



**CODE ENFORCEMENT
SPECIAL MAGISTRATE**

RFP 17-1

**CITY OF AVON PARK
110 East Main Street
Avon Park, FL 33825**

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REQUEST FOR PROPOSAL
RFP 17-1
CODE ENFORCEMENT
SPECIAL MAGISTRATE

The City of Avon Park, Florida (City) will receive sealed proposals until **4:00 P.M.**, local time, on **July 31st, 2017** in the Administration Department, located on the 2nd floor in City Hall, 110 East Main Street, Avon Park, FL 33825. Any proposals received after the above time will not be accepted under any circumstances. Any uncertainty regarding the time will be resolved against the Proposer. Proposals will not be accepted via fax.

At 4:01 p.m. or shortly thereafter, only the names of the Proposers will be read aloud.

A clearly marked original, three (3) copies and one (1) digital copy must be sealed and clearly marked **“RFP 17-1 Code Enforcement Special Magistrate”** on the exterior of the package submitted.

Request for additional information or clarifications must be made in writing to the Public Safety Department. Facsimile or e-mail requests are acceptable. The Public Safety Department will issue replies to inquiries and additional information or amendments deemed necessary in written addenda, which will be issued prior to the deadline for responding to this Request for Proposal. Questions must be received no later than **4:00 PM, July 27th, 2017**.

Jason Lister
Director of Public Safety
110 East Main Street
Avon Park, FL 33825
863-452-4400
jlister@avonpark.cc

It will be the sole responsibility of the Proposer to contact the Public Safety Department prior to submitting a response to determine if any addenda have been issued, to obtain such addenda, and to acknowledge addenda with their bid.

Proposers to this solicitation or persons acting on their behalf may not contact, between the release of the solicitation and the end of the 72-hour period following the agency posting the notice of intended award, excluding Saturdays, Sundays, and city holidays, any employee or officer of the executive or legislative branch concerning any aspect of this solicitation, except in writing to the Public Safety Department or as provided in the solicitation documents. Violation of this provision may be grounds for rejecting a response.

The City of Avon Park reserves the right to reject any or all proposals, to waive any informalities or irregularities in any proposals received, to re-advertise for proposals, or take any similar actions that may be deemed to be in the best interest of the City.

CITY OF AVON PARK, FLORIDA

Julian Deleon
City Manager

1.0 DESCRIPTION OF WORK:

The City of Avon Park requests Proposals from interested and qualified Proposers to provide Code Enforcement Code Enforcement Special Magistrate services.

2.0 BACKGROUND:

It is the intent of the City of Avon Park to promote, protect, and improve the health, safety and welfare of its citizens by appointing a Code Enforcement Code Enforcement Special Magistrate with the authority to impose administrative fines and other non-criminal penalties to provide an equitable, expeditious, effective, and inexpensive method of enforcing the codes and ordinances of the City where a pending or repeated violation exists. The successful individual will provide services on an as needed basis throughout the term of the agreement.

3.0 TERM OF CONTRACT:

It is the intent of the City to award a Contract for a three (3) year term to begin upon approval and execution by the City. The Contract may, by mutual assent of the parties, be extended for two (2) additional twelve (12) month periods.

4.0 PROPOSAL SCHEDULE:

The following is the scheduled calendar of events with important dates and times. Dates are subject to change by the City, at its' sole discretion. If it is necessary to change these dates/times prior to the Proposal due date, the change will be announced via an addendum.

Action:	Date:
RFP Released	June 29 th , 2017
Cut-off date for Questions by Proposers	July 27 th , 2017 @ 4:00 p.m., Local Time
Proposal Due Date and Time	July 31 st , 2017 @ 4:00 p.m., Local Time
Review and Evaluation of Proposals	August 1 st , 2017 9:00 AM
Recommendation to Council	August 14 th , 2017

Please note: All dates are tentative and subject to change.

5.0 SCOPE OF SERVICES:

Services will include the following to the extent approved by the City Council. The scope of work to be performed by the awarded individual may consist of, but not be limited to the following:

- The Code Enforcement Special Magistrate shall conduct hearings relating to the enforcement and violation of the business tax receipt, fire, building, zoning, sign and other related codes as enforced in the City of Avon Park. It is not the function of the Code Enforcement Special Magistrate to initiate enforcement proceedings or to inspect for code violations.
- The Code Enforcement Special Magistrate shall sit as an impartial hearing officer to determine, based on evidence presented during the hearing, if a violation exists.
- The Code Enforcement Special Magistrate shall serve at the pleasure of the City Council, and shall not be deemed a City employee.
- The Code Enforcement Special Magistrate will review and understand all relevant codes, ordinances, and Florida Statutes relative to the service provided.
- The City shall provide such clerical, administrative personnel and legal services deemed reasonably necessary to support the special magistrate's activities and assist in the proper performance of duties. The Code Enforcement Special Magistrate shall not be authorized to engage, hire, or use any person, except those provided by the City to assist in the performance of duties.
- The Code Enforcement Special Magistrate has the jurisdiction and authority to determine the amount of reasonable expenses incurred by the City as a result of orders issued pursuant to the authority granted.
- The jurisdiction of the Code Enforcement Special Magistrate is not exclusive. An alleged violation of a code provision may be pursued by appropriate remedy in court at the option of the City and nothing shall prevent the City from taking such other lawful action, including but not limited to resorting to equitable action, as is necessary to enforce the provisions of respective City codes or ordinances.
- All hearings before the Code Enforcement Special Magistrate shall be conducted so as to ensure fundamental due process.
- The Code Enforcement Special Magistrate shall take testimony from any witness having knowledge concerning a hearing on a citation/case. All testimony shall be under oath. The Code Enforcement Special Magistrate shall have the power to administer an oath to any witness.
- As soon as practicable after the conclusion of the hearing, the Code Enforcement Special Magistrate shall issue findings of fact based on evidence of record, and conclusions of law, and shall issue an order affording the proper relief consistent with powers granted within City code and consistent with Chapter 162 of the Florida Statutes no later than 5 days after the hearing.
- The Code Enforcement Special Magistrate shall be bound by the interpretations and decisions of duly authorized boards of the City concerning the provisions of the codes, ordinances and regulations within their respective jurisdictions.

- All other relevant assignments relating to Code Enforcement Special Magistrate services, as requested.

6.0 QUALIFICATION/EXPERIENCE REQUIREMENTS:

The Proposer must submit qualification/experience which demonstrates the following:

- The Code Enforcement Special Magistrate shall an attorney licensed in the State of Florida Bar with no less than five years’ experience as an attorney, or three years of concentrated trial experience.
- The Proposer must possess an outstanding reputation for civic pride, interest, responsibility, and business or professional ability. The appointment shall be made by the City council on the basis of experience or interest in the fields of zoning, building control and code enforcement.
- The Proposer must have good writing and presentation skills.
- Preference will be placed on individuals based out of Highlands County, Florida.
- The Proposer shall be required to maintain records in accordance with local, State, and Federal Public Records Retention Requirements.

7.0 FEE FOR SERVICES:

The Proposer must submit hourly rates for Code Enforcement Special Magistrate Services. Hearing frequency is determined on complaints/citations. Currently hearings are scheduled twice monthly. Review of complaints/citations, research, attendance at hearing, should be considered in hourly rate.

8.0 PROPOSAL DUE DATE AND TIME:

8.1 Proposal Due Date

Sealed Proposals must be received at City Hall, not later than **4:00 p.m., Local Time, City of Avon Park, FL, on July 31st, 2017**. Proposals received after this date and time will not be considered.

8.2 Public Opening

All proposals received will be opened August 1st, 2017 at 9:00 a.m. at which time only the names of the Proposers will be publicly read aloud.

8.3 Public Record

Pursuant to Chapter 119, Florida Statutes, proposals received in response to this Request for Proposal are exempt from disclosure under the provisions of the Public Records Law until such time as an award decision has been made known or within thirty (30) days after the Proposal opening, whichever is earlier.

9.0 PROPOSAL PREPARATION AND FORMAT:

9.1 Preparation

Prepare your proposal in a clear and concise manner. Ensure that the content of your proposal submittal is complete. Special attention should be given to the specific information, instructions and requirements of the Request for Proposal document to ensure responsiveness. Proposals that are incomplete or lack key information may be rejected. To help facilitate the review process, properly label each section or tab to correspond with your submittal information.

9.2 Proposal Reproduction

Please submit an original and four (4) copies of the proposal package as follows: One (1) clearly marked original and three (3) exact copies and an additional complete copy in electronic format, e.g. single CD-ROM or flash drive containing the submittal formatted to be read with Microsoft® software products or Adobe® PDF software.

9.3 Incurred Expenses

The City is not responsible for any expenses which proposers may incur in preparing or submitting proposals, including presentations and any other expenses called for in this Request for Proposal.

9.4 Proprietary Information

- A. In accordance with Chapter 119 of the Florida Statutes (Public Records Law) and except as may be provided by other applicable State and Federal Law, all proposers should be aware the Request for Proposal and the responses thereto are in the public domain. Proposers are requested to identify specifically any information contained in their proposals which they consider confidential and/or proprietary and which they believe to be exempt from disclosure, citing specifically the applicable exempting law.

A generic notation that information is “confidential” is not sufficient. Failure to provide the Public Safety department with a detailed explanation and justification including statutory cites and specific reference to your Proposal detailing what provisions, if any, you believe are exempt from disclosure, may result in your entire proposal being subject to disclosure in accordance with Chapter 119 of the Florida Statutes.

- B. All proposals received from in response to this Request for Proposal will become the property of the City of Avon Park and will not be returned to the proposers. In the event of Contract award, all documentation produced as part of the Contract will become the exclusive property of the City.

10.0 REQUIRED PROPOSAL SUBMITTALS:

- A. Proposals will be evaluated based on the information provided in the response. All documents should be type written, bound, 8 1/2 x 11 format and should be properly identified by name of proposer and marked with "RFP-17 Code Enforcement Special Magistrate Services" to facilitate effective evaluation by the City, proposals must not be more than 25 pages.
- B. A letter of interest or executive summary, not to exceed three (3) additional pages, may also be included in the proposal. Qualification documents that exceed this length will be considered non responsive and will not be evaluated.
- C. During this process, any intentional omissions, alterations, or false representations will be grounds for rejection of any proposal. Proposals must include the following tabbed section:
 - 1. Company or Personal Background
 - 2. Experience
 - 3. References
 - 4. Service approach
 - 5. Cost proposal
 - 6. Required Forms
 - a. References
 - b. Public Entity Crimes
 - c. Conflict of Interest
 - d. Disputes Disclosure
 - e. Drug Free Workplace
 - f. Non-Collusion Affidavit
 - g. E-Verify Affirmation Statement

11.0 DELIVERY OF PROPOSALS:

Proposals shall be submitted in a sealed envelope or package addressed to the Director of Public Safety, at the address listed below. All proposals submitted must be received in the Public Safety Department by the time specified in this solicitation. It is the sole responsibility of the Proposer to ensure that proposals are received in the Public Safety Department by the due date and time. **The City shall not be responsible for delays caused by any occurrence.** Proposals received by the City after the time specified for receipt will not be considered.

All Proposals shall be mailed or delivered to the office of Public Safety Department at the address listed below. Sealed proposals are to be addressed as follows:

Jason Lister
 Director of Public Safety
 110 East Main Street
 Avon Park, FL 33825
 863-452-4400

12.0 EVALUATION CRITERIA:

An Evaluation Committee will be established to review all responsive proposals. Proposers submitting proposals deemed to be reasonably acceptable to be selected will be evaluated using the evaluation criteria set forth herein. The information that will be considered and relative scoring for each criterion are as follows:

Criteria	Maximum Points
Location <ul style="list-style-type: none"> • Location of office(s) (with emphasis on offices providing Scope related functions) 	10
Approach to Work <ul style="list-style-type: none"> • Understanding of Scope and implementation, including any innovative methods and concepts • Provide description of ability to coordinate and expedite work to ensure quality control under accelerated schedule 	20
Fee for Services <ul style="list-style-type: none"> • Hourly rates 	30
Qualifications <ul style="list-style-type: none"> • Provide qualifications and experience • Provide organizational chart • Proposer’s current and projected workload/availability 	30
References <ul style="list-style-type: none"> • Provide a minimum of three (3) references 	10
TOTAL	100

Note that the above scoring mechanism will be used by individual Evaluation Committee members to ordinarily rank firms. Ordinal ranks from all Evaluation Committee members will then be summed for each Proposer in order to establish the overall rank order.

13.0 PROPOSAL EVALUATION COMMITTEE AND EVALUATION PROCESS:

13.1 Evaluation Committee

An Evaluation Committee (hereinafter referred to as “the Committee”) consisting of at least three (3) members will be established to review, discuss, and evaluate all responsive Proposals submitted in response to this Request for Proposals (RFP). The Committee shall conduct a preliminary evaluation of all Proposals on the basis of the information provided and evaluation criteria as

set forth in this Request for Proposal.

13.2 Presentations

The Committee reserves the right to require oral presentations from any or all responsive and responsible Proposers who submit Proposals determined to be reasonably acceptable of being selected for award. Discussions may be conducted for the purpose of clarification and to assure full understanding of, and responsiveness to, the solicitation requirements. The City will not be liable for any costs incurred by the Proposer in connection with such interviews, presentations, or negotiations (i.e., travel, accommodations, etc.).

13.3 Award Without Presentations

The City may evaluate and award a Contract based on responses to this Request for Proposal without discussions or oral presentations. Therefore, each response to this RFP should contain the proposer's best terms and conditions for consideration.

13.4 Ranking

The Committee will evaluate and rank the Proposers as set forth in the preceding section entitled "Evaluation Criteria" and submit the proposed rank order to the Director of Public Safety.

13.5 Authority to Award

Contracts negotiated as a result of this RFP will be presented to City Council for final award.

13.6 Reserved Rights

The City, at its sole and absolute discretion, reserves the right to reject any and all, or parts of any and all proposals, to re-advertise this solicitation, postpone or cancel, at any time, this solicitation process, or to waive minor irregularities and informalities in this RFP or in the proposals received as a result of this RFP.

The City does not guarantee the award of any Contract as a result of this solicitation process.

GENERAL TERMS AND CONDITIONS

14.0 QUESTIONS REGARDING THE SOLICITATION OR PROPOSAL PROCESS:

To ensure fair consideration for all Proposers, the City prohibits communication to or with any officer, elected official (**including the Mayor and City Council**), department, division, office or employee of the City, and any Evaluation Committee members during the solicitation process from the date of issuance of the RFP through award, except as provided below.

All communications relating to this RFP between Proposer (or anyone on Proposer's behalf) and the City must be made through the Public Safety Department. Any communications in violation of this provision may be grounds for disqualifying the offending proposer from consideration for award of the proposal and/or any future Proposal.

Any questions relative to interpretation of the solicitation or the proposal process shall be addressed in writing as indicated below. Questions must be received by the Public Safety Department on or before the cut-off date for questions as specified in the Proposal Schedule. Questions received after the cut-off date as specified in the Proposal Schedule will not be considered.

Any interpretation made to prospective proposers will be expressed in the form of an addendum to the solicitation which, if issued, will be conveyed in writing to all prospective proposers no later than five (5) days prior to the date set for receipt of proposals. Oral answers will not be authoritative.

It will be the responsibility of the proposer to contact the Public Safety Department prior to submitting a proposal to ascertain if any addenda have been issued, to obtain all such addenda, and to return executed addenda with the proposal. Direct all inquiries to:

Jason Lister
Director of Public Safety
110 East Main Street
Avon Park, FL 33825
863-452-4400

15.0 ADDITIONAL INFORMATION:

The City reserves the right to request that the proposer provide additional information it deems necessary to evaluate, clarify, or substantiate any area contained in each submitted proposal and to more fully meet the needs of the City.

This includes information which indicates financial resources as well as ability to provide and maintain the system and/or services. Moreover, the City reserves the right to make investigations of the qualifications of the proposer as it deems appropriate, including but not be limited to, a background investigation conducted by the City of Avon Park Police Department.

16.0 ADDENDUM TO REQUEST FOR PROPOSAL:

If it becomes necessary to revise or amend any part of this Request for Proposal before the proposal due date, the Public Safety Department will furnish the revision by written addendum.

17.0 EXECUTION OF CONTRACT:

Unless such time is extended by the City, the successful proposer shall, within ten (10) calendar days after Notice of Award is issued by the City of Avon Park City Council, sign and enter into a Contract with the City, and shall simultaneously provide any required bonds, indemnities and insurance certificates.

Failure to comply with the established deadline for submittal of required documents may be grounds for cancellation of the award.

18.0 PROPOSER'S GUARANTEE:

By submitting a proposal, a proposer warrants that no one was paid a fee, commission, gift, or other consideration contingent upon receipt of an award for the services and/or supplies specified herein.

19.0 INDEMNIFICATION:

The proposer agrees to indemnify and hold the City harmless for any and all claims, liability, losses and causes of action which may arise out of its fulfillment of the contract awarded pursuant to this RFP. It agrees to pay all claims and losses, including related court costs and reasonable attorneys' *fees*, and shall defend all suits filed due to the negligent acts, error or omissions or proposer employees and/or agents. In the event the completion of a project awarded pursuant to this RFP (to include the work of others) is delayed or suspended as a result of the proposer's failure to purchase or maintain the required insurance, the proposer shall indemnify the City from any and all increased expenses resulting from such delay.

20.0 INSURANCE REQUIREMENTS:

The proposer will be required to furnish evidence of the following insurance coverage by a licensed Florida Company.

20.1 Without limiting proposer's indemnification, it is agreed that the successful proposer will purchase at their expense and maintain in force at all times during the performance of services under this agreement the following insurance. Where specific limits are shown, it is understood that they must be the minimum acceptable limits. If successful proposer's policy contains higher limits, the City of Avon Park will be entitled to coverage to the extent of such higher limits. Certificates of Insurance must be furnished to the City naming the City of Avon Park as additional insured. These certificates must provide a ten (10) calendar day notice to the City in the event of

cancellation, non-renewal or a material change in the policy.

20.1.1 Professional liability (Legal Malpractice Insurance) for one-million dollars (\$1,000,000).

20.2 General Liability Insurance to provide coverage of not less than one-million dollars (\$1,000,000.00) combined single limit per occurrence and annual aggregates where generally applicable and must include premises-operations, independent contractors, products/completed operations, broad form property damage, blanket contractual and personal injury endorsements.

20.3 The official title of the owner is "City of Avon Park". This official title will be used in all insurance Documentation.

21.0 PROOF OF INSURANCE:

The proposer will furnish to the Public Safety Department Certificates of Insurance or endorsements evidencing the insurance coverage specified above within seven (7) days after notification of an award. The required Certificates of Insurance or endorsements will not only name the types of policies continued, but will also refer specifically to this contract and will state that such insurance is as required by this contract. If the initial insurance expires before the completion of the work, renewal Certificates of Insurance will be furnished thirty (30) days before the date of their expiration. Notice of cancellation and/or restriction Policy(s) must be endorsed to give the City thirty (30) days' notice of cancellation and / or restriction.

REFERENCES

List three (3) client/customer references including company name, address, contact person, telephone number and length of time services provided. (Note: only list those client/customers in which a similar type of equipment/product of scope of work/service was provided.)

- 1. Company Name: _____
Address: _____
Business Phone #: _____
Contact Person: _____
Email: _____
Length of time services provided: _____
- 2. Company Name: _____
Address: _____
Business Phone #: _____
Contact Person: _____
Email: _____
Length of time services provided: _____
- 3. Company Name: _____
Address: _____
Business Phone #: _____
Contact Person: _____
Email: _____
Length of time services provided: _____

THIS FORM MUST BE INCLUDED WITH PROPOSAL

SWORN STATEMENT
UNDER FLORIDA STATUTE § 287.133(3) (n), RELATED TO PUBLIC ENTITY
CRIMES

THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted with RFP No._____.
2. This sworn statement is submitted by _____ whose business address is _____ And (if applicable) it's Federal Identification No. (FEIN) is_____. If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement_____.
3. My name is _____and my relationship to the entity named above is_____.
4. 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 with 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 misrepresentations.
5. 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, non-jury trial, or entry of a plea of guilty or nolo contendere.
6. 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

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Code Enforcement Special Magistrate Services

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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.

7. I understand that a "person" as defined in Paragraph 287.133 (1) (c), Florida Statutes, means any natural person or entity organized under the laws of any state of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services 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.

8. Based on information and belief, the statement, which I have marked below, is true in relation to the entity submitting this sworn statement. (Please indicate which statement applies)

_____ Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members or agents who are active in neither management of the entity, nor any affiliate of the entity have been charged with or convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members or agents who are active in 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, and (Please indicate which additional statement applies)

_____ There has been a proceeding concerning the conviction before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer did not place the person or affiliate on the convicted vendor list. (Please attach a copy of the final order)

_____ The person or affiliate was placed on the convicted vendor list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in the public interest to remove the person or affiliate from the convicted vendor list. (Please attach a copy of the final order)

_____The person or affiliate has not been placed on the convicted vendor list. (Please describe any action taken by, or pending with, the Department of General Services)

Signature: _____ Date _____

STATE OF _____

COUNTY OF _____

Personally appeared before me, the undersigned authority, _____ who after first being sworn by me, affixed his/her signature in the space provided above and

On this _____ day of _____ 20_____.

Notary Public, State at large

My Commission Expires:

THIS FORM MUST BE INCLUDED WITH PROPOSAL

CONFLICT OF INTEREST STATEMENT

STATE OF FLORIDA, CITY OF _____

Before me, the undersigned authority, personally appeared _____, who was duly sworn deposes and states:

1. I am the _____ of _____ with a local office in _____ and principal office in _____

_____ City & State
_____ City & State
2. The above named entity is submitting a Proposal for the City of Avon Park **RFP-17- 1** described as **Code Enforcement Special Magistrate**.
3. The Affiant has made diligent inquiry and provides the information contained in the Affidavit based upon his/her own knowledge.
4. The Affiant states that only one submittal for the above proposal is being submitted and that the above named entity has no financial interest in other entities submitting proposals for the same project.
5. Neither the Affiant nor the above named entity has directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraints of free competitive pricing in connection with the entity’s submittal for the above proposal. This statement restricts the discussion of pricing data until the completion of negotiations if necessary and execution of the Contract for this project.
6. Neither the entity nor its affiliates, nor anyone associated with them, is presently suspended or otherwise ineligible from participation in contract letting by any local, State, or Federal Agency.
7. Neither the entity nor its affiliates, nor anyone associated with them have any potential conflict of interest due to any other clients, contracts, or property interests for this project.
8. I certify that no member of the entity’s ownership or management is presently applying for an employee position or actively seeking an elected position with the City of Avon Park.
9. I certify that no member of the entity’s ownership or management, or staff has a vested interest in any aspect of the City of Avon Park.
10. In the event that a conflict of interest is identified in the provision of services, I, on behalf of the above named entity, will immediately notify the City of Avon Park.

DATED: this _____ day of _____ 20_____.

(Affiant)

Typed Name and Title

Sworn to and subscribed before me this _____ day of _____ 20_____.

Personally Known _____ Or produced identification _____.

Identification type: _____

Notary Public-State of _____

Printed, typed, or stamped commissioned name of notary public.

My commission expires _____.

THIS FORM MUST BE INCLUDED WITH PROPOSAL

DISPUTES DISCLOSURE FORM

Answer the following questions by placing an “X” after “YES” or “NO”. If you answer “YES”, please explain in the space provided, or via attachment.

Has your firm or any of its officers, received a reprimand of any nature or been suspended by the Department of Professional Regulations or any other regulatory agency or professional association within the last five (5) years?

YES _____ NO _____

Has your firm, or any member of your firm, been declared in default, terminated or removed from a contract or job related to the services your firm provides in the regular course of business within the last five (5) years?

YES _____ NO _____

Has your firm had against it or filed any request for equitable adjustment, contract claims, bid protest, or litigation in the past five (5) years that is related to the services your firm provides in the regular course of business?

YES _____ NO _____

If yes, state the nature of the request for equitable adjustment, contract claim, litigation, or protest, and state a brief description of the case, the outcome or status of the suit and the monetary amounts or extended contract time involved.

I hereby certify that all statements made are true and agree and understand that any misstatement or misrepresentation or falsification of facts shall be cause for forfeiture of rights for further consideration of this proposal for the City of Avon Park.

Firm Date

Authorized Signature Printed or Typed Name and Title

THIS FORM MUST BE INCLUDED WITH PROPOSAL

DRUG FREE WORKPLACE CERTIFICATE

I, the undersigned, in accordance with Florida Statute 287.087, hereby certify that, _____(print or type name of attorney) publishes a written statement notifying that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace named above, and specifying actions that will be taken against violations of such prohibition.

- Informs employees about the dangers of drug abuse in the work place, the firm’s policy of maintaining a drug free working environment, and available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug use violations.
- Gives each employee engaged in providing commodities or contractual services that are under bid or proposal, a copy of the statement specified above.
- Notifies the employees that as a condition of working on the commodities or contractual services that are under bid or proposal, the employee will abide by the terms of the statement and will notify the employer of any conviction of, plea of guilty or nolo contendere to, any violation of Chapter 1893, of any controlled substance law of the State of Florida or the United States, for a violation occurring in the work place, no later than five (5) days after such conviction, and requires employees to sign copies of such written (*) statement to acknowledge their receipt.
- Imposes a sanction on, or requires the satisfactory participation in, a drug abuse assistance or rehabilitation program, if such is available in the employee’s community, by any employee who is so convicted.
- Makes a good faith effort to continue to maintain a drug free work place through the implementation of the drug free workplace program.

“As a person authorized to sign this statement, I certify that the above named business, firm or corporation complies fully with the requirements set forth herein”

Authorized Signature

Date Signed

State of Florida

County of _____

Sworn to and subscribed before me this ____ day of _____ 20 ____.

Personally known _____ or Produced Identification _____

(Specify type of identification)

Signature of Notary

My Commission Expires: _____

THIS FORM MUST BE INCLUDED WITH PROPOSAL

NON-COLLUSION AFFIDAVIT

STATE OF _____

COUNTY OF _____

_____, being duly sworn, deposes and says that:

1. He/She is _____ of _____, the Bidder,
Title Company Name
that has submitted the attached proposal;

2. He/She is fully informed respecting the preparation and contents of the attached proposal and of all pertinent circumstances respecting such proposal;

3. Such Proposal is genuine and is not a collusive or sham proposal;

4. Neither the said Proposer nor any of its officers, partners, owners, agents, representatives, employees, or parties in interest, including this affiant, has in any way colluded, connived, or agreed, directly or indirectly, with any other Bidder, firm or person to submit a collusive or sham Proposal in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Bidder, firm, or person to fix the price or prices in the attached proposal or any other Bidder, or to fix any overhead, profit or cost element of the proposal price or the proposal price of any other Bidder, or to secure through any collusion, connivance, or unlawful agreement any advantage against the City of Avon Park, Florida or any person interested in the proposed Contract; and

5. The price or prices quoted in the attached proposal are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

SIGNED _____

TITLE _____

Sworn to and subscribed before me this _____ day of _____ 20____.

Personally known _____ or Produced Identification _____
(Specify type of identification)

Signature of Notary
My Commission Expires: _____

THIS FORM MUST BE INCLUDED WITH PROPOSAL

E-VERIFY AFFIRMATION STATEMENT

RFP/Bid /Contract No:

Project Description:

Contractor/Proposer/Bidder acknowledges and agrees to utilize the U.S. Department of Homeland Security's E-Verify System to verify the employment eligibility of,

- (a) all persons employed by Contractor/Proposer/Bidder to perform employment duties within Florida during the term of the Contract, and,
- (b) all persons (including subcontractors/vendors) assigned by Contractor/Proposer/Bidder to perform work pursuant to the Contract.

The Contractor/Proposer/Bidder acknowledges and agrees that use of the U.S. Department of Homeland Security's E-Verify System during the term of the Contract is a condition of the Contract.

Contractor/Proposer/ Bidder Company Name:

Authorized Company Person's Signature:

Authorized Company Person's Title:

Date: _____

THIS FORM MUST BE INCLUDED WITH PROPOSAL