



# PORT OF MIAMI TUNNEL PROJECT

## Contract Award Process

The Florida Department of Transportation conducts a public meeting at which time the recommendations of its Technical and Financial Scoring Subcommittees are presented to the Project Selection Committee. Based on these recommendations, the Project Selection Committee may communicate its intention to select a *Best Value Proposer* who will be awarded the contract to design-build-finance-operate-maintain the Port of Miami Tunnel Project.

Subsequent to that intention, the process outlined below will be followed:

1. FDOT posts a **Notice of Intent to Award**. As stated within that notice, the clock is then started on the 72-hour period during which a formal protest may be filed. The **Notice of Intent to Award** is posted subject to a pending inter-local agreement between FDOT, Miami-Dade County and the City of Miami being executed that secures the local commitment of funding for the project.
2. The filing of a formal protest could delay the execution of the Concession Agreement for an undetermined period (see ***Bid Protest Procedure fact sheet***).
3. Upon reaching agreement with its local partners on funding and other open issues, FDOT will formally select a *Best Value Proposer*.
4. Barring a formal protest, the named entity has **up to 60 days** to perform certain acts and provide required documents including:
  - a. Name and address of its agent for service of legal process;
  - b. Establishment of its single purpose entity and certified copies of the single purpose entity-related documents;
  - c. Federal Internal Revenue Service Employer Identification Number;
  - d. Executed Concession Agreement;
  - e. Performance Security and Payment Bond as required and described in the Concession Agreement;
  - f. Insurance certificates as specified in the minimum insurance requirements;
  - g. Executed parent company guarantee (if proposed as part of the named entity's Financial Proposal); and
  - h. Audit of the Financial Model conducted by an independent audit firm satisfactory to FDOT (at the named entity's sole expense).
5. FDOT has an additional 30 days following receipt of the documents listed above to provide a fully-executed Concession Agreement.
6. Upon execution of the final Concession Agreement, FDOT will issue a **Notice to Proceed** with design of the project. The named entity will have a **nine-month period** to begin construction.



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7. In its response to the Request for Proposals, the named entity stipulated the number of months it would require to complete construction and be ready for the final review. Upon execution of the contract, the selected entity must meet the defined construction period, failing which it will suffer financial consequences.