



REQUEST FOR QUALIFICATIONS
Number RFQ #19-08

Issued: April 1, 2019

COMMERCIAL REAL ESTATE BROKER
(BJCTA Maintenance Facility)

Deadline for Questions:

April 04, 2019 10:00 a.m. CST

Responses to Questions posted www.maxtransit.org

April 08, 2019; 5:00 p.m. CST

Sealed Qualifications Due:

April 15, 2019 10:00 a.m. CST

Pre-Bid Conference: Not Applicable

BJCTA Procurement Contact

Procurement Manager: Darryl Grayson, dgrayson@bjcta.org All questions must be submitted via email
 Response to questions will be posted on www.maxtransit.org

Parcel Delivery & Hand-Delivery - Physical Address	Mailing Address
ATTN: PROCUREMENT DEPT. Birmingham Jefferson County Transit Authority 1801 Morris Avenue Suite 200 Birmingham, AL 35203 The lower left corner of the address label should include: RFQ # 19-08 COMMERCIAL REAL ESTATE BROKER	ATTN: PROCUREMENT DEPT. Birmingham Jefferson County Transit Authority 1801 Morris Avenue Suite 200 Birmingham, AL 35203 The lower left corner of the address label should include: RFQ # 19-08 COMMERCIAL REAL ESTATE BROKER

It is important to use the correct address for the delivery of sealed responses to BJCTA solicitations. Proposals delivered to the BJCTA Post Office Box, faxed, emailed, or received after April 15, 2019 at 10:00 a.m. CST, will be considered non-responsive and will be rejected.

Unless written authorization is provided by the BJCTA Procurement Manager, no other official or employee may speak for the BJCTA regarding this solicitation until the award decisions are complete. Any Proposer seeking information, clarification, or interpretations from any other official or employee uses such information at their own risk, and BJCTA is not bound by such information. Following the submittal deadline, and until a contract is fully executed, Proposers shall continue to direct communications to only the BJCTA Procurement Manager identified above.

COMPANY NAME: _____ PHONE #: _____

ADDRESS: _____ FAX #: _____

CITY/STATE/ZIP CODE: _____ E-MAIL: _____

DUNS NUMBER (Required) _____

Notice is hereby given that the Birmingham-Jefferson County Transit Authority (BJCTA), doing business as "MAX" is seeking statements of qualifications from a certified Commercial Real-Estate Broker to provide services to BJCTA. This Request for Qualifications (RFQ) anticipates identifying prospective future Proposers to award a single contract award resulting from this solicitation.

If you have any technical or administrative questions please e-mail them to dgrayson@bjcta.org no later than **April 4, 2019 at 10:00 a.m. (CST)**. BJCTA will provide written responses will be available on our website no later than **April 8, 2019 5:00 p.m. (CST)** also as specified on the cover page of this document. Responses to questions and addendum(s) will only be made available at www.maxtransit.org.

Proposers shall acknowledge receipt of all addenda in writing by completing **Attachment A**. Failure to acknowledge receipt of an addenda(s), to complete the proposal, and to return all requirements below by **April 15, 2019 10:00 a.m. (CST)** shall be considered non-responsive and rejected by BJCTA.

Send three (3) original and one copy to:

ATTN: PROCUREMENT DEPT.
Birmingham-Jefferson County Transit Authority (BJCTA)
1801 Morris Avenue 2nd Floor
Birmingham, AL 35203

The lower left corner of the address label should include:
RFQ # 19-08 COMMERCIAL REAL ESTATE BROKER

BJCTA reserves the right to reject any or all proposals and to waive any irregularities or informalities in any Proposal or in the Proposal procedure.

Conditional Proposals and any Proposer taking exception to any provision in this RFQ will be considered non-responsive. Proposals may be withdrawn by written request to the BJCTA prior to proposal due date. No Proposer may withdraw a Proposal to BJCTA for a period of 120 days after the due date.

This RFQ does not commit BJCTA to award a Contract or to pay any cost incurred in reparation of a Proposal. If awarded, the submitted proposal will be included with the contractual agreement between the successful proposer and BJCTA.

The BJCTA reserves the right to cancel the RFQ or to issue a subsequent RFQ.

Protest

FOR COMPLETE PROTEST PROCEDURES:

<https://maxtransit.org/protest-of-procurement/>

1. Purpose and Background.

The Birmingham Jefferson County Transit Authority (BJCTA) is seeking statements of qualifications from a certified Commercial Real-Estate Broker to provide services to BJCTA. This Request for Qualifications (RFQ) anticipates identifying prospective future Proposers to award a single contract award resulting from this solicitation.

2. Period of Performance.

BJCTA intends to execute the contract early by Mid-April 2019, and the project is expected to take approximately 14 calendar days once contract is awarded.

3. Solicitation Objectives.

Through this solicitation, BJCTA expects to identify highly qualified teams of accessible Brokerage firms to complete transit projects as needed.

4. Minimum Qualifications.

Minimum qualifications are required for the brokerage firms to be eligible to submit an RFQ response. Your submittal must show compliance to these minimum qualifications. Those that are not responsive to these minimum qualifications shall be rejected by BJCTA without further consideration:

Personnel and Professional Qualifications

- a) Identify the proposed Program Manager that will serve as the primary point of contact for all assignments performed as part of the Contract. The individual(s) will be required to have comprehensive knowledge of real estate entities and established working relationship, current knowledge of state government agencies.
- b) Identify staff members who would be assigned to act for Proposer's firm in key management and field positions providing the services described in the Scope of Services.
- c) Include resumes or curriculum vitae of each such staff member(s) designated above, including name, position, telephone number, email address, education, and years and type of experience. Describe, for each such person(s), the projects relevant to the services described in the Scope of Services.
- d) Identify the number of person(s) capable of being assigned to this program, indicating the number working in Birmingham and Alabama and the number working elsewhere.
- e) Describe the approach used to provide additional persons if required by the program.

5. Scope of Services.

The BJCTA is soliciting qualification statements for a Commercial Real Estate Broker service to advise and locate **temporary and possible permanent properties** with the minimum of the specifications below. Due to the nature and urgency of said services, the proposed and actual response times will be a critical factor in the selection process. Financial terms will be negotiated with the selected Proposer.

The Commercial Brokerage Services to be provided will include, but not be limited to:

- Building should accommodate over 200 employees and relocate 25 offices
 - Space for training classes; conference rooms; employee lounges
 - The land requirement is 6-15 acres
 - The location should be in close proximity to the highway, and not too far from the present location
 - No more than a 15-minute drive from the core or 20 minutes from local streets
 - Should not be near railroad tracks
 - Location should be in close proximity to the CNG station currently located at 8th Avenue building
- Level lot in good condition that accommodates 150 – 200 buses
 - Safe entry and exit that does not require the buses to cross several lanes
 - Preference is to already have fueling pumps and set up for large vehicles and heavy maintenance equipment; prior trucking company is a plus
 - Preference is to have a suitable bus wash system or location on site
 - The duration of the lease should be 3 to 5 years with the option to buy or extend

6. Instructions, Procedures and Requirements.

This section details BJCTA's instructions and requirements for your submittal. BJCTA reserves the right in its sole discretion to reject the submittal of any Proposer that fails to comply with the instructions.

- a) Describe Proposer's firm by providing its full legal name, date of establishment, type of entity and business expertise, short history, current ownership structure and any recent or materially significant proposed change in ownership.
- b) Describe any prior engagements in which Proposer's firm or key staff assisted a governmental entity in dealing with strategy, planning, funding, design, construction management, and similar services. Proposer should include all examples of work on similar projects involving the items described in the Scope of Services.
- c) Describe the firm's workload and current capacity to accomplish work for the BJCTA.
- d) Describe any issue which would be uniquely relevant in evaluating the experience of Proposer's firm to handle the proposed type of project(s) described in the Scope of Services.
- e) Provide current information on professional errors and omissions coverage carried by Proposer's firm, including name of insurer and amount of coverage.

7. Request for Qualification Statements.

Documents in response to this RFQ will be bound, numbered and limited one (1) original and one (1) copy, and to no more than **Sixteen (16) - 8½" X 11" pages, double-sided** (each side of a sheet of paper is counted as a page therefore eight sheets of paper is the limit) including the Title Page. Only relevant and appropriate information should be

provided to demonstrate the value of the Proposer's organization to BJCTA. The information to be contained in the response document is provided below:

Title Page of Response Document (1 page)

The following information should be included under the title "Request for Qualification Commercial Real Estate Broker Services":

1. Legal Name of Proposer and Business Entity
If you are a sole proprietor in which you incorporated, identify your legal name as a company. Many companies use a "Doing Business As" name or a nickname in their daily business. However, BJCTA requires the legal name of your company, as it is legally registered.
2. Data Universal Numbering Systems (DUNS) Number
When preparing all documents, use the proper company legal name. Your company's legal name and DUNS Number must be verified through www.SAM.gov
3. Proposer address
4. Proposer telephone number
5. Name, title, telephone number, & email address of contact person authorized to legally obligate the Proposer.

Contents of Response Document (no more than 15 pages)

Proposers should letter and number responses exactly as presented in the areas provided below in this document. Interested Proposers are invited to submit RFQs that contain the following information:

1. Introduction
2. Background and Experience
3. Specialized Knowledge
4. Personnel/Professional Qualifications

Introduction (transmittal letter)

By signing the introductory letter, the Proposer certifies that the signatory is authorized to bind the Proposer. The RFQ response should include the Proposer's representation and confirmation of the following items:

- a. A brief statement on the understanding of the scope of the work to be performed;
- b. That the Proposer meets the applicable licensing requirements to practice in the State of Alabama;
- c. No record of substandard work within the last five years;
- d. No record of unethical practices within the last five years;
- e. If awarded the contract, the Proposer acknowledges its responsibilities for the work performed as a part of the entire contract, including payment of any and all charges resulting from the contract;
- f. Any other information that the Proposer feels relevant and appropriate;
- g. A signature and title of the authorized Proposer submitting the RFQ.

8. Instructions to Proposers.

Article I. Instructions

1.1 **Proposer Responsibility to Provide Full Response**

It is the Proposer's responsibility to provide a full and complete response that does not require interpretation or clarification by BJCTA. The Proposer is to provide all requested materials, forms and information. The Proposer is to ensure the materials submitted properly and accurately reflects the Proposer's offering. During scoring and evaluation (prior to interviews, if any), BJCTA will rely upon the submitted materials and shall not accept materials from the Proposer after the RFQ deadline; this does not limit BJCTA's right to consider additional information (such as references that are not provided by the Proposer but are known to BJCTA, or past City experience with the Proposer), or to seek clarifications as needed.

1.2 **No Guaranteed Utilization**

BJCTA does not guarantee utilization of this proposal. The solicitation may provide estimates of utilization; such information is for Proposer convenience and not a usage guarantee. BJCTA reserves the right to multiple or partial awards, and/or to order work based on BJCTA's needs. BJCTA may turn to other appropriate contract sources or supplemental contracts, to obtain these same or similar services. BJCTA may re-solicit for any questions about the scope that should be named within the solicitation, during the Question and Answer period. Use of such supplemental contracts does not limit the right of BJCTA to terminate existing contracts for convenience or cause.

1.3 **Expansion Clause**

Note that the contract will strictly limit the expansion of scope and addition of new work not expressly provided for within the RFQ Scope of Work. The Proposers are to bring forward

1.4 **Right to Award to Next Ranked Proposer**

If a contract is executed because of this solicitation process and is terminated within 90-days, BJCTA reserves the option to return to the solicitation process to award the contract to the next highest ranked responsive Proposer by mutual agreement with such Proposer. Any new award may also be allowed this right.

1.5 **Background Checks**

BJCTA may require background/criminal checks during the course of a contractual agreement. BJCTA does not intend to request such background checks unless declare essential and in the opinion of BJCTA.

1.6 **Negotiations**

BJCTA may open discussions with the apparent successful Proposer, to negotiate costs and modifications to the proposal or the contract, to align the proposal or contract to meet BJCTA's needs within the scope sought by the solicitation.

1.7 **Effective Dates of Offer**

Solicitation responses are valid until BJCTA completes award. Should any Proposer object to this condition, the Proposer must object prior to the Q&A deadline on page 1.

1.8 **Cost of Preparing Proposals**

BJCTA will not be liable for any costs incurred by the Proposer to prepare, submit and present proposals, interviews and/or demonstrations.

- 1.9 **Readability**
Proposers are advised that BJCTA's ability to evaluate proposals depends on the Proposer's submittal document, including organization, level of detail, comprehensive material and readability.
- 1.10 **Changes or Corrections to Proposal Submittal**
Prior to the submittal closing date and time, a Proposer may change its proposal, if initialed and dated by the Proposer. No changes are allowed after the closing date and time.
- 1.11 **Errors in Proposals**
Proposers are responsible for errors and omissions in their proposals. No such error or omission shall diminish the Proposer's obligations to BJCTA.
- 1.12 **Withdrawal of Submissions**
A submittal may be withdrawn by written request of the Proposer, prior to the closing date and time. After the closing date and time, the submittal may be withdrawn only with permission by BJCTA.
- 1.13 **Rejection of Submissions**
BJCTA reserves the right to reject any or all submissions with no penalty. BJCTA also has the right to waive immaterial defects and minor irregularities in any submitted proposal.
- 1.14 **Incorporation of RFQ and Proposal in Contract**
This RFQ and the Proposer's response, including all promises, warranties, commitments, and representations made in the successful proposal as accepted by BJCTA, shall be binding and incorporated by reference in BJCTA's contract with the Proposer.
- 1.15 **Independent Contractor**
The Proposer works as an independent contractor. BJCTA will provide appropriate contract management, but that does not constitute a supervisory relationship to the Proposer. Proposer workers are prohibited from supervising BJCTA employees or from direct supervision by a BJCTA employee. Prohibited supervision tasks include conducting a BJCTA Employee Performance Evaluation, preparing and/or approving a BJCTA timesheet, administering employee discipline, and similar supervisory actions. BJCTA may not provide space in City offices for performance of this work. Proposers will be expected to perform most work from their own office space or the field. The Proposer shall at its own expense furnish all labor, supplies, equipment and machinery necessary to fulfill the Scope of Services.
- 1.16 **Requesting Disclosure of Public Records**
BJCTA asks interested parties to not request public disclosure of proposal records until a contract is executed. This measure should shelter the solicitation process, particularly during the evaluation and selection process or if a cancellation occurs or re-solicitation. With this preference stated, BJCTA will continue to respond to all requests for disclosure of public records as required by State Law.
- 1.17 **Personnel.** The Proposer shall represent that it has, or will secure at its own expense, all personnel required in performing this RFQ. Such personnel shall not be employees of or have any contractual relationship with the BJCTA. All the services required hereunder will be performed by or on behalf of the Proposer. All personnel engaged in performing this RFQ shall be fully qualified and shall be authorized, if applicable, under state and local law to perform such services. All personnel should be hired in compliance with Alabama's law on illegal immigration, Alabama Act 2011-535, as amended.

1.18 **Tax Exempt**

The Proposer recognizes that the BJCTA is exempt from the payment of Federal, State and local taxes, and that such taxes are included in the RFQ price. The BJCTA will furnish a Proposer with the necessary tax-exempt certificates.

1.19 **Familiarity**

The submission of an RFQ shall constitute an acknowledgement that the Proposer has thoroughly examined and is familiar with the RFQ in every detail, agrees with all the conditions.

1.20 **Inspection**

All supplies, equipment, and machinery furnished in performance of the Scope of Services shall be subject to inspection at any time by the BJCTA.

1.21 **Indemnification**

The Proposer shall expressly agree and covenant that it will defend, hold and save harmless, and indemnify the officers, directors, servants, agents, and employees of the BJCTA from liability of any nature or kind in connection with the work to be performed under the Contract, whether arising out of any act or omission of the Proposer or any employee, agent, or independent contractor of the Contractor.

1.22 **Insurance**

The Proposer shall maintain insurance during the performance of the Contract from one or more insurance companies licensed in the State of Alabama to provide the following forms of insurance, said insurance companies to be reasonably satisfactory to the BJCTA. Upon the execution of a Contract, the Proposer shall furnish the BJCTA with certificates of insurance showing that the BJCTA has been listed as an additional insured. All insurance is to remain in full force and effect until all work under the Contract has been satisfactorily completed and accepted by the BJCTA.

- a. Workers' Compensation
 - Employers' Liability
 - \$500,000
 - All States Endorsement
 - Voluntary Compensation
- b. Public Liability and Property Damage
 - 1. \$100,000 for bodily injuries to or death of one person in any one occurrence.
 - 2. \$500,000 for bodily injuries to or death of two or more persons in any one occurrence.
 - 3. \$100,000 for damage to or destruction of property in any one occurrence.
- c. Errors and Omissions Insurance

Statutory
Statutory

1.23 **Documentation of Project Costs**

All costs charged to the project, including any approved services contributed by the BJCTA or others shall be supported by properly executed payrolls, time records, invoices, contracts, or vouchers evidencing in detail the nature and propriety of the charges.

1.24 **Audit and Inspection**

The Proposer shall permit the Secretary of Transportation and the Comptroller General of the United States, or any of their duly authorized representatives, to inspect all work, materials, payrolls, and other data and records with regard to the Contract, and to audit the books, records, and accounts pertaining to such Contract.

1.25 **Immigration**

The Proposer agrees to comply with Alabama Act 2011-535, as amended, the Beason-Hammon Alabama Taxpayer and Citizen Protection Act.

1.26 **Restriction on Disclosure and Use of Data**

The Authority shall provide all reasonable precautions to insure that proprietary, technical and pricing information remains within the review process. Proposers shall attach to any proprietary data submitted with the solicitation the following legend:

a) "This data furnished pursuant to this RFQ shall not be disclosed outside the Authority, be duplicated, or used in whole or in part, for any purpose other than to evaluate the offer; provided that, if a contract is awarded on the basis of that offer, the Authority shall have the right to duplicate, use, and disclose this data, in any manner and for any purpose whatsoever.

b) This information does not limit the Authority's right to use information contained in this data if it is or has been obtained by the Authority from another independent legitimate source.

c) Except for the foregoing limitation, the Authority may duplicate, use, and disclose in any manner and for any purpose whatsoever and have others so do, all data furnished in response to this solicitation."

1.27 **Award**

Authority will make a single award resulting from this solicitation.

1.28 **Third Party Contracting Guidance**

This document is intended to be, and shall be interpreted to be, consistent with FTA Circular 4220.1F, Third Party Contracting Guidance.

1.29 **Best Practices Procurement Manual**

This document is intended to be, and shall be interpreted to be, consistent with the **Best Practices Procurement Manual** published by the FTA.

See and respond to the attached Federal Clauses and Certifications

ATTACHMENT A

Acknowledgement of Addenda

The undersigned acknowledges receipt of the following addenda to the Request for Proposal Number RFQ #19-08

Addendum No. _____ Dated _____

Addendum No. _____ Dated _____

Addendum No. _____ Dated _____

Addendum No. _____ Dated _____

Company

Authorized Signature

Printed Name of Signer

Title of Signer

Date

ATTACHMENT B

DBE Letter of Intent

The BJCTA has an overall DBE goal of 10.5 percent. Our solicitations do not have DBE goals and we do not give bonuses or points; however, we will continue to use and support race-neutral means of facilitating DBE participation to meet our overall goal.

The Proposer _____
Name of Prime Contractor

certifies that, on _____, _____, 20____, an authorized representative contacted the following Alabama Department of Transportation (ALDOT) certified Disadvantaged Business Enterprise ("DBE") to obtain a Proposal for the following work items. The disadvantaged business status of the undersigned is confirmed.

The undersigned is prepared to perform the following work in connection with the above project (*specify in detail the particular work items or parts thereof to be performed*):

At the following price: \$ _____ or percentage _____

The certified DBE intends to perform work in connection with the above project as an ALDOT-certified DBE in the following capacity (check one):

- Individual
- Partnership
- Corporation
- Joint Venture

The certified DBE will enter into a formal agreement for the above work, conditioned upon execution of an agreement with the Birmingham-Jefferson County Transit Authority (BJCTA).

ALDOT certified DBE Agency

Authorized Signature

Printed Name of Signer

Title of Signer

Date

OR

- [] The foregoing work will not be sublet to a non-certified Disadvantaged Business Enterprise at any level.

ATTACHMENT C

Conflict of Interest Statement

Proposer certifies that no BJCTA employee, or family members will receive a benefit from these payments, except as disclosed below BJCTA. Failure to disclose this information may result in the elimination of your Proposal from consideration.

Proposers shall provide a list of all entities/individual(s) with which it has relationships that create, or would appear to create, a conflict of interest with the work expressed in this RFQ. The list should indicate the name of the entity/individual, the relationship to the Proposer, and a discussion of the conflict.

Prior to awarding an agreement, this RFQ and subsequent RFP will be decided upon by the BJCTA Board of Directors. Also provide a description of relationships with any board member that would create, or would appear to create, a conflict of interest.

The undersigned Proposer discloses the following actual or potential, direct or indirect conflicts of interest:

Company

Authorized Signature

Printed Name of Signer

Title of Signer

Date

PROPOSER REGISTRATION FORM

RFQ Number: _____

RFQ Description: _____

Company Name/Vendor: _____

Address: _____

City / State / ZIP: _____

Contact Person: _____

Title: _____

Office Number: _____

Fax Number: _____

Cell Number: _____

Email Address: _____

Website: _____

DUNS: _____

*Proposals **WILL NOT** be honored without a valid DUNS number registered with www.SAM.gov*

Send to:

Darryl Grayson, Procurement Manager
Birmingham-Jefferson County Transit Authority
1801 Morris Avenue. – Suite 201
Birmingham, Alabama 35203
Direct: (205) 521-0144
Email: dgrayson@bjcta.org

