

## Addendum

### Instructions Document for Engineering or Architect Services Related to Community Venues Design and Construction Owner's Representative Services.

Following are questions received to date and those posed during the mandatory pre-submittal conference and their associated answers.

**Question:** The schedule is very tight and may not allow enough time to put together a good team and submittal document. Would you consider extending the due date by one week?

**Answer:** *The schedule for the selection process has been modified as follows:*

*Advertise RFQ - August 19, 2007*

*Mandatory pre-submittal conference – August 29, 2007*

*Last date for questions – September 5, 2007*

*Qualifications Statement Due Date – September 13, 2007*

*Consultants Qualification Board review – September 14, 2007*

*Shortlisting Respondents – September 19, 2007*

*Interviewing shortlisted Respondents - September 26, 2007*

*Council Approval of ranking – October 15, 2007*

*Negotiate Agreement – October 16, 2007 through October 31,*

*Council Approval of Agreement – November 12, 2007*

**Question:** Will a copy of the sign-in sheet for the pre-submittal conference be made available?

**Answer:** *The sign-in sheet is attached to addendum and is also posted at the City's website ([cityoforlando.net](http://cityoforlando.net)) under the Legal Notice, which is located under City Services/Public Works Department/Current Request for Qualifications Statements.*

**Question:** We have an opportunity to provide scheduling oversight/support services to the Orlando Magic's Program Management Team for the proposed Events Center project. Will this conflict us out of a role as a sub-consultant on the City's Owner's Representative Services Contract?

**Answer:** *Section 2 of the Instructions document states: "The OR will be ineligible to participate, in any other capacity, in the design and construction of the venues and supporting infrastructure." This provision would also apply to subconsultants.*

**Question:** The RFQ states that the City could select one or more firms as part of the process. Will you entertain partial proposals or proposals on individual venues?

*Answer: The City will not entertain partial proposals or proposals for providing services on a single venue.*

**Question:** Who is responsible for threshold inspections?

*Answer: The Venues partners, the Magic and DPAC, are responsible for providing construction related services such as threshold inspection and materials testing. We may need supplemental help to provide assistance with building permit reviews. We may also need supplemental help for building permit related code compliance inspections.*

**Question:** As part of the Blueprint process, will the City be creating an expedited payment system to allow M/WBE firms to be paid quickly?

*Answer: For the OR services, the City's policy will be to pay within 30 days of receiving a payment application. For the construction projects, we expect the OR to assist us in monitoring the contractor's payment practices and in the development of a payment strategy to ensure timely payment. The OR will be welcome to implement an internal payment strategy that addresses this issue on their own team without the need for further City involvement.*

**Question:** It looks like the Citrus Bowl will be where the winning team will have more involvement, but it seems like there are funding issues with it or it is further down the line in the schedule. Can you elaborate?

*Answer: There will be considerable involvement with all of the venue projects, not just the Citrus Bowl. With regard to funding, the interlocal agreement with the County places a priority on the events center and performing arts center. The start date for the Citrus Bowl will be tied to the collection rate of the tourist development tax (TDT). Our intent is to proceed with the design of the Citrus Bowl now and time construction based on the TDT revenues.*

**Question:** Who is on the selection committee? When did the "gag order" (prohibition from contacting City staff) start?

*Answer: The committee members have not yet been selected which is why you have been restricted from contacting any City employees except Alan Oyler, the Public Works Director. The "gag order" started the day that the RFQ came out, August 20, 2007, and proceeds through the entire selection process. Firms are not to contact City Staff; all questions should be directed through Alan Oyler.*

**Question:** Will there be a preference for City of Orlando-based businesses?

*Answer: Local presence is a factor of consideration as shown in Exhibit B, Rating Factor B. More important, however, are the qualifications of firms on the team.*

**Question:** On design selection of Citrus Bowl, you indicate you are looking for a design manager. This would typically be an architect or engineer with stadium experience, but if they participate as OR, that eliminates them from the design team and shrinks the possible candidates for providing design services. Would the City still want to have that capability as part of the OR team?

*Answer: The City is looking for organizations with experience in all three venues. If you participate as OR, you will be ineligible to participate in any other manner on the project. Firms will have to make a choice on which services they would prefer to provide.*

**Question:** What are the positions that need commitment letters?

*Answer: Section 3, paragraph 4.g. of the Instruction Document lists the positions for which commitment letters are needed. Please refer to this section*

**Question:** Who is the Design Architect for DPAC?

*Answer: Barton Myers Associates is the design architect for the performing arts center. DPAC is now soliciting for a production architect.*

**Question:** Have you selected a comparable facilities quality standard for the performing arts center?

*Answer: The standard of quality of design and construction of the PAC shall be substantially equivalent, taken as a whole, to the standard of quality used in the design and construction of these benchmark performing arts facilities: The “New Jersey Performing Arts Center” in Newark, NJ for the 1,800 seat Acoustical Hall and Rehearsal Hall; the “Kodak Theatre” in Los Angeles, CA for the 2,800 seat Amplified Hall; the Perelman Theatre at the Kimmel Center in Philadelphia, PA for the Multi-Purpose Hall; the “New Jersey Performing Arts Center” in Newark, NJ, the “Overture Performing Arts Center” in Madison, WI, the “Music Center at Strathmore” in North Bethesda, MD, and the “Broward Center for the Performing Arts” in Fort Lauderdale, FL for the façade; and the “Cerritos Performing Arts Center” in Los Angeles, CA and “New Jersey Performing Arts Center” in Newark, NJ for the public lobbies (the “Comparable Facilities”), as such Comparable Facilities were initially constructed, subject to adjustment for variations in seating capacity and configuration, and local climate conditions, topography, and building code requirements.*

**Question:** What will the OR’s role be during construction? Will it be more of a monitoring role for things like site safety and schedule?

*Answer: The OR will serve in a monitoring and advisory capacity and will be expected to notify the City of problems, but not be responsible for rectifying the problem.*

**Question:** Will the Blueprint address veteran owned companies?

*Answer: No.*

**Question:** What are the specialty consultants the City will be using for this process?

*Answer: The City has secured the services of Stafford Sports, Akerman Senterfit for legal services and Orlando Food Partners for concessions.*

**Question:** Will the City re compete the concession services?

*Answer: The current contract is in place until 2010; the City plans to solicit concession services for the new events center sometime prior to this date.*

**Question:** When will City solicit for the Citrus Bowl design team?

*Answer: The last quarter of this calendar year.*

**Question:** The document calls for resumes in two areas. How many copies of resumes are needed?

*Answer: A single copy is sufficient.*

**Question:** Can you elaborate a little bit on the M/WBE compliance monitoring component of the OR services?

*Answer: We are not expecting the OR to have this individual, firm or agency as part of their team for this submittal. The City will work with the selected OR firm to contract with the entity that will be providing the M/WBE monitoring services. The OR should include information in their submittal document on how they intend to approach the incorporation of the Blueprint concept into the venues construction program.*

**Question:** Does experience with convention centers qualify under the definition of “similar projects” given in section 3, paragraph 3.b.?

*Answer: Section 3, paragraph 3.b. defines similar projects as sports stadiums, events center/arenas and performing arts centers. Convention centers are not considered similar experience.*

**Question:** Does the City have a budget in mind for these services?

*Answer: We do not have a pre-established budget amount for these services.*

**Question:** On page 5 of the RFQ you note that the Events Center will involve “an additional \$60 million in site preparation, infrastructure, parking, permitting, planning and public art costs.” Further down on that same page the RFQ also says that the Performing Arts Center will have an added “\$71 million for land contribution, site preparation, infrastructure and planning costs.” What level of responsibility will the City, and in turn the City’s OR have for these scopes of work? It is clear that the Magic and DPAC project teams will be responsible for the design and construction of their venues but it is less clear if those same teams will hold the contracts and be responsible for the infrastructure improvements. I am trying to understand whether the City’s OR will have only an oversight role (eyes and ears as Allen Johnson described it) or if the OR will have

more direct management accountability similar to what you described on the Citrus Bowl work where the City will hold the design and construction contracts.

*Answer: City staff will be leading the effort on the off-site infrastructure improvements. The OR may be called upon to assist in reviews, evaluate schedules and identify potential conflict issues. At this point in time, we envision the OR's role to be in an oversight capacity on these projects.*

**Question:** Could you provide us information on the city's policy regarding reimbursable expenses?

*Answer: The policy is given below.*

**133.3 SUBJECT: REIMBURSABLE EXPENSES**

- :1 OBJECTIVE:  
Provide rules governing reimbursable expenses for consultants and other contractors.  
Ensure that limitations are fully understood.
  
- :2 AUTHORITY:  
This procedure amended by City Council October 27, 1997.
  
- :3 DIRECTION:  
Chief Administrative Officer, as an appointed official, serves at the pleasure of, and receives direction from the Mayor.
  
- :4 METHOD OF OPERATION
  - A. Dollar Limits Identified by Task  
Consultant agreements and other contracts should include strict upset limits (not estimates) for reimbursable expenses. Dollar limitations should be identified by task.
  
  - B. Definition of Reimbursable Expenses  
Reimbursable expenses are defined as actual out-of-pocket expenses necessary in the performance of a contract. Contracts should not provide for reimbursement of traditional business operating expenses, but not limited to, computer time, word processing time, and minor copying. Contracts should not provide for reimbursement of expenses which could be categorized as "entertainment." Any reimbursement of business operating expenses or "entertainment" expenses requires advance written approval of the Mayor or CAO. "Entertainment" expenses shall include sporting events, theatrical productions, concerts and similar activities, but do not include breakfast, lunch or dinner.
  
  - C. Reasonableness of Expenses  
Consultant agreements and other contracts should state that payment of reimbursable expenses will only be made for reasonable actual expenses.
  
  - D. Advanced Approval For Consultant or Contractor Travel  
The Project Manager or other City official as specified in the contract (hereinafter, "City official") should require the consultant to submit travel itineraries for advance approval. For ease of invoice review, the Project Manager or City official should assign a Trip Number at this time which the consultant will use to document all receipts submitted for reimbursement of travel expenses.
  
  - E. Specific Travel Expense Limitations for Consultants and Other Contractors  
Consultant agreements or contracts should include provisions consistent with City Policy for employee travel, as follows:

1. **Airline Travel**  
All travel should be by economy or tourist class, at the lowest fares obtainable.
2. **Car Rentals**  
Car rentals should be small or mid-sized cars, arranged at the most economical rate. The City will not reimburse for car rental insurance.
3. **Lodging**  
Expenses may vary but should be reasonable. Government rates should be requested whenever possible. In Orlando, the Project Manager or City official should be contacted to obtain local government rates at nearby hotels.
4. **Meals**  
Reimbursement for meals in Orlando and for travel to major cities (a list of which is maintained by the Accounting and Control Bureau) should be based on the actual cost of each meal not to exceed the following:

Breakfast	\$ 6.00	includes tip & tax
Lunch	\$ 9.00	includes tip & tax
Dinner	\$15.00	includes tip & tax

  
Reimbursement for non-major cities should be based on actual cost, not to exceed the following:

Breakfast	\$ 5.00	includes tip & tax
Lunch	\$ 7.00	includes tip & tax
Dinner	\$13.00	includes tip & tax

  
In cases where the traveler did not find it necessary to spend the night out of town, but was unable to return home by 7:00 p.m. in time for dinner, reimbursement will be allowed for the evening meal. Similarly, when the traveler finds it necessary to leave home before 7:00 a.m., reimbursement for breakfast would be in order.
5. **Gratuities**  
Gratuities (tips) are recognized as a legitimate part of the cost of travel and a proper charge against the City when such expenses are necessary. All payments of this type should be kept to a minimum.
6. **Telephone Calls**  
Necessary telephone calls may be claimed on the reimbursement voucher. In the case of tolls against the hotel bill, the points and parties between which the calls were made must be stated on the voucher with the reason they were made. If out of town travel extends three (3) days or more, one 3 minute personal call home is

allowable for reimbursement. No other personal calls are reimbursable.

- F. Alcoholic Beverages  
Reimbursements for alcoholic beverages are strictly prohibited.
- G. Local Travel  
Travel between locations within Orange County may be reimbursed, but only up to the maximum rate allowed by the Internal Revenue Service.
- H. Subcontract Services  
Reimbursement is permitted for subconsultant services rendered in support of the scope of work. Fees paid for such services shall be according to the same terms and priorities identified herein. No surcharge will be payable to the prime consultant for reimbursable expenses incurred by subcontractors.
- I. Review of First Invoice  
A formal, thorough review of the first invoice submitted for payment should be made with the consultant's or contractor's representative.
- J. Invoice Approval and Signature  
The Project Manager or City official should sign each invoice indicating approval. The contract payment should not be released prior to this approval.
- K. Expense Documentation  
The Project Manager or City official should request legible receipts from the consultant or contractor and explanatory details sufficient to explain the reason for the expenditure and its relationship to the contract task. Where appropriate, Travel Expense Reports should be submitted with associated receipts.
- L. Questionable Reimbursed Costs  
Expenses that have been reimbursed to the consultant but are deemed questionable by the Project Manager or City official after the fact, should be reviewed with the consultant or contractor and additional supporting documentation obtained. Any unjustified amounts should be returned to the City with interest at 1% per month.
- M. Procedure for Reimbursement  
The City's Invoice format should be used by contractors and consultants for each task for submission of that task's reimbursable expenses.

**Question:** Can you provide a clarification of the required percentage of local firm involvement, certified M/WBE firms and the scoring criteria related to those two items?

**Answer:** *There is no required percentage of participation by local firms. With regard to M/WBE goals, section 5, paragraph 1.e. establishes a goal of 18% minority and 6% women owned business participation on this project. Exhibits A and B to the Instructions document show the scoring criteria and the weighting given each factor.*

**Question:** Page 6 - Scope of services states that OR will act as an extension of the City's staff. Can you further clarify what other staff or consultants (yesterday you stated that the City has some level of consulting from Stafford Sports, a legal firm on retainer, food service consulting from Orlando Food Partners) the City have assigned to perform services on the project?

*Answer: The City is responsible for several infrastructure projects in connection with the venues. Currently, the firms of Carter Burgess and Stillwater Technologies, Inc. are working with the City on these projects. GAI has assisted in the preparation of a design criteria package for the Citrus Bowl renovation. Walter P. Moore is performing a parking study.*

**Question:** If the projects are set up to save tax on material purchases, would your accounting staff monitor direct payments and tax credits/savings or would that fall under the responsibilities of the OR staff?

*Answer: We have not yet established what role an OR would play in an owner direct purchase system. It is likely that the OR would help to monitor and track direct purchase items, but the accounting function would reside with the City.*

**Question:** In completing Form 330, there is a lot of the information, which is duplicative of what is requested under other portions of the RFQ. Does Form 330 and it's information and backup need to be able to be a stand-alone document, or can it refer to other sections of the RFQ response for the detailed information?

*Answer: The Form 330 information should be stand-alone and may be less detailed than what is requested in the other sections of the Instructions document.*

**Question:** You mentioned the Consultant Qualification Board review. Not having worked with the City of Orlando before, is there an additional form, or other information not already listed in the RFQ, that we need to include in our RFQ response to facilitate this review?

*Answer: No additional information will be need for the Consultant Qualification Board review.*

**Question:** During yesterday's mandatory meeting on the above RFQ you presented what appeared to be a revised version of the RFQ document with updated Rating Factors in the Exhibits. Please advise where we can obtain a copy of the revised RFQ.

*Answer: The version shown during the pre-submittal meeting was the version released the afternoon of Monday, August 20. You can obtain a copy by emailing [Debbie.Owen@cityoforlando.net](mailto:Debbie.Owen@cityoforlando.net) and requesting one.*

**Question:** We are contemplating adding a firm to our team that has their certification as an M/WBE pending with the City. Will their participation count towards meeting our goal?

***Answer:** We will not penalize a company for using a firm that is currently undergoing certification. A member of the Minority Business Enterprise Office will be on the selection committee and will be able to verify the firm's status. It should be noted, however, if the firm fails to become certified, their participation will not count towards meeting the goal.*

***End of Addendum***