

Matlacha/Pine Island Fire Control District

REQUEST FOR PROPOSALS

Independent Special Fire Control District Performance Review

The Matlacha/Pine Island Fire Control District (“District”) is requesting proposals from consultants or certified public accountant firms (“Consultant”) interested in providing a performance review of the District in accordance with Section 189.0695, Florida Statutes (“F.S.”), which will be memorialized within a formal report (“Project”).

A. District Background

The District is a self-governing independent special fire control district, located in Lee County, established by the Florida Legislature and operating in accordance with Chapter 63-1558, House Bill No. 2294, as amended, (“Charter”), and Chapters 189 and 191, F.S. It is an independent governmental unit whose primary source of operating funds ad valorem taxes. The total operating budget is \$12,607,846 for the 2021-2022 fiscal year.

The District operates from 4 fire stations and employs 37 people. The District provides services in the following functional areas:

- a) Fire Suppression
- b) Fire Prevention
- c) Initial Haz Mat Response
- d) Technical Response
- e) EMS First Response – BLS Level
- f) Beach Rescue
- g) Public Fire and Life Safety Education

B. Performance Review Background

In 2021, Section 189.0695, F.S., was created and requires all independent special fire control districts to conduct a performance review every five years beginning October 1, 2022. With the exception of independent special fire control district located within a rural area of opportunity, all independent special fire control districts must contract with an independent entity to conduct the performance review. The independent entity must have at least five (5) years of experience conducting comparable reviews of organizations similar in size and function to the independent special fire control district under review, must conduct the review according to applicable industry best practices, and may not have any affiliation with or financial involvement in the reviewed independent special fire control district. The completed performance review will be filed with the District’s governing board, the Auditor General, the President of the Senate, and the Speaker of the House of Representatives no later than July 1, 2023.

C. Scope of Work

The successful Consultant will perform a performance review which is defined as an evaluation of the District and its programs, activities, and functions. The term includes research and analysis of the following:

- The special district's purpose and goals as stated in its charter.
- The special district's goals and objectives for each program and activity, the problem or need that the program or activity was designed to address, the expected benefits of each program and activity, and the performance measures and standards used by the special district to determine if the program or activity achieves the district's goals and objectives.
- The delivery of services by the special district, including alternative methods of providing those services that would reduce costs and improve performance, including whether revisions to the organization or administration will improve the efficiency, effectiveness, or economical operation of the special district.
- A comparison of similar services provided by the county and municipal governments located wholly or partially within the boundaries of the special district, including similarities and differences in services, relative costs and efficiencies, and possible service consolidations.
- The revenues and costs of programs and activities of the special district, using data from the current year and the previous three (3) fiscal years.
- The extent to which the special district's goals and objectives have been achieved, including whether the goals and objectives are clearly stated, measurable, adequately address the statutory purpose of the special district, provide sufficient direction for the district's programs and activities, and may be achieved within the district's adopted budget.
- Any performance measures and standards of the special district's programs and activities using data from the current year and the previous three (3) fiscal years, including whether the performance measures and standards:
 - Are relevant, useful, and sufficient to evaluate the costs of the programs and activities.
 - Are being met.
 - Should be revised.
- Factors that have contributed to any failure to meet the special district's performance measures and standards or achieve the district's goals and objectives, including a description of efforts taken by the special district to prevent such failure in the future.
- Recommendations for statutory or budgetary changes to improve the special district's program operations, reduce costs, or reduce duplication, including the potential benefits to be achieved and the potential adverse consequences of the proposed changes.

The performance must be conducted in accordance with the applicable industry best practices (including but not limited to the National Fire Protection Association, Center for Public Safety Excellence, and the Insurance Services Office).

Although the Consultant is being hired to complete a performance review required by Section 189.0695, F.S., the Consultant’s client will be the District and not the Florida Legislature. The Consultant’s evaluation will be documented in a draft report, which shall include a section on each paragraph provided in Section 189.0695(1)(a)-(i), F.S. The Consultant shall provide the draft report to the District and the District shall have at least two (2) weeks to review the draft report and submit responding comments to the Consultant. If timely received, the Consultant shall include the District’s responding comments in the Consultant’s final report, which shall be included in a separate section of the final report. Upon completion of the final report, the Consultant shall provide an electronic copy, which must be ADA compliant, and ten (10) printed and bound copies of the final report to the District. In addition, all relevant electronic files will be provided in their native format on a USB drive.

If requested, the Consultant will deliver a final presentation to the District’s Board of Fire Commissioners. The District intends that the Project should be completed within weeks of the execution of the contract.

D. Price

The District will pay a fixed fee to be paid upon the receipt and approval of the final report by the District. The stated fee shall include all costs associated with completion of the Project and there shall be no hidden costs.

Full disclosure of nature and amount of all fees and charges is mandatory. The District shall not be responsible for the reimbursement of any costs not specifically set forth in the Consultant’s proposal. The District reserves the right to accept any part or all of the Consultant’s fee schedule. Any reimbursement of expenses approved by the District shall be in accordance with the District’s per diem policy.

E. General Project Schedule

A summary schedule for Consultant selection for the Project is presented below. Dates may be changed at the discretion of the District.

Milestone	Expected Date of Completion
Advertise for Consultant RFP	March 6, 2023
Final Date for Questions	March 10, 2023
Proposals Submittals Due to the District	March 17, 2023

Selection Committee Meeting to Consider Consultant Rankings	March 20, 2023
Selection Committee Meeting to Interview Ranked Consultants (If Needed)	March 21, 2023
Consultant Selection	March 22, 2023

All Selection Committee meetings are publicly noticed, and members comply with Florida’s Sunshine Law. Upon review of the proposals, the Selection Committee may schedule presentations and interviews. The Selection Committee’s ranking and a recommendation to select a Consultant will be presented to the District Board of Fire Commissioners (“Board”) for consideration. Proof of insurance from the selected Consultant meeting the requirements of the contract, described below, is required at the time of Board’s approval of the selection.

The District reserves the right to delay scheduled dates if determined to be in the best interest of the District. Any changes, delays, or addenda related to this Request for Proposals (“RFP”) will be posted on the District’s website.

F. Consultant Selection Process

Consultant selection shall be in accordance with the District’s Procurement Policy. The District’s Procurement Policy can be viewed in its entirety by contacting the District’s administration at 239-283-0030. A copy of the District’s contract proposed for the Project is included in this RFP. The Project contract contains minimum insurance requirements that must be satisfied for the contract to be executed by the District. The contents of the proposal of the successful Consultant will be incorporated into a written agreement in terms acceptable to the District at its absolute discretion. By submitting a proposal, Consultant agrees to all the terms and conditions of this RFP and those included in the District’s Project contract. If Consultant desires to propose a change to a term or condition of this RFP or the District’s contract, Consultant must submit its request by submitting a question as provided for below.

This selection process is intended to result in execution of a contract with one prime Consultant for work required in the Project. Two (2) or more Consultants may combine for the purpose of responding to this RFP provided that one Consultant is designated as the “Prime” Consultant and the other as a subconsultant and that the RFP was made without collusion and is in all respects, fair and in good faith.

After issuance of this RFP, prospective Consultants or their agents, representatives or persons acting at the request of such Consultant are prohibited from contacting members of the District’s Board, the Fire Chief, or any member of the Selection Committee concerning this RFP until after the final recommendation is presented to the Board for approval or when the solicitation has been canceled or terminated. Any questions concerning this RFP must be presented in writing via email to miles@pineislandfire.org no later than March 10, 2023. Consultants are responsible to review the District’s website for the District’s responses to any questions timely submitted or any addenda issued.

G. Consultant Minimum Requirements

The Consultant must have at least five (5) years of experience conducting comparable reviews of organizations similar in size and function to the District and must also have no affiliation with or financial involvement in the District. By submission of a proposal, the Consultant attests to these Consultant minimum standards.

H. RFP Minimum Requirements

The proposal must (at a minimum) include the following:

1. Legal name, address, phone number and email of Consultant;
2. Principal office locations of submitting Consultant and any proposed partners/subconsultants;
3. Legal form of company, i.e., partnership, corporation, joint venture, (if joint venture, identify the members);
4. Briefly state understanding of the Project and provide a positive commitment to perform the work;
5. Describe approach to the Project and proposed timeline;
6. Describe Consultant’s ability to produce the final product and innovative concepts that may enhance value and quality and favorable cost containment approaches or additional or alternative ideas that may be successful if implemented;
7. Qualifications and professional experience for Consultant’s “Project Manager” who is proposed to serve as point of contact for the Project, including experience of comparable reviews of organizations similar in size and function to the District;
8. Qualifications and professional experience of other key personnel who will be assigned to conduct project services listed above, and the location of the office to which they are assigned, including experience of comparable reviews of organizations similar in size and function to the District per key personnel;
9. Current and projected workloads for proposed key staff during proposed project timeframe;
10. Description and examples of a minimum of three (3) projects completed by Consultant similar to the Project for organizations similar in size and function to the District, including whether the project was for a Florida local government, description of the project, budget, and duration/completion time information;
11. A matrix, using the Experiences Summary Matrix included within this RFP showing the projects listed in RFP Requirements 10 and included within the References Form in rows on the left side of the matrix and the key personnel (in response to RFP Requirements 7 and 8) in columns on the top of the matrix to create a matrix, using an “X” to indicate which projects the key personnel were involved in at the intersections of the rows and columns in the matrix

12. List of at least three (3) clients that the District can contact as references with respect to Consultant's work performance on projects similar to the Project, using the Reference Form included within this RFP;
13. Summary and disposition of any individual cases of litigation, judgments and/or legal actions, entered against Consultant or subconsultant(s) for breach of contract for work performed for any local, state, federal, public, or private entity, by any state or federal court, within the last five (5) years, or if no judgment was entered, please also include any litigation that have been filed against Consultant or its subconsultants for breach of contract for work performed for any local, state, federal, public, or private entity, by any state or federal court, within the last five (5) years;
14. Detailed cost for the Project; and
15. Required forms:
 - Key Personnel Form;
 - Experiences Summary Matrix;
 - Signed Sworn Statement under Section 287.133(3)(a), Florida Statutes, on Public Entity Crimes;
 - Reference Forms; and
 - E-Verify Affidavit.

For RFP Requirements 7 and 8, Consultant should also include for the Project Manager and key personnel, any experience, by person, in: emergency service master planning, strategic planning, fiscal analysis, incident analysis, cooperative services analysis, EMS delivery, staffing assessments, and benchmarking, if applicable.

The proposal shall be limited to no more than twenty-five (25) one-sided pages for all requested information described herein including the required forms listed in RFP Requirement 15 above. Front and back covers, transmittal letter, and section dividers are excluded from the twenty-five (25) page limit. All pages shall be standardized 8 ½ x 11 inches in size, margins not less than 1-inch, standard black text and minimum twelve (12) point font size.

Consultants desiring to provide these professional services to the District must submit eight (8) paper copies (one (1) copy shall be unbound) and one (1) electronic PDF copy on a USB drive of their proposal in accordance with the requirements contained in this RFP to:

Matlacha/Pine Island Fire Control District
Attention: Fire Chief
5700 Pine Island Rd.
Bokeelia, FL 33922

The proposal may be submitted by U.S. Mail (postage paid), courier service, or by hand delivery. Proposals must be identified with “RFP - Independent Special Fire Control District Performance Review -- Do Not Open” marked on the sealed package. If sent via courier service, they must be placed in a sealed envelope properly identified within the courier package. A Consultant’s proposal must be received no later than September 16, 2022 at the above referenced address. It is the Consultant’s responsibility to assure that its proposal is delivered to the District prior to the above deadline. The District will not be responsible for any lost or late arriving proposals sent via the U.S. Postal Service or other delivery services. Late submittals will not be opened or considered. Proposals that are incomplete, conditional, obscure, or do not conform to the requirements contained in this RFP may be deemed nonresponsive at the sole option of the District. The District reserves the right to reject all responses and not grant any award resulting from this RFP. If awarded, no contract will be formed between the Consultant and the District until an agreement is executed by both parties.

Upon submittal of its proposal, the Consultant agrees to be bound by all terms and conditions of the RFP. Neither the District nor its representatives will be liable for any expenses incurred in connection with preparation of a response to this RFP.

I. RFP Evaluation Criteria

Criteria	Weighting
Consultant (team) Competence/Qualifications/Services	25 points

Consultant Competence/Qualifications/Services section shall address:

- *Team capability to perform the work;*
- *Consultant’s location(s) and Consultant’s years of experience;*
- *Consultant’s commitment of time and resources to the District; and*
- *Any litigation against the Consultant and/or subconsultants.*

Similar Experience and Past Professional Accomplishments	25 points
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The Similar Experience and Past Professional Accomplishments section shall address:

- *Prior experience providing professional services by Consultant as well as each of its subconsultants;*
- *Related governmental work including references for the Project Manager and key personnel (in addition to the mandatory Reference Form), including whether Consultant has experience working with Florida local governments, and past performance;*
- *Experience of Project Manager and key personnel to be assigned to the District, including demonstrated knowledge and understanding of the types of services to be performed; and*
- *Consultant’s current or past projects with detailed information on schedule adherence, quality of work, and project cost control.*

Project Approach and Understanding

25 points

The Project Approach and Understanding section shall address:

- *Consultant’s approach to the Project and proposed timeline; and*
- *Ability of Consultant to produce the final product and innovative concepts that may enhance value and quality and favorable cost containment approaches or additional or alternative ideas that may be successful if implemented*

Price

25 points

The Price section shall address the Consultant’s proposed Project cost.

TOTAL

100 points

J. Selection Process

1. Selection of the finalists will be based upon the criteria set forth in this RFP
2. The proposals shall be ranked with up to 3 being ranked in order. The Board will authorize the Chief to negotiate with the highest ranked Respondent.
3. Following the negotiations the contract will be submitted to the District Board for approval. If a contract cannot be agreed upon, the Chief will notify the District Board, and if the District Board concurs, it will direct that negotiations cease and direct the Chief to commence negotiations with the next-ranked Responder. The process will continue until a contract is successfully approved by the District Board or until the list of top-ranked responders has been exhausted.

K. Public Availability Of Records

Once opened, all proposals will become the property of the District and, at the sole discretion of the District, may not be returned to Consultant. Any information, reports, or other materials given to, prepared, or submitted in response to this RFP will be subject to the provisions of Chapter 119, F.S.,

Public Records Act. Any Consultant claiming that its proposal contains information that is exempt from Chapter 119, F.S., must clearly segregate and mark that specific information and provide the specific statutory citation for such exemption. Section 119.071(1)(b), F.S., exempts sealed proposals from inspection, examination, and duplication until such time as the District issues a notice of intended decision or within thirty (30) days after the proposal opening, whichever comes first. This exemption is not waived by the public opening of the proposals. Any questions regarding the application of Chapter 119, F.S., to this RFP can be directed to the District's public records custodian by telephone at 239-283-0030, or by email at miles@pineislandfire.org.

L. Additional Requirements

1. Scrutinized Companies

Pursuant to Section 287.135, F.S., a company that, at the time of bidding or submitting a proposal for a new contract or renewal of an existing contract, is on the Scrutinized Companies that Boycott Israel List, or is engaged in a boycott of Israel, shall be ineligible for, and may not bid on, submit a proposal for, or enter into or renew a contract with an agency or local governmental entity for goods or services of any amount. Consultant may not submit a bid if it is on the aforementioned lists. By submitting a proposal, the Consultant must certify that it is not on the aforementioned list.

2. Public Entity Crimes

Pursuant to Subsections 287.133(2)(a) and (3)(a), F.S., a person or an affiliate who has been placed on the convicted vendor list following a conviction for public entity crime may not submit a bid on a contract to provide any goods or services or for the construction or repair of public building or public work to a public entity, may not submit bids, proposals, or replies on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subconsultant, 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 Section 287.017, F.S., for category two for a period of thirty-six (36) months from the date of being placed on the convicted vendors list. Consultant shall submit with its proposal a properly executed and notarized Public Entity Crimes Statement, attached hereto as Attachment 3.

3. Equal Employment Opportunity

The District, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252) and the Regulations of The Department of Commerce (15 CFR, Part 8) issued pursuant to such act, hereby notifies all Consultants that it will affirmatively ensure that in any contract entered into pursuant to this RFP, minority business enterprises will be afforded full opportunity to submit proposals in response to this RFP and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

4. Conflicts of Interest

The award under this RFP is subject to the provisions of Chapter 112, F.S., as amended, governing conflicts of interest. All Consultants must disclose with their proposal the name of any officer, director, or agent who is also a public employee. Further, all Consultants must disclose the name of any public employee who owns, directly or indirectly, an interest of five percent (5%) or more in Consultant's firm or any of its branches.

5. Participation in E-Verify System

In accordance with Section 448.095, F.S., beginning January 1, 2021, every public employer, contractor, and subconsultant shall register with and use the E-Verify System to verify the work authorization status of all newly hired employees. The submission of an executed affidavit from the Consultant and any subconsultants stating it is in compliance with Section 448.095, Florida Statutes, and all employees hired on and after January 1, 2021, have had their work authorization status verified through the E-Verify system shall satisfy this requirement. Any contract awarded pursuant to this RFP shall be terminated by the District if the District has a good faith belief that the successful Consultant or subconsultant thereof has knowingly violated this requirement.

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 Matlacha/Pine Island Fire Control District by

(Print individual's name and title)

for _____

(Print name of entity submitting sworn statement)

whose business address is _____

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

(If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: _____).

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 entity 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 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, or agents who are active in the management of the entity, nor any 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, or agents who are active in the management of the 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, or agents who are active in the management of the 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 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 THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND 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 CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

(Signature)

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ by _____ of _____, a _____ company organized under the laws of the State of _____, on behalf of the company, who is personally known to me or has produced _____ as identification.

Notary Public

Name (Printed) _____

My commission expires _____.

(Printed typed or stamped Commissioned name of Notary Public)

REFERENCES

Consultant must provide a minimum of three (3) references that meet the requirements in the RFP.

Consultant Name: _____

Reference Entity: _____

Reference Contact Person: _____

Reference Address: _____

Reference Email Address: _____

Reference Phone No.: _____

Project Name: _____

Project Location: _____

Consultant Project Manager: _____

Contract Amount: _____

Date Project Commenced: _____

Date of Final Completion: _____

Description of Work Performed: _____

CONSULTANT E-VERIFY

AFFIDAVIT

I hereby certify that _____ [insert Consultant company name] does not employ, contract with, or subcontract with an unauthorized alien, and is otherwise in full compliance with Section 448.095, Florida Statutes.

All employees hired on or after January 1, 2021, have had their work authorization status verified through the E-Verify system.

A true and correct copy of _____ [insert Consultant company name] proof of registration in the E-Verify system is attached to this Affidavit.

Print Name: _____

Date: _____

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ by _____ of _____, a _____ company organized under the laws of the State of _____, on behalf of the company, who is personally known to me or has produced _____ as identification.

Notary Public

Name (Printed) _____

My commission expires _____.

(Printed typed or stamped Commissioned name of Notary Public)

SUBCONSULTANT E-VERIFY
AFFIDAVIT

I hereby certify that _____ [insert Subconsultant company name] does not employ, contract with, or subcontract with an unauthorized alien, and is otherwise in full compliance with, section 448.095, Florida Statutes.

All employees hired on or after January 1, 2021, have had their work authorization status verified through the E-Verify system.

A true and correct copy of _____ [insert Subconsultant company name] proof of registration in the E-Verify system is attached to this Affidavit.

Print Name: _____
Date: _____

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ by _____ of _____, a _____ company organized under the laws of the State of _____, on behalf of the company, who is personally known to me or has produced _____ as identification.

Notary Public
Name (Printed) _____

My commission expires _____.

(Printed typed or stamped Commissioned name of Notary Public)