

INVITATION to NEGOTIATE



ITN# C006509

Operational Assessment

INVITATION TO NEGOTIATE

ISSUE DATE: December 27, 2023**TITLE:** Operational Assessment**ISSUING OFFICE:** Central Florida Tourism Oversight District, Procurement & Contracting Department**Anti-Collusion Statement/Public Domain**

I, the submitting proposer, have not divulged, discussed, or compared this Invitation to Negotiate with any other proposer and have not colluded with any other proposer in the preparation of this proposal in order to gain an unfair advantage in the award of this contract. I acknowledge all information contained herein is part of the public domain as defined in the Public Records Act, Chapter 119, F.S.

1. GENERAL INFORMATION

- 1.1 The District requests qualified firms to submit proposals from experienced and qualified firms for an operational assessment.
- 1.2 All terms and conditions of this ITN, any addenda, proposer's submissions and future negotiated terms are incorporated into the contract by reference as set forth herein.
- 1.3 All dates and information contained herein may be extended, changed, or updated within the listing posted at **CFTOD BID PORTAL:** <https://pbsystem.planetbids.com/portal/62171/portal-home>, hosted by PlanetBids. **Proposers are responsible for verifying all listing information before submitting a proposal to the Invitation to Negotiate (ITN).**

2. TIME SCHEDULE

- 2.1 The District will attempt to use the following time schedule that will result in the selection of a proposer.

Description	Date
All written questions and inquiries are due by 5:00 PM EST	January 11, 2024
Proposals due by or before 2:00 PM EST	January 18, 2024
Shortlist Committee Meeting	TBD
Negotiations	As Scheduled
District Approval Date	TBD

NOTE: These dates are estimated dates only and subject to change.

- 2.2 The District will receive submittals until the time and date cited in Section 2.1. Only submittals received electronically on the **CFTOD BID PORTAL**, by the correct date and time will be accepted. Proposer shall upload one (1) electronic submittal package for evaluation.

3. INSTRUCTIONS TO RESPONDING PROPOSERS

- 3.1 All proposals must be electronically submitted by or before the bid due date at [CFTOD BID PORTAL](#), under the appropriate listing.
- 3.2 Proposals may not be submitted by any other means other than as described in Section 3.1. The District will not accept proposals sent by U.S. Mail, private couriers, or fax.
- 3.3 Any proposals received after the stated time and date will not be considered.
- 3.4 [Selection may be made directly from the ITN](#). Some or all of the responding firms may be requested to provide written or oral technical proposals, or both for the rating process. After the rating of proposers, a contract will be negotiated in accordance with Florida Statutes and this solicitation. After determination of the shortlist and initial evaluation, the District's Contracting Officer will schedule negotiations with the two highest rated proposers.
- 3.5 Proposals not conforming to the instructions provided herein will be subject to disqualification at the sole option of the District.

4. AWARD

- 4.1 The District reserves the right to accept or reject any or all proposals.
- 4.2 The resulting contract will be for an initial term of one (1) year(s) with an optional two (2) renewal.
- 4.3 The District reserves the right to waive any irregularities and technicalities and may, at its sole discretion, request a clarification or other information to evaluate any or all proposals.
- 4.3 The District will negotiate an agreement with the highest rated proposer with the accepted best-and-final offer. If an agreement cannot be reached with the highest rated proposer, the District reserves the right to negotiate with the next highest rated proposer (or subsequent proposers) until an agreement is reached.
- 4.4 The District reserves the right, prior to District approval, to cancel or terminate this ITN, any negotiations, or the proposed agreement, without penalty.

5. INQUIRIES

- 5.1 Any and all questions must be submitted through the appropriate listing electronically via the [CFTOD BID PORTAL](#). Responses will be made electronically and posted online under the listing. It is the responsibility of the proposers to check for updates.
- 5.2 If necessary, any addenda will be posted under the listing at [CFTOD BID PORTAL](#).
- 5.3 It is our standard policy no addendum will be issued later than three (3) calendar days prior to the date for receipt of proposals, except an addendum withdrawing the Invitation to Negotiate or one which includes postponement of the date for receipt of proposals.
- 5.4 No verbal or written information which is obtained other than by information in this document or by addendum to this ITN, will be binding on the District.

6. LOBBYING

- 6.1 PROPOSERS ARE HEREBY ADVISED THAT CONTACT IS NOT PERMITTED WITH ANY DISTRICT PERSONNEL OR BOARD MEMBER RELATED TO, OR INVOLVED WITH THIS ITN. PROPOSERS ARE RESTRICTED FROM DISCUSSING THEIR SUBMITTALS AND THIS SOLICITATION WITH COMPETING FIRMS UNDER THIS ITN. ALL ORAL OR WRITTEN INQUIRIES MUST BE DIRECTED THROUGH THE ASSIGNED PROCUREMENT PERSONNEL OR THE DISTRICT'S CONTRACTING OFFICER.
- 6.2 LOBBYING IS DEFINED AS ANY ACTION TAKEN BY AN INDIVIDUAL, FIRM, ASSOCIATION, JOINT VENTURE, PARTNERSHIP, SYNDICATE, CORPORATION, AND ALL OTHER GROUPS WHO SEEK TO INFLUENCE THE GOVERNMENTAL DECISION OF A DISTRICT BOARD MEMBER OR ANY DISTRICT PERSONNEL AFTER ADVERTISEMENT AND PRIOR TO THE BOARD VOTE ON THE AWARD OF THIS CONTRACT. CONTACT WITH OTHER SUBMITTING PROPOSERS IS RESTRICTED AFTER ADVERTISEMENT AND PRIOR TO AWARD OF THIS CONTRACT.
- 6.3 ANY PROPOSER OR ANY INDIVIDUALS THAT LOBBY ON BEHALF OF PROPOSER DURING THE TIME SPECIFIED WILL RESULT IN REJECTION/DISQUALIFICATION OF SAID INVITATION TO NEGOTIATE.

7. PREPARATION AND SUBMISSION

- 7.1 Proposer's response shall be **no more than 10 pages**, *excluding front covers, resumes, and a cover letter of up to two (2) pages*. Proposers who submit more than the pages indicated may not have the additional pages of the proposal read or considered. Proposals failing to provide sufficient information and assurances of performance to accurately assess each category below, or which fail to comply with the requirements and conditions of the Request for Proposals will not be given further consideration.
- 7.2 At a minimum, the proposal shall include the following sections:
 - A. **Proposer Information:** Name of the proposer, address, principals, telephone number, email address and taxpayer ID number. Include a brief history of the company.
 - B. **Qualifications and Experience:** Provide qualifications, resumes, and experience of the team based on the elements of this ITN. Emphasize the specific qualifications and experience from accounts similar to this scope for the key team members. Identify and provide in-depth information for the proposed project manager's qualifications, track record and relevant experience.
 - C. **Staffing Plan:** Indicate Staffing Plan for all key team members. Specify the names of the persons who will be authorized to give and support information for your company. Provide their titles, addresses and telephone numbers. Identify all subcontractors along with their qualifications.

- D. **References:** Submit a minimum of two references. References should be from clients from prior engagements of a similar size and scope of the services being requested by the District..
- E. **Approach and Methodology:** Convey a clear understanding of the nature of the services you will be providing as to meet the requirements of **Exhibit A - Scope of Services**, and your operational assessment methodology and steps accomplish it.
- F. **Price Proposal:**
 - 1. Submit a lump sum amount for the operational assessment including a final report at described in **Exhibit A**, which includes the following:
 - Recommendations;
 - A cost-benefit analysis; and
 - Complete organizational assessment.
 - 2. Submit loaded hourly rates for meeting and workshop attendance for final report presentation as required in **Exhibit A**. These rates must be full compensation for the provision of these services, additional expenses, and direct or indirect expenses will not be reimbursed.

8. PROPOSAL EVALUATION PROCESS

- 8.1 The Selection Committee will generally be comprised of, at a minimum, three members. The committee may consist of representatives from various and appropriate District departments.
- 8.2 The committee members will independently score and rank each responsive proposal received in accordance with the evaluation criteria. During the Selection Committee meeting, the committee members will review the proposals and will submit their individual rankings for compilation of the overall ranking to determine a shortlist of proposals.

At that time, dates may be set for conducting interviews/negotiations with those proposers remaining on the shortlist. Shortlisted proposers will be notified either by email and/or telephone of the date and time. The District's Contracting Officer will conduct the negotiations and has the final determination of award in the best interest of the District.
- 8.3 The District will enter into negotiations with the two (2) highest ranked firms, and will award to the firm with the terms found to be most beneficial to the District after best-and-final offers are received.
- 8.4 The Selection Committee will assign ratings in the evaluation and recommendation process in accordance with the evaluation criteria listed in Evaluation Criteria, Section 9.1.
- 8.5 The Selection Committee shall negotiate further terms and conditions of an agreement, including the fees with the highest-ranked proposer. If the Selection Committee cannot reach a mutually beneficial agreement with the first selected proposer, the committee reserves the right to enter into negotiations with any of the proposers as a best-and-final offer and continue this process until an agreement is reached or the District decides to terminate this solicitation.

8.5 The District has the option to award or reject any or all proposals or contracts resulting from this ITN.

9. EVALUATION CRITERIA

The Selection Committee shall evaluate all proposals received, by numerical rating, which meet the submittal requirements. The following factors will be considered in evaluating the responsive proposals received:

CRITERIA	WEIGHT
Qualifications and Experience	25
Staffing Plan	10
References	5
Approach and Methodology	30
Price Proposal	30
TOTAL POSSIBLE POINTS	100
Buy Local and Veteran Small Business Program qualified proposers. The details of these programs can be found in the District's Procurement Policy .	5 bonus points

10. CONFLICT OF INTEREST

- 10.1 All proposers must list all and any affiliations they have with other proposers.
- 10.2 The award hereunder is subject to the provisions of Chapter 112, Florida Statutes, as amended, governing conflict of interest. All proposers must disclose with each proposal the name of any officer, director or agent who is also a public or District employee. Further, proposers must disclose the name of any public employee who owns directly or indirectly an interest of five percent (5%) or more in the proposer's firm or any of its branches. District employees, and appointed officials (herein referred to as "employees") may engage in outside activities and hold financial interests subject to the requirements of District's Employee Handbook, state law, and federal regulations and law, if applicable. Every employee who is an officer, director, agent, employee, or owner of a substantial interest in any business entity which does or anticipates doing business with the District ("District") must complete an "Officer and Employee Disclosure Statement" and file the statement with the required procurement documents submitted to the respective procurement staff member. A statement must be submitted with every procurement response if the proposer has a disclosure to document.

11. INSURANCE REQUIREMENTS

- 11.1 Additional Insured: The Central Florida Tourism Oversight District shall be added to all third-party coverage required by and provided for this contract as an "ADDITIONAL INSURED."

11.2 Insurance Details:

- A. Proof of the following insurance must be furnished by the Contractor to the District, evidenced by a Certificate of Insurance. All insurance must be issued by a company or companies approved by the Central Florida Tourism Oversight District.
- B. Original Certificates of Insurance meeting the specific required provision specified within this contract shall be forwarded to the District's Procurement & Contracting Department, PO Box 690519, Orlando, Florida 32869, and approved prior to the start of any work or the possession of any District property. Renewal certificates must also be forwarded to the Procurement Department prior to the policy expiration.
- C. Thirty (30) days written notice must be provided to the District in the event of cancellation.
- D. Proposer shall provide complete copies of any insurance policy within seven (7) days of requests made by the District.
- E. Commercial General Liability Insurance, including liability assumed under written contract, bodily injury, property damage, personal and advertising injury, and products/completed operations liability written on an occurrence basis with minimum combined single limits for bodily injury and property damage of \$1,000,000 per occurrence;
- F. Automobile Liability coverage for all owned, non-owned, and hired vehicles written on an occurrence basis, with minimum combined single limits of \$1,000,000 per occurrence;
- G. Workers' Compensation Insurance providing statutory benefits and Employer's Liability Insurance with minimum limits of \$1,000,000 per occurrence; and
- H. Umbrella Liability on a follow-form basis providing coverage excess of the underlying policies required by E., F., and G. above in an amount of at least \$1,000,000 per occurrence.

12. PROTEST POLICY

- 12.1 ANY PROPOSER WHO IS ADVERSELY AFFECTED BY THE RECOMMENDED AWARD MAY FILE A PROTEST WITHIN THE TIME PRESCRIBED IN THE CENTRAL FLORIDA TOURISM OVERSIGHT DISTRICT PROCUREMENT POLICY LOCATED AT <https://www.oversightdistrict.org/wp-content/uploads/2023/09/CFTOD-Procurement-Manual-08-23-2023.pdf>.
- 12.2 FAILURE TO TIMELY SUBMIT A WRITTEN PROTEST, OR ADHERE TO THE REQUIREMENTS OF FLORIDA STATUTES AND DISTRICT RULES PERTAINING TO PROTESTS SHALL RESULT IN SUMMARY DISMISSAL BY THE DISTRICT CONTRACTING OFFICER.

13. DISTRICT CLAUSES REQUIREMENTS

- 13.1 **INDEMNIFICATION.** The Proposer shall indemnify and hold harmless the District and their appointed officials, employees and volunteers from and against all claims, damages, losses and expenses, including legal costs, arising out of or resulting from the performance of this contract, provided that any such claim, damage, loss or expenses is attributed to bodily injury, sickness, disease, personal injury or death, or to injury to or destruction of tangible property including the loss or loss of use resulting there from and is caused in whole or in part by any negligent act or omission of the Proposer.
- 13.2 **MATERIALS.** All materials submitted as response to this ITN shall become the property of the District.

- 13.3 **COST INCURRED IN RESPONDING.** All costs directly or indirectly related to the Invitation to Negotiate preparation, representation or clarification shall be the sole responsibility of and be borne by the proposer.
- 13.4 **SUB-CONTRACTS.** Nothing contained in this solicitation will be construed as establishing any contractual relationship between any subcontractor and the District.
- A. The Proposer will be fully responsible to the District for the acts and omissions of the subcontractor and their employees.
 - B. After the award of contract, any changes in subcontractors requires prior District written approval.
- 13.5 **E-VERIFY.** The Proposer shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the proposer during the term of the contract and shall expressly require any subcontractors performing work or providing services pursuant to the contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.
- 13.6 **FEDERAL DEBARMENT.** By submitting a response to the Invitation to Negotiate, the Proposer certifies that no principal (which includes officers, directors, or executives) is presently suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal Department or Agency.
- 13.7 **PUBLIC ENTITY CRIMES.** 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, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; 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, subcontractor, or Proposer under a contract with any public entity; and may not transact business any public entity in excess of the threshold amount provided in s.287.017 for CATEGORY TWO (\$35,000) for a period of 36 months following the date of being placed on the convicted vendor list.
- 13.8 **NON-DISCRIMINATION.** The proposer shall comply with all applicable state and federal laws, rules and regulations involving non-discrimination on the basis of race, color, religion, national origin, age or sex.
- 13.9 **AGREEMENT.** A District contract will be drafted with the successful proposer, and all general District terms and conditions apply. This Invitation to Negotiate, the submitted proposal, all attachments, and any addendum released, agreement if applicable, and the corresponding contract will constitute the complete agreement between proposer and the District. Should there be any conflict between the terms of this ITN, the submitted proposal, and the terms of the agreement (Contract), the terms of the Contract shall be final and binding. The Invitation to Negotiate shall control where in conflict with the submitted proposal.

14. EXHIBITS

Exhibit A – Scope of Services



EXHIBIT A SCOPE OF SERVICES

1. SCOPE OF SERVICES INTRODUCTION

- 1.1 The Central Florida Tourism Oversight District ("District") is soliciting proposals from experienced firms to provide dedicated staffing for an operational assessment. The intent of the Invitation to Negotiate ("ITN") is to contract with a firm that provides high quality services with a final detailed report for the District based on a lump sum amount.
- 1.2 The District operates under a Board-Administrator form of government with a five-member Board of Supervisors, appointed by the Governor. The District employs a staff of ~400, which is managed by a District Administrator. The District Administrator, with the assistance of two Deputy District Administrators oversees the following departments, which are led by directors:
- Building & Safety
 - Construction Management
 - Environmental Sciences
 - Facilities
 - Finance
 - Fire Department
 - Human Resources
 - Planning & Engineering
 - Procurement & Contracting
 - Public Affairs
 - Security & Emergency Management
 - Technology Services

2. SCOPE OF SERVICES

- 2.1 Proposer shall assess the current organization and develop a prioritized list of reform strategies with associated action plans for implementation.
- 2.2 The following services shall be provided by proposer:
- A. Organizational Structure:
- Assessment:
 - Asses the District organizational structure; and
 - Map functions to existing roles through the development of a role charter.
 - Operational efficiency:
 - Identify gaps in functions;
 - Discover potential duplicative roles; and
 - Propose operational efficiencies for improvement in district-wide performance.



EXHIBIT A SCOPE OF SERVICES

- Staffing levels:
 - Assess current District staffing levels;
 - Recommend improvements such as role re-design and management restructuring.
- Assess organizational needs, administrative strengths and weaknesses in all departments to:
 - Develop new supervisory ratios and management relationships based on industry best practices and organizational needs;
 - Integrate new technologies;
 - Incorporate staff development initiatives; and
 - Include best practices.
- B. Process Improvements:
 - Culture:
 - Interview District staff to identify staff recommendations;
 - Identify opportunities to assess the current culture;
 - Solicit feedback from a range of community partners;
 - Seek potential opportunities to better align the culture; and
 - Support mechanism with the goals of District leadership.
 - Operational Procedures:
 - Identify key pain points; and
 - Map current operational procedures with re-designed workflows and controls for management considerations.
 - Plans:
 - Assist with developing recommendations and actions plans focused upon potential operational enhancements;
 - Review current succession plans; and
 - Provide recommendations for long-term district improvement.
 - Presentation:
 - Proposer shall present recommendations to the Board of Supervisors and District leadership through workshops with staff.
- C. Implementation:
 - Management assistance:
 - Assist management where requested with the implementation of agreed-upon recommendations in partnership with departmental staff.
 - Effectiveness:
 - Conduct implementation process and controls reviews to assess the effectiveness of recommended action steps; and
 - Develop proposed corrective action for underperformance for management consideration.
 - Ensure all messaging and framing is consistent



EXHIBIT A SCOPE OF SERVICES

1. FINAL REPORT

- 3.1 The proposer shall draft a final report after completion of the assessment. The final report shall include:
- A series of detailed prioritized recommendations for measurable improvements in performance;
 - Each recommendation shall be supported by clearly defensible justification and a cost-benefit analysis for potential changes or enhancements to drive long-term operational improvements.
 - The cost-benefit analysis should include both the short-term and long-term effect on operations, and potential savings.
 - Complete assessment of current organization with:
 - A recommended new organization; and
 - A prioritized list of strategies, tactics and actions recommended to best implement the new organization.
- 3.2 Proposer shall present the final report and recommendations to the Board of Supervisors and District leadership through workshops with staff.
- 3.3 The proposer shall work with the District through the implementation phase to ensure successful adoption of recommendations.