INVITATION TO BID

ITB FY2024-01
CARSON ROAD WATER TREATMENT PLANT
ELECTRICAL UPGRADE

April 25, 2024

IMMOKALEE WATER & SEWER DISTRICT
1020 Sanitation Road
Immokalee, FL 34142
(239) 658-3630

ITB FY2024-01
Invitation to Bid
Carson Road Water Treatment Plant (WTP)
Electrical Upgrade

Immokalee Water and Sewer District

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Part A – Instructions to Bidders and General Terms and Conditions

1. Overview and Background

The Immokalee Water and Sewer District ("District") is seeking bids for electrical upgrades to its Carson Road Water Treatment Plant ("WTP"). The WTP consists of a 2.0 million gallon above ground water storage tank and a newer building containing the high service pumps, motor control center ("MCC"), and standby generator which was constructed around 2008. The site also contains an older 0.75 million gallon above ground storage tank (abandoned), and an older pump building and MCC. The older pump building currently houses an MCC that provides power to well 102 and Lift Station "C". The MCC in the newer building provides power to the MCC in the old building.

The District is an independent special district of the State of Florida, created and existing under Chapter 189, Florida Statutes to own and operate water and sewer systems within its boundaries.

2. General Project Description

This Invitation to Bid (ITB) seeks proposals to refeed power to well 102 and Lift Station "C" directly from the newer MCC. The MCC and associated conduit/wiring that currently provides power in the older building will be removed and disposed of. The building that houses the older MCC will be demolished at a later date. The work must be performed in accordance with the attached Engineering Plans provided in **Appendix I** and Technical Specifications provided in **Appendix II**.

3. Solicitation Documents

The solicitation documents may be obtained at no charge by visiting the District's website at www.immokaleewatersewer.com or by visiting DemandStar at www.DemandStar.com. The District has no responsibility for the accuracy, completeness, or sufficiency of any documents obtained from any source other than the District's website or DemandStar. Obtaining these documents from any other source(s) may result in obtaining incomplete and inaccurate information and failure to receive any addenda, corrections, or other revisions to these documents that may be issued.

In this invitation to bid, the terms "bid" and "response" have the same meaning, the terms "bidder" and "respondent" have the same meaning, and the terms "ITB" and "solicitation" have the same meaning.

4. Anticipated Procurement Schedule

The following is the District's schedule for this solicitation. The District may modify these dates if it determines that it is in the best interest of the District and will provide any changes by posting an addendum.

Event	Date/Time
Advertise ITB	April 25, 2024
Mandatory Pre-Bid meeting	May 2, 2024, at 10:00 AM
Deadline to submit questions	May 9, 2024 at 4:00 PM
Deadline to submit bids	May 29, 2024, at 10:00 AM
Bid Opening	May 29, 2024, immediately following the bid submittal deadline

5. Questions and Communications

For all inquiries concerning this solicitation, respondents may only contact Louis Brunetti at LouisBrunetti@immokaleewatersewer.com using **"Question re: ITB # FY2024-01 Carson Road Water Treatment Plant Electrical Upgrade"** as the subject line. Questions must be submitted on or before the deadline listed in section 4. The District will not answer questions submitted after the deadline. Respondents to this solicitation or persons acting on their behalf may not contact any District employee or board member concerning any aspect of this solicitation, except in writing as provided below. Violation of this provision may be grounds for rejecting a response.

6. Deadlines

Deadlines for submitting questions and for submitting a bid are provided in the procurement schedule above. If respondent has questions or desires to propose a change to a term or condition of this solicitation or the contract included in this solicitation, respondent must submit a question by email as instructed above. The District may not consider proposed changes to the contract after the question submittal deadline and will only make changes to the contract if it determines that it is in the best interest of the Authority.

7. Addenda

The District will post answers to questions and any revisions to this solicitation as written addenda on the District's web site at www.immokaleewatersewer.com and DemandStar at www.DemandStar.com. The District may issue Addenda on its own initiative or in response to questions to clarify, correct, supplement, or change the solicitation documents. Only responses set forth in an Addendum will be binding. Oral and other interpretations or clarifications will be without legal effect. Responses to questions are not part of the solicitation documents unless set forth in an Addendum that expressly modifies or supplements them. Respondents are responsible

for reviewing the district's website and DemandStar for the District's responses to any questions or Addenda.

8. Pre-Bid Meeting

A **mandatory** pre-bid meeting will be held on May 2, 2024 at 10:00 AM at the Carson Road WTP located at 1201 Carson Road, Immokalee, FL 34142. Bidders must attend this meeting to qualify to submit a bid. Information presented at the pre-bid conference does not alter this solicitation or the contract documents. The District will issue Addenda if it makes any changes to the contract documents that result from discussions at the pre-bid meeting. Information presented, and statements made at the pre-bid meeting will not be binding or legally effective unless incorporated in an Addendum.

9. Bid Opening

As provided in section 255.0158, Florida Statutes, the District will open all sealed bids meeting the submission deadline at a public meeting on May 29, 2024 immediately following the bid submittal deadline at a public meeting at the Immokalee Water and Sewer District Board Room located at 1020 Sanitation Road, Immokalee, FL 34142. At the meeting, the District will announce the name of each bidder and the price submitted in the bid. After the bid opening, the District will review the bids for responsiveness and responsibility and will post its intended decision after it completes its review.

10. Bidder Requirements

Responsiveness Review: The District will only consider bids from responsive and responsible bidders. The District will review each response to determine whether it complies with the requirements provided in this solicitation including all information described in the Bid Contents section, is timely submitted, and has the required signatures on each document as applicable. Failure to comply with these requirements may result in the District determining that the bid is non-responsive.

Responsibility Review including Past Performance: The District will review the response to determine if the bidder is capable of performing the work. The District may review respondent's past performance and prior dealings (i.e., failure to meet specifications, poor workmanship, late delivery, etc.). Poor or unacceptable past performance may result in respondent's disqualification. Bidder must not have a record of poor past performance or prior dealings as evidenced by the Negligence, Breach of Contract or Non-Compliance Disclosure Form or any other information obtained by the District that indicates such. If no action has been taken or is pending, bidder must indicate "None" on the disclosure form.

Basis of Bid: The bid price must include all costs for the work and any amounts for contractor's overhead, costs, profit, and other expenses.

11. Bid Submittal

All bids must be delivered either by email to louisbrunetti@immokaleewatersewer.com or submitted in a sealed envelope to the IWSD Administration Office, 1020 Sanitation Road, Immokalee Florida, 34142 on or before the deadline provided above. The response must be clearly marked as **"Response to ITB FY2024-01 Carson Road Water Treatment Plant Electrical Upgrade"** as the subject line of the email or on the outside of the sealed envelope, which shall also include the respondent's return address.

The District assumes no responsibility for responses not properly marked. Receipt of a response by any District office, receptionist or personnel other than provided above will not constitute "delivery" as required by this solicitation. The District will not accept responses delivered in any manner other than as prescribed in these instructions. If the response is delivered after the established deadline or is not submitted at the correct location or in the designated manner, a Respondent will be deemed non-responsive to the solicitation requirements.

Responses that are incomplete, conditional, obscure, or do not conform to the requirements contained in this solicitation may be rejected as nonresponsive at the sole discretion of the District. If awarded, no contract will be formed between the respondent and the District until an agreement is executed by both parties. Upon submittal of its response, respondent agrees to be bound by all terms and conditions of this solicitation. Respondent – not the District – is responsible for any expenses it incurs in connection with preparing a response to this solicitation.

12. Minimum Qualifications and Bid Contents

To demonstrate that bidder meets the minimum qualifications required for this solicitation, bidder must complete and submit the following documents:

a. Bid Form
b. Evidence that the bidder is authorized to do business in the state of Florida which must include a copy of the bidder's registration with the Florida Department of State, Division of Corporations showing the status of the business is active
c. A copy of the bidder's Florida electrical contractor license
d. The resume for the field superintendent who will be present on the job site at all times during the project demonstrating at least 10 years of experience on projects of comparable size and complexity
e. A copy of the field superintendent's Florida electrical contractor license
f. At least 3 reference forms for commercial projects that bidder completed within the last 10 years with equipment similar in scope and size to that requested in this solicitation. bidders must provide this information using the attached Reference Form
g. Public Entity Crimes Statement
h. The Alleged Negligence/ Breach of Contract or Non-Compliance Disclosure Form. If no action has been taken or is pending, bidder must indicate "None" on the disclosure form.

Bidders must complete every blank on the bid form typewritten or in ink and must initial any erasures or alterations. All names must be typed or legibly printed in ink below each signature**.** A bid by a person who affixes to its signature the word "president", "secretary", "agent', or

other designation without disclosing its principal may be held to be the bid of the individual signing. When requested by District, bidder must furnish evidence of the authority of the person signing the bid.

On the Bid Form, bidder must provide a list of all Addenda issued and acknowledge receipt of each of them.

13. Modification and Withdrawal of Bid

A bid may be modified or withdrawn by an appropriate document duly executed in the same manner that a bid must be executed and delivered to the place where bids are to be submitted before the date and time for the opening of bids.

If within 24 hours after bids are opened any bidder files a duly signed written notice with the District and promptly thereafter demonstrates to the reasonable satisfaction of the District that there was a material and substantial mistake in the preparation of its bid, then bidder may withdraw its bid. Thereafter, if the work is rebid, that bidder may be disqualified from submitting a bid on the work.

14. Review of Bids and Rights of the District

14.1 Review of Bids

The District intends to award the contract to the lowest responsible and responsive bidder based on the bid form if the bid has been submitted in accordance with the requirements of this solicitation. The District will not consider more than one bid for the same work from an individual or entity under the same or different names. Reasonable grounds for believing that any bidder has an interest in more than one bid for the work may be cause for disqualification of that bidder or the rejection of all bids in which that bidder has an interest.

14.2 Rights of the District

In connection with this procurement process, including the receipt and review of bids and contract award, the District reserves to itself (at its sole discretion) all rights available to it under applicable law, including without limitation, with or without cause and with or without notice, the right to:

- Cancel, suspend, withdraw, or terminate this solicitation, or the procurement process in whole or in part, at any time before the execution of a contract without incurring any obligations or liabilities.
- Modify the procurement schedule.
- Waive or allow corrections to non-material deficiencies, informalities, and irregularities in a response and accept the bid which is, in the District's judgment, in the District's best interest.

  Discuss and correspond with any respondent to seek an improved understanding of any information contained in a response.

- Seek or obtain, from any source, information that has the potential to improve the understanding and review of responses.
- Conduct an independent investigation of any information, including prior experience, included in a response by contacting project references, accessing public information, conducting background checks, contacting independent parties, or any other means to determine that bidder's ability to perform is satisfactory.
- Request additional information from a respondent during the District's review of the response to determine respondent's capability to perform the work.
- Reject responses containing exceptions, additions, qualifications, or conditions not called for in the solicitation or otherwise not acceptable to the District.
- Reject responses where evidence submitted, or investigation and evaluation indicate an inability for the respondent to perform.
- Reject responses that are not responsive and responsible or if the District determines that it would not be in its best interest to make an award to that respondent.

15. Contract

A copy of the construction contract is included in this solicitation. The contract contains bond and insurance requirements that the selected contractor must satisfy before the District will execute it. The successful bid will be incorporated into the contract with terms acceptable to the District in its sole discretion. **By submitting a response, respondent agrees to all the terms and conditions of this solicitation and those included in the attached contract.** If respondent desires to propose a change to a term or condition of this solicitation or the District's contract, respondent must identify its request by submitting a question by email as provided in this solicitation. After the District issues the notice of award, the District will provide the contract to the successful bidder. The successful bidder must sign and deliver the required number of counterparts of the Contract, attached documents, and certificates of insurance to the District within 7 days after District provides it.

16. Insurance and Payment and Performance Bond

The contract contains the District's requirements concerning insurance and bonds. When the successful bidder delivers the executed contract to District, it must be accompanied by evidence of the required insurance and bonds.

17. Taxes

The bidder is responsible for paying all applicable local, state, and federal taxes on materials and equipment it uses for the Work. All taxes must be included in the bid price. The District is tax exempt.

18. Notice of Decision and Protest Process

18.1 Notice of Decision

The Notice of Intended Decision will be posted on the District's website at www.immokaleewatersewer.com.

18.2 Notice of Protest and Formal Written Protest

By submitting a response to this solicitation, respondents agree to the process for filing a protest set forth in these instructions. No time will be added to the time limits provided below for service by mail.

a. Protest of terms, conditions or specifications of a solicitation

With respect to a protest of the terms, conditions, and specifications contained in a solicitation, including any provisions governing the methods for ranking bids, proposals, or replies, awarding contracts, reserving rights of further negotiation, or modifying or amending any contract, the notice of protest shall be filed in writing within 72 hours after the posting of the solicitation. The formal written protest shall be filed within 10 days after the date the notice of protest is filed.

b. Protest of the District's decision or intended decision

Any person who is adversely affected by the District's decision or intended decision shall file with the District a notice of protest in writing within 72 hours after the posting of the notice of decision or intended decision. The formal written protest shall be filed within 10 days after the date the notice of protest is filed.

18.3 Contents of Formal Written Protest

The formal written protest must be printed or typewritten, and must contain:

1) The name and address of the person or firm filing the protest and an explanation of how the person or firm is adversely affected;
2) A statement of how and when the competitive solicitation, or notice of District decision or intended decision was received;
3) A statement of all disputed issues of material fact, and if there are none, a statement so indicating;
4) A concise statement of the ultimate facts alleged, as well as the rules or statutes which entitle the protestor to relief;
5) A demand for relief; and
6) Any other information material to the protest.

18.4 Filing

All notice of protests and formal written protests shall be filed with the District Clerk at 1020 Sanitation Road, Immokalee, Florida 34142 Monday through Friday, during normal business

hours, excluding holidays. Filings may be submitted via hand delivery, U.S. Mail, or other delivery/courier service. Filings will not be accepted via email. A notice of protest or formal written protest is not timely filed unless received by the District within the prescribed time limit. Failure to file a notice of protest, if required, or a formal written protest within the time prescribed in these instructions shall constitute a waiver of all claims.

18.5 Protest Bond

Any person who files an action protesting a decision or intended decision of the District, shall at the time of filing the formal written protest provide a bond payable to the District, in an amount equal to 1% of the total base bid plus any alternate bids, or $10,000, whichever is less. Failure to post the bond at the time of filing the written protest will constitute a waiver of a person's right to challenge the District's action.

18.6 Stay of Procurement

Upon receipt of a formal written protest that has been timely filed, the bid solicitation or contract award process shall be stayed until the subject of the protest is resolved by final action by the Board of Commissioners, unless the Executive Director, with the concurrence of the Board, sets forth in writing particular facts and circumstances that require the continuation of the contract solicitation process through award without delay in order to avoid an immediate and serious threat or loss to the public health, safety, property, or welfare. The District will provide notice that a contract solicitation has been stayed either electronic mail or U.S. mail to all respondents.

18.7 Resolution of Formal Written Protest

The Executive Director, or his or her designee, shall consider and investigate all written protests in a timely manner. The District will provide an opportunity for the protestor to meet with the Executive Director, or his or her designee, to resolve the protest by mutual agreement within seven (7) days, excluding Saturday, Sunday, and holidays, of receipt of a formal written protest. The District may grant extensions of time to conduct this meeting for good cause shown.

If the subject of a protest is not resolved pursuant to this meeting, the Executive Director shall state in writing that there was no resolution. The Executive Director will make a recommendation to the Board of Commissioners, and the Board of Commissioners will then make a final decision to either uphold the recommendation, reject the recommendation, and send it back for further action, reject all proposals, or do something other than what the Executive Director has recommended.

19. Florida Statutory Requirements

19.1 Scrutinized Companies. By submitting a response to this solicitation, respondent certifies that it is in compliance with Section 287.135, Florida Statutes. Respondent certifies that it is not on this list of Scrutinized Companies that Boycott Israel and is not engaged in a boycott of Israel. For contracts for goods or services of $1 million or more, respondent certifies that (1) it is not on any of the following lists: Scrutinized Companies with Activities in

Sudan, Scrutinized Companies with Activities in the Iran Petroleum Energy Sector, or Scrutinized Companies that Boycott Israel, and (2) it is not engaged in business operations in Cuba or Syria. Respondent acknowledges the remedies provided in Subsection 287.135(5), Florida Statutes against anyone found to have submitted a false certification including civil penalties.

19.2 Public Entity Crimes. Respondent understands the requirements of sections 287.132 and 287.133, Florida Statutes and is not on the convicted vendor list for public entity crimes maintained by the Florida Department of Management Services. Respondent certifies that it is in full compliance with sections 287.132 and 287.133, Florida Statutes and will notify the District if it becomes non-compliant. Bidder shall provide an executed Public Entity Crimes statement with its bid.

19.3 E-Verify. As required by Section 448.095, Florida Statutes, consultants, contractors, subconsultants, and subcontractors for a public agency must register with and use the E-Verify system to verify the work authorization status of all new employees. By submitting a response, respondent certifies that it does not employ, contract with, or subcontract with any unauthorized aliens, and has registered with and uses the E-Verify System to verify the work authorization status of all newly hired employees.

19.4 Public Records. Upon receipt, responses will be subject to disclosure under Florida Public Records laws including Chapter 119, Florida Statutes. Respondents may invoke exemptions to disclosure provided by law, in the response to the solicitation, by providing the specific statutory authority for the claimed exemption, identifying the data or other materials to be protected, and stating the reasons why such exclusion from public disclosure is necessary. However, if a request is made of the District, pursuant to Chapter 119, Florida Statute, for public disclosure of proprietary property of the respondent, the District will advise the respondent of such request and it will be the respondent's sole burden and responsibility to defend its claimed exemption. Subsection 119.071(1)(b), Florida Statutes, exempts sealed responses from inspection, examination, and duplication until such time as the District issues a notice of intended decision or within 30 days after opening the responses, whichever is earlier. This exemption is not waived by the public opening of the responses. **ANY QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THIS SOLICITATION MAY BE DIRECTED TO THE DISTRICT'S PUBLIC RECORDS CUSTODIAN OFELIA GONZALEZ AT: 239-658-3630, EMAIL: OFELIAGONZALEZ@IMMOKALEEWATERSEWER.COM OR MAILING ADDRESS: 1020 SANITATION ROAD, IMMOKALEE, FL 34142.**

19.5 Responsible Vendor Determination. Respondent is hereby notified that Section 287.05701 Florida Statutes provides that the District may not request documentation of or consider a vendor's social, political, or ideological interests when determining if the vendor is a responsible vendor.

Part B – Attachments to be provided with Bid

- Bid Form
- Alleged Negligence/ Breach of Contract or Non-Compliance Disclosure Form
- Reference Form (provide at least 3)
- Public Entity Crimes Statement

Carson Road WTP Electrical Upgrade
ITB FY2024-01

Bid Form

ITEM NO.	DESCRIPTION	EST. QTY.	UNIT	UNIT PRICE	TOTAL PRICE
	Division 1				
1.1	Mobilization	1	LS		
1.2	Preparation of As-Built Drawings	1	LS		
	Division 2				
2.1	Well 102 Electrical Modifications (Refer to sheets E-3 & E-6)	1	LS		
2.2	New Panelboard -PNL-A (Refer to sheets E-3, E-6 & E-7)	1	LS		
2.3	Panel -PNL-B Power Refeed (Refer to sheets E-3, E-6 & E-7)	1	LS		
2.4	Panel-PNL-C Power Refeed (Refer to sheets E-3, E-6 & E-7)	1	LS		
2.5	Well 103/104 Remote I&C Modifications (Refer to sheets E-3 & E-4)	1	LS		
2.6	Lift Station C Electrical Connection (Refer to sheets E-3 & E-6)	1	LS		
2.7	Motor Control Center (MCC) Modifications (Refer to sheet E-6)	1	LS		
2.8	Demolition (Refer to sheets E-2, E-4, E-5 & E-6)	1	LS		
2.9	Restoration (Refer to sheet G002)	1	LS		
				BID TOTAL	

The following named bidder agrees to all terms and conditions in this solicitation, and will supply all labor, materials, equipment, and supplies as specified. The person whose signature appears below is authorized to bind the bidder.

BUSINEES NAME: _____

ADDRESS: _____

_____

_____

TELEPHONE _____ EMAIL:_____

ADDENDUM ACKNOWLEDGEMENT

I acknowledge obtaining all addenda issued to this solicitation from the District's web site by completing the blanks below. Failure to acknowledge all addenda may be cause for rejection of the bid.

Addendum No. _____ Date Issued: _____

Addendum No. _____ Date Issued: _____

Addendum No. _____ Date Issued: _____

Addendum No. _____ Date Issued: _____

BUSINESS NAME:_____

AUTHORIZED SIGNATURE: _____

TITLE: _____

(print/type name as signed above):_____

DATE: _____

ALLEGED NEGLIGENCE/ BREACH OF CONTRACT/ NON-COMPLIANCE WITH GOVERNMENTAL REGULATION FORM

Provide details for each incident of alleged negligence, breach of contract or non-compliance with governmental regulation that has occurred during the past 10 years. Examples of non-compliance with governmental regulation include but are not limited to notice of violation, civil or criminal citations, denial or revocation of permits. Provide details for all entities currently or previously owned in whole or in party by the respondent during the last 10 years. Please complete in chronological order with the most recent incident starting on page 1. Do not modify this form (other than expanding the spacing) or submit your own variation.

Business Name: _____

Type of Incident Alleged Negligence, Breach of Contract, or Non-Compliance with Regulation	**Incident Date and Date Filed**	**Plaintiff / Regulator** (person or entity that initiated action against your company)	**Case Number**	**Court** (Name of State and County)	**Project** (Address and Name)	**Allegation** (Stated reason your company was accused of negligence, breach of contract or non-compliance of governmental regulation)	**Final Outcome** (Who prevailed and how)

Make as many copies of this sheet as necessary to **provide a 10-year history** of the requested information. If there is no action pending or action taken in the last 10 years, complete the **business name and write "NONE" in the first "Type of Incident" box** of this page and return with your response package. This form should also include the primary partners listed in your response. Do not include litigation where your business was the plaintiff. Final outcome should include who prevailed and what method of settlement was made. If a monetary settlement was made, it is not necessary to state the amount.

Responses may be declared "non-responsive" due to omissions of "Negligence or Breach of Contract" on this disclosure form. Additionally, responses may be declared "not responsible" due to past or pending lawsuits that are relevant to the subject procurement such that they call into question the ability of the proposer to assure good faith performance.

Page Number: _____ of _____ Total pages

REFERENCE FORM

Respondent must provide this form for each reference as required by the solicitation.

Respondent Name:_____

Reference Entity:_____

Reference Contact Person:_____

Reference Address:_____

Reference Email Address:_____

Reference Phone No.:_____

Project Name:_____

Project Location:_____

Date Project Completed:_____

Final Cost of Project: _____

Respondent Project Manager:_____

Description of work performed:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

SWORN STATEMENT PURSUANT TO SECTION 287.133, 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 the Immokalee Water and Sewer 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 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.

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 _____ _____organized under the laws of the State of Florida, on behalf of the company, who is personally known to me or has produced _____ as identification.

NOTARY PUBLIC-STATE OF FLORIDA
Name typed, printed, or stamped: _____
My commission expires: _____

Part C – Contract and Exhibits

Contract

Exhibit A – Scope of Work

Exhibit B – Performance and Payment Bond Form

Exhibit C – Insurance Requirements

Part D - Appendices

Appendix I **Signed and Sealed Plans for Bidding**

Appendix II **Technical Specifications**