audit in compliance with Section 215.97, <i>Florida Statutes</i> , and Chapter 10.550, Rules of the Auditor General.		
2 . Library Construction Closeout Report (form DLIS/PLC06).		

I hereby certify that the information provided is accurate to the best of my knowledge; that all provisions of the library construction guidelines and the grant agreement have been met; and that the construction project has been completed.

Signature: _____
Project Manager or Authorized Official

Signature: _____
Chief Financial Officer of Governing Body

Print/Type Name

Print/Type Name

Title

Title

Name of Agency

Name of Agency

Date

Date

PUBLIC LIBRARY CONSTRUCTION CLOSEOUT REPORT

NAME OF LIBRARY _____

ADDRESS _____
Number/Street City Zip Code

PROJECT NUMBER: _____

PROJECT CONSTRUCTION DATES (month, day, year)

Started _____ Completed _____

TYPE PROJECT New Expansion Remodeling SIZE OF FACILITY _____ sq. ft.

PROJECT EXPENDITURES (by source) **PROJECT EXPENDITURES (by type)**

Line 5 of Expenditures by Source must equal line 6 of Expenditures by Type.

1. Local	\$ _____	1. Architectural Fees	\$ _____
2. State	\$ _____	2. Construction	\$ _____
3. Federal	\$ _____	3. Site	\$ _____
4. Other	\$ _____	4. Furniture & Equipment	\$ _____
		5. Other	\$ _____
5. TOTAL	\$ _____	6. TOTAL	\$ _____

NARRATIVE

Attach a narrative report for the project. Summarize the project in terms of its accomplishments, special features of building, problems encountered, comparison of the current facility and services with previous ones, etc. Identify benefits and/or programs which resulted from the project. Please include photographs or other items of interest.

I hereby certify that the construction project has been completed and all project funds have been expended.

PROJECT MANAGER OR AUTHORIZED OFFICIAL

SIGNATURE _____ DATE _____

NAME AND TITLE (type or print) _____

CHIEF FINANCIAL OFFICER

SIGNATURE _____ DATE _____

NAME AND TITLE (type or print) _____

CHAPTER 257 Florida Statutes
PUBLIC LIBRARIES AND STATE ARCHIVES

257.14 Division of Library and Information Services; rules.

257.15 Division of Library and Information Services; standards.

257.191 Construction grants.

257.14 Division of Library and Information Services; rules.--The Division of Library and Information Services has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter.

History.--s. 2, ch. 61-402; s. 4, ch. 63-39; ss. 10, 35, ch. 69-106; s. 21, ch. 69-353; s. 3, ch. 83-24; s. 19, ch. 86-163; s. 46, ch. 98-200.

257.15 Division of Library and Information Services; standards.--The Division of Library and Information Services shall establish reasonable and pertinent operating standards under which libraries will be eligible to receive state moneys.

History.--s. 3, ch. 61-402; s. 4, ch. 63-39; ss. 10, 35, ch. 69-106; s. 21, ch. 69-353; s. 2, ch. 72-353; s. 3, ch. 83-24; s. 20, ch. 86-163.

257.191 Construction grants.--The Division of Library and Information Services may accept and administer library construction moneys appropriated to it and shall allocate such appropriation to municipal, county, and regional libraries in the form of library construction grants on a matching basis. The local matching portion shall be no less than the grant amount, on a dollar-for-dollar basis, up to the maximum grant amount, unless the matching requirement is waived by s. 288.06561. Initiation of a library construction project 12 months or less prior to the grant award under this section shall not affect the eligibility of an applicant to receive a library construction grant. The division shall adopt rules for the administration of library construction grants. For the purposes of this section, s. 257.21 does not apply.

History.--s. 4, ch. 73-138; s. 5, ch. 83-24; s. 23, ch. 86-163; s. 2, ch. 2003-126.

Florida Administrative Code

1B-2.011 Library Grant Programs.

(1) This rule provides procedures for library grant programs administered by the Division of Library and Information Services (Division). Each program shall be governed by guidelines which contain information on eligibility requirements, application review procedures, evaluation and funding criteria, grant administration procedures, if applicable, and application forms. All grant awards shall be subject to final approval by the Secretary of State.

(2) Applicants for grants shall meet the eligibility and application requirements as set forth in the following guidelines for each grant program:

- (a) The State Aid to Libraries Grant Guidelines, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03264>, effective 12-25-13, which contain guidelines, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03265>; Grant Agreement, effective 4-10-12; Certification of Credentials – Single Library Administrative Head, effective 4- 1-10.
- (b) The Library Construction Grant Guidelines and Application, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04174>, effective 7/8/14; which contain instructions, grant application (Form DLIS/PLC01), effective 7-8-14; Payment Request #1 (Form DLIS/PLC02) effective 7-8-14; Payment Request #2 (Form DLIS/PLC03) effective 7-8-14; Payment Request #3 (Form DLIS/PLC04) effective 7-8-14; Payment Request #4 (Form DLIS/PLC05) effective 7-8-14; and Closeout Report (Form DLIS/PLC06) effective 7-8-14; and Grant Agreement, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04177>, effective 7-8-14.
- (c) The Library Cooperative Grant Guidelines and Application, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04169>, effective 7-8-14; which contain instructions and application (Form DLIS/LCG01), effective 7-8-14; Mid-Year Report (Form DLIS/LCG02) effective 7-8-14; Annual Report Form (Form DLIS/LCG03) effective 7-8-14; Annual Statistical Report Form for Multitype Library Cooperatives (Form DLIS/LCG04), effective 7-8-14; Grant Agreement (Form DLIS/LCG05), <http://www.flrules.org/Gateway/reference.asp?No=Ref-04170>, effective 7-8-14; and the FLIN Manual, effective 7-8-14.
- (d) The Library Services and Technology Act Grant Guidelines, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04175>, effective 7-8-14; which contain instructions and Grant Agreement, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04176>, effective 7-8-14.
- (e) The Community Libraries in Caring Program Application, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01122>, effective 4-10-12; which contains instructions and application (Form DLIS/CLIC01), effective 11-16-04; Annual Report (Form DLIS/CLIC02), effective 11-16-04; and Grant Agreement (Form DLIS/CLIC03), <http://www.flrules.org/Gateway/reference.asp?No=Ref-01123>, effective 4-10-12.

(3) Guidelines and forms in this rule are incorporated by reference and may be obtained from the Director of the Division, Florida Department of State, Division of Library and Information Services, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250.

(4) The Division of Library and Information Services will waive the financial matching requirements on grants for rural communities that have been designated in accordance with Sections 288.0656 and 288.06561, F.S. Eligible communities applying for Library Services and Technology Act grants and Library Construction grants must request waiver of matching requirements at the time of grant application.

(5) This section supersedes Chapters 1B-3 and 1B-5, F.A.C.

Rulemaking Authority 257.14, 257.191, 257.192, 257.24, 257.41(2) FS. Law Implemented 257.12, 257.15, 257.16, 257.17, 257.171, 257.172, 257.18, 257.191, 257.192, 257.195, 257.21, 257.22, 257.23, 257.24, 257.25, 257.40, 257.41, 257.42 FS. History—New 1-25-93, Amended 7-17-96, 4-1-98, 2-14-99, 4-4-00, 12-18-00, 11-20-01, 3-20-02, 1-9-03, 12-28-03, 11-16-04, 2-21-06, 2-21-07, 1-24-08, 4-1-10, 4-21-10, 4-10-12, 12-25-13, 7-8-14.

Appendix B

FLORIDA STATE STATUTE 287.055 CONSULTANTS COMPETITIVE NEGOTIATION ACT (CCNA)

287.055 Acquisition of professional architectural, engineering, landscape architectural, or surveying and mapping services; definitions; procedures; contingent fees prohibited; penalties.- (1) SHORT TITLE.-This section shall be known as the "Consultants' Competitive Negotiation Act." (2) DEFINITIONS.-For purposes of this section;

(a) "Professional services" means those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by the laws of the state, or those performed by any architect, professional engineer, landscape architect, or registered surveyor and mapper in connection with his or her professional employment or practice.

(b) "Agency" means the state, a state agency, a municipality, a political subdivision, a school district, or a school board. The term "agency" does not extend to a nongovernmental developer that contributes public facilities to a political subdivision under s. 380.06 or ss. 163.3220-163.3243.

(c) "Firm" means any individual, firm, partnership, corporation, association, or other legal entity permitted by law to practice architecture, engineering, or surveying and mapping in the state.

(d) "Compensation" means the amount paid by the agency for professional services regardless of whether stated as compensation or stated as hourly rates, overhead rates, or other figures or formulas from which compensation can be calculated.

(e) "Agency official" means any elected or appointed officeholder, employee, consultant, person in the category of other personal service or any other person receiving compensation from the state, a state agency, municipality, or political subdivision, a school district or a school board.

(f) "Project" means that fixed capital outlay study or planning activity described in the public notice of the state or a state agency under paragraph (3)(a). A project may include:

1. A grouping of minor construction, rehabilitation, or renovation activities.
2. A grouping of substantially similar construction, rehabilitation, or renovation activities.

(g) A "continuing contract" is a contract for professional services entered into in accordance with all the procedures of this act between an agency and a firm whereby the firm provides professional services to the agency for projects in which the estimated construction cost of each individual project under the contract does not exceed \$2 million, for study activity if the fee for professional services for each individual study under the contract does not exceed \$200,000, or for work of a specified nature as outlined in the contract required by the agency, with the contract being for a fixed term or with no time limitation except that the contract must provide a termination clause. Firms providing professional services under continuing contracts shall not be required to bid against one another.

(h) A "design-build firm" means a partnership, corporation, or other legal entity that:

1. Is certified under s. 489.119 to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent; or
2. Is certified under s. 471.023 to practice or to offer to practice engineering; certified under s. 481.219 to practice or to offer to practice architecture; or certified under s. 481.319 to practice or to offer to practice landscape architecture.

(i) A "design-build contract" means a single contract with a design-build firm for the design and construction of a public construction project.

(j) A "design criteria package" means concise, performance-oriented drawings or specifications of the public construction project. The purpose of the design criteria package is to furnish sufficient information to permit design-build firms to prepare a bid or a response to an agency's request for proposal, or to permit an agency to enter into a negotiated design-build contract. The design criteria package must specify performance-based criteria for the public construction project, including the legal description of the site, survey information concerning the site, interior space requirements, material quality standards, schematic layouts and conceptual design criteria of the project, cost or budget estimates, design and construction schedules, site development requirements, provisions for utilities, stormwater retention and disposal, and parking requirements applicable to the project.

(k) A "design criteria professional" means a firm who holds a current certificate of registration under chapter 481 to practice architecture or landscape architecture or a firm who holds a current certificate as a registered engineer under chapter 471 to practice engineering and who is employed by or under contract to the agency for the providing of professional architect services, landscape architect services, or engineering services in connection with the preparation of the design criteria package.

(l) "Negotiate" or any form of that word means to conduct legitimate, arms length discussions and conferences to reach an agreement on a term or price. For purposes of this section, the term does not include presentation of flat-fee schedules with no alternatives or discussion.

(3) PUBLIC ANNOUNCEMENT AND QUALIFICATION PROCEDURES.—

(a)1. Each agency shall publicly announce, in a uniform and consistent manner, each occasion when professional services must be purchased for a project the basic construction cost of which is estimated by the agency to exceed the threshold amount provided in s. 287.017 for CATEGORY FIVE or for a planning or study activity when the fee for professional services exceeds the threshold amount provided in s. 287.017 for CATEGORY TWO, except in cases of valid public emergencies certified by the agency head. The public notice must include a general description of the project and must indicate how interested consultants may apply for consideration.

2. Each agency shall provide a good faith estimate in determining whether the proposed activity meets the threshold amounts referred to in this paragraph.

(b) Each agency shall encourage firms engaged in the lawful practice of their professions that desire to provide professional services to the agency to submit annually statements of qualifications and performance data.

(c) Any firm or individual desiring to provide professional services to the agency must first be certified by the agency as qualified pursuant to law and the regulations of the agency. The agency must find that the firm or individual to be employed is fully qualified to render the required service. Among the factors to be considered in making this finding are the capabilities, adequacy of personnel, past record, and experience of the firm or individual.

(d) Each agency shall evaluate professional services, including capabilities, adequacy of personnel, past record, experience, whether the firm is a certified minority business enterprise as defined by the Florida Small and Minority Business Assistance Act, and other factors determined by the agency to be applicable to its particular requirements. When securing professional services, an agency must endeavor to meet the minority business enterprise procurement goals under s. 287.09451.

(e) The public must not be excluded from the proceedings under this section.

(4) COMPETITIVE SELECTION.—

(a) For each proposed project, the agency shall evaluate current statements of qualifications and performance data on file with the agency, together with those that may be submitted by other firms regarding the proposed project, and shall conduct discussions with, and may require public presentations by, no fewer than three firms regarding their qualifications, approach to the project, and ability to furnish the required services.

(b) The agency shall select in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services. In determining whether a firm is qualified, the agency shall consider such factors as the ability of professional personnel; whether a firm is a certified minority business enterprise; past performance; willingness to meet time and budget requirements; location; recent, current, and projected workloads of the firms; and the volume of work previously awarded to each firm by the agency, with the object of effecting an equitable distribution of contracts among qualified firms, provided such distribution does not violate the principle of selection of the most highly qualified firms. The agency may request, accept, and consider proposals for the compensation to be paid under the contract only during competitive negotiations under subsection (5).

(c) This subsection does not apply to a professional service contract for a project the basic construction cost of which is estimated by the agency to be not in excess of the threshold amount provided in s. 287.017 for CATEGORY FIVE or for a planning or study activity when the fee for professional services is not in excess of the threshold amount provided in s. 287.017 for CATEGORY TWO. However, if, in using another procurement process, the majority of the compensation proposed by firms is in excess of the appropriate threshold amount, the agency shall reject all proposals and reinstate the procurement pursuant to this subsection.

(d) Nothing in this act shall be construed to prohibit a continuing contract between a firm and an agency.

(5) COMPETITIVE NEGOTIATION.—

(a) The agency shall negotiate a contract with the most qualified firm for professional services at compensation which the agency determines is fair, competitive, and reasonable. In making such determination, the agency shall conduct a detailed analysis of the cost of the professional services required in addition to considering their scope and complexity. For any lump-sum or cost-plus-a-fixedfee professional service contract over the threshold amount provided in s. 287.017 for CATEGORY FOUR, the agency shall require the firm receiving the award to execute a truth-in-negotiation certificate

stating that wage rates and other factual unit costs supporting the compensation are accurate, complete, and current at the time of contracting. Any professional service contract under which such a certificate is required must contain a provision that the original contract price and any additions thereto will be adjusted to exclude any significant sums by which the agency determines the contract price was increased due to inaccurate, incomplete, or noncurrent wage rates and other factual unit costs. All such contract adjustments must be made within 1 year following the end of the contract.

(b) Should the agency be unable to negotiate a satisfactory contract with the firm considered to be the most qualified at a price the agency determines to be fair, competitive, and reasonable, negotiations with that firm must be formally terminated. The agency shall then undertake negotiations with the second most qualified firm. Failing accord with the second most qualified firm, the agency must terminate negotiations. The agency shall then undertake negotiations with the third most qualified firm.

(c) Should the agency be unable to negotiate a satisfactory contract with any of the selected firms, the agency shall select additional firms in the order of their competence and qualification and continue negotiations in accordance with this subsection until an agreement is reached.

(6) PROHIBITION AGAINST CONTINGENT FEES.—

(a) Each contract entered into by the agency for professional services must contain a prohibition against contingent fees as follows: "The architect (or registered surveyor and mapper or professional engineer, as applicable) warrants that he or she has not employed or retained any company or person, other than a bona fide employee working solely for the architect (or registered surveyor and mapper, or professional engineer, as applicable) to solicit or secure this agreement and that he or she has not paid or agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee working solely for the architect (or registered surveyor and mapper or professional engineer, as applicable) any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award or making of this agreement." For the breach or violation of this provision, the agency shall have the right to terminate the agreement without Liability and, at its discretion, to deduct from the contract price, or otherwise recover, the full amount of such fee, commission, percentage, gift, or consideration.

(b) Any individual, corporation, partnership, firm, or company, other than a bona fide employee working solely for an architect, professional engineer, or registered land surveyor and mapper, who offers, agrees, or contracts to solicit or secure agency contracts for professional services for any other individual, company, corporation, partnership, or firm and to be paid, or is paid, any fee, commission, percentage, gift, or other consideration contingent upon, or resulting from, the award or the making of a contract for professional services shall, upon conviction in a competent court of this state, be found guilty of a first degree misdemeanor, punishable as provided in s. 775.082 or s. 775.083.

(c) Any architect, professional engineer, or registered surveyor and mapper, or any group, association, company, corporation, firm, or partnership thereof, who offers to pay, or pays, any fee, commission, percentage, gift, or other consideration contingent upon, or resulting from, the award or making of any agency contract for professional services shall, upon conviction in a state court of competent authority, be found guilty of a first degree misdemeanor, punishable as provided in s. 775.082 or s. 775.083.

(d) Any agency official who offers to solicit or secure, or solicits or secures, a contract for professional services and to be paid, or is paid, any fee, commission, percentage, gift, or other consideration contingent upon the award or making of such a contract for professional services between the agency and any individual person, company, firm, partnership, or corporation shall, upon conviction

by a court of competent authority, be found guilty of a first degree misdemeanor, punishable as provided in s. 775.082 or s. 775.083.

(7) **AUTHORITY OF DEPARTMENT OF MANAGEMENT SERVICES.**—Notwithstanding any other provision of this section, the Department of Management Services shall be the agency of state government which is solely and exclusively authorized and empowered to administer and perform the functions described in subsections (3), (4), and (5) respecting all projects for which the funds necessary to complete same are appropriated to the Department of Management Services, irrespective of whether such projects are intended for the use and benefit of the Department of Management Services or any other agency of government. However, nothing herein shall be construed to be in derogation of any authority conferred on the Department of Management Services by other express provisions of law. Additionally, any agency of government may, with the approval of the Department of Management Services, delegate to the Department of Management Services authority to administer and perform the functions described in subsections (3), (4), and (5), Under the terms of the delegation, the agency may reserve its right to accept or reject a proposed contract.

(8) **STATE ASSISTANCE TO LOCAL AGENCIES.**—On any professional service contract for which the fee is over \$25,000, the Department of Transportation or the Department of Management Services shall provide, upon request by a municipality, political subdivision, school board, or school district, and upon reimbursement of the costs involved, assistance in selecting consultants and in negotiating consultant contracts.

(9) **APPLICABILITY TO DESIGN-BUILD CONTRACTS.**—

(a) Except as provided in this subsection, this section is not applicable to the procurement of design-build contracts by any agency, and the agency must award design-build contracts in accordance with the procurement laws, rules, and ordinances applicable to the agency.

(b) The design criteria package must be prepared and sealed by a design criteria professional employed by or retained by the agency. If the agency elects to enter into a professional services contract for the preparation of the design criteria package, then the design criteria professional must be selected and contracted with under the requirements of subsections (4) and (5). A design criteria professional who has been selected to prepare the design criteria package is not eligible to render services under a design-build contract executed pursuant to the design criteria package.

(c) Except as otherwise provided in s. 337.11(7), the Department of Management Services shall adopt rules for the award of design-build contracts to be followed by state agencies. Each other agency must adopt rules or ordinances for the award of design-build contracts. Municipalities, political subdivisions, school districts, and school boards shall award design-build contracts by the use of a competitive proposal selection process as described in this subsection, or by the use of a qualifications-based selection process pursuant to subsections (3), (4), and (5) for entering into a contract whereby the selected firm will, subsequent to competitive negotiations, establish a guaranteed maximum price and guaranteed completion date. If the procuring agency elects the option of qualifications-based selection, during the selection of the design-build firm the procuring agency shall employ or retain a licensed design professional appropriate to the project to serve as the agency's representative. Procedures for the use of a competitive proposal selection process must include as a minimum the following:

1. The preparation of a design criteria package for the design and construction of the public construction project.
2. The qualification and selection of no fewer than three design-build firms as the most qualified, based on the qualifications, availability, and past work of the firms, including the partners or members thereof.

3. The criteria, procedures, and standards for the evaluation of design-build contract proposals or bids, based on price, technical, and design aspects of the public construction project, weighted for the project.

4. The solicitation of competitive proposals, pursuant to a design criteria package, from those qualified design-build firms and the evaluation of the responses or bids submitted by those firms based on the evaluation criteria and procedures established prior to the solicitation of competitive proposals.

5. For consultation with the employed or retained design criteria professional concerning the evaluation of the responses or bids submitted by the design-build firms, the supervision or approval by the agency of the detailed working drawings of the project; and for evaluation of the compliance of the project construction with the design criteria package by the design criteria professional,

6. In the case of public emergencies, for the agency head to declare an emergency and authorize negotiations with the best qualified design-build firm available at that time.

(10) REUSE OF EXISTING PLANS.-Notwithstanding any other provision of this section, there shall be no public notice requirement or utilization of the selection process as provided in this section for projects in which the agency is able to reuse existing plans from a prior project of the agency, or, in the case of a board as defined in s. 1013.01, a prior project of that or any other board. Except for plans of a board as defined in s. 1013.01, public notice for any plans that are intended to be reused at some future time must contain a statement that provides that the plans are subject to reuse in accordance with the provisions of this subsection.

(11) CONSTRUCTION OF LAW.-Nothing in the amendment of this section by chapter 75-281, Laws of Florida, is intended to supersede the provisions of ss. 1013.45 and 1013.46.

History.-ss. 1, 2, 3, 4, 5, 6, 7, 8, ch. 73-19; ss. 1, 2, 3, ch. 75-281; s. 1, ch. 77-174; s. 1, ch. 77-199; s. 10, ch. 84-321; ss. 23, 32, ch. 85-104; s. 57, ch. 85-349; s. 6, ch. 86-204; s. 1, ch. 88-108; s. 1, ch. 89-158; s. 16, ch. 90-268; s. 15, ch. 91.137; s. 7, ch. 91-162; s. 250, ch. 92.279; s. 55, ch. 92-326; s. 1, ch. 93-95; s. 114, ch. 94-119; s. 10, ch. 94-322; s. 868, ch. 95.148; s. 2, ch. 95-410; s. 45, ch. 96.399; s. 38, ch. 97.100; s. 1, ch. 97-296; s. 80, ch. 98.279; s. 55, ch. 2001.61; s. 63, ch. 2002-20; s. 944, ch. 2002-387; s. 1, ch. 2005-224; s. 19, ch. 2007-157; s. 3, ch. 2007-159; s. 3, ch. 2009-227.