



City of Doral

RFP No. 2021-14 - Disaster Debris Monitoring Services Addendum No. 2

Below are questions/ clarifications that were received regarding this project as well as the City's responses. This Addendum is and does become a part of the above-mentioned solicitation. This addendum is issued to modify the subject solicitation as follows:

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1. It is customary with term contracts of length to allow for a CPI adjustment in the renewal periods. Would the City consider allowing CPI adjustments for the renewal periods or at least the first renewal period?

RFP Section Text: Unable to identify price adjustments in the Contract.

- Prior to completion of each exercised contract term, the City may consider an adjustment to price based on changes in the Consumer Price Index Urban Wage Earners and Clerical Workers, Miami / Ft Lauderdale – All Items. (or, if applicable, whatever Dept. of Labor CPI Index relates to the commodity / service being procured).

It is the Awarded Proposer's responsibility to request any pricing adjustment under this provision. For any adjustment to commence on the first day of any exercised option period, the request for adjustment should be submitted 90 days prior to expiration of the then current contract term. The adjustment request should not be in excess of the relevant pricing index change. If no adjustment request is received from the vendor, the City will assume that the vendor has agreed that the optional term may be exercised without pricing adjustment. Any adjustment request received after the commencement of a new option period may not be considered.

The City reserves the right to negotiate lower pricing for the additional term(s) based on market research information or other factors that influence price. The City reserves the right to apply any reduction in pricing for the additional term(s) based on the downward movement of the applicable index.

The City reserves the right to reject any price adjustments submitted by the vendor and/or to not exercise any otherwise available option period based on such price adjustments. Continuation of the contract beyond the initial term, and any option subsequently exercised, is a City prerogative, and not a right of the Awarded Bidder. This prerogative will be exercised only when such continuation is clearly in the best interest of the City.

2. If the firm is an LLC "Limited Liability Company" the forms "Certificate of Authority" for Corporation, Partner, nor Joint Venture apply. The form "Certificate as to Corporate Principal" does not apply to a Limited Liability Company. All of these documents require the signature of a Secretary and a Corporate Seal.

Limited Liability Companies (LLC) do not have a "Board of Directors" "Partners", "Secretary", nor a "Corporate Seal". Our firm has a CEO and President, which both positions are authorized based on the State of Florida Limited Liability Company registration.



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Please advise how we are to complete these forms as the President is the person who legally signs all documents on behalf of the LLC and is the binding authority.

- [Please see attached document for an LLC.](#)

3. We are kindly requesting that the City waives the Performance Bond and Payment Bond requirement as the Federal procurement regulations in 2 CFR §200.325 only recommends bonding requirements for construction or facility improvements contracts. 2 CFR 200.325 states the following:

§ 200.325 Bonding requirements. For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or passthrough entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:

a. A bid guarantee from each bidder equivalent to five percent of the bid price. The “bid guarantee” must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.

b. A performance bond on the part of the contractor for 100 percent of the contract price. A “performance bond” is one executed in connection with a contract to secure fulfillment of all the contractor’s obligations under such contract.

c. A payment bond on the part of the contractor for 100 percent of the contract price. A “payment bond” is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

- [Bid Bond requirement will be waived. Performance Bond will be required at time of contract activation and Notice to Proceed provided.](#)

4. As notated in the above question, the federal procurement regulations in 2CFR **only** requires bonds for “**construction or facility improvement**” contracts. Debris monitoring services are considered to be Professional Services in **consulting** as they are oversight and advisory and **not** of a physical work nature. Can the City please waive this requirement?

- [Please see response to Question No. 3.](#)

5. If the City denies the above request, can the City please consider the following:

Per the Addendum, the performance bond is due upon contract execution versus after contract activation. As this RFP is for a standby contract with no actual value to place a performance bond on, can the City please consider modifying the required submission timeframe of the performance bond from upon contract execution to within 5 business days of receipt of a notice to proceed (after contract activation)?



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- Please see response to Question No. 3.
6. Are proposers to submit electronic copies on DemandStar only, or is a hard copy required?
- Electronic copy only via DemandStar **OR** Vendor Registry.

**CERTIFICATE OF AUTHORITY
(IF LIMITED LIABILITY CORPORATION)**

STATE OF _____)

) SS:

COUNTY OF _____)

I HEREBY CERTIFY that a meeting of the Principals of the _____

_____ organized and existing under the laws of the State of _____, held on _____, 20____, the following resolution was duly passed and adopted:

"RESOLVED, that, _____ as _____ of the Limited Liability Corporation be and is hereby authorized to execute the Proposal dated, _____ 20____, to the City of Doral and that their execution thereof shall be the official act and deed of this Limited Liability Corporation." I further certify that said resolution is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 20____.

Secretary: _____

Print Name: _____

(SEAL)