



RFQ-005-2009

City of Lake City

Water, Wastewater and Reclaimed Water Rates and Charges Study

Date of Public Opening:
Friday, December 19, 2008 @ 4:00 P.M. (E.S.T.)
City Hall
Council Chambers
205 North Marion Avenue
Lake City, FL 32055

All responses must be date and time stamped in at the City Purchasing Department by 4:00 P.M. (E.S.T.) on Friday, December 19, 2008 to be considered responsive.

**REQUEST FOR QUALIFICATIONS FOR
City of Lake City
Water, Wastewater & Reclaimed Water Rates and Charges Study
RFQ-005-2009**

The City of Lake City is soliciting statements of qualifications and letters of interest from firms to provide a Water, Wastewater & Reclaimed Water Rates and Charges Study with recommendations for implementation.

Florida Statute 287.055, "Consultants Competitive Negotiation Act" will be followed to secure any consulting engineering firm(s) choosing to respond.

The City intends to award one contract to the most highly qualified firm to prepare a Water, Wastewater and Reclaimed Water Rates and Charges Study with recommendations for implementation. The contract will be for the duration of this project.

Sealed responses will be received by the City's Purchasing and Contracting Department in the City of Lake City, City Hall, 205 N Marion Avenue, Lake City, Florida 32055, **until Friday, December 19, 2008 at 4:00 P.M. (E.S.T.)** The same day, at 4:15 P.M. (EST) all responses will be publicly opened and acknowledged in the Council Chambers, 2nd floor City Hall. The City of Lake City reserves the right to accept or reject any or all proposals, in part or total and to waive any minor informalities, as deemed in the best interest of the City. No faxed or telecommunicated proposals will be accepted. It is the sole responsibility of the respondent to see that the company's proposal is in the hands of the Purchasing and Contracting Department, stamped and dated by personnel in the above office before the due date and time indicated herein. The City is not responsible for responses lost or delivered to the wrong location. Solicitation documents may be obtained at the Purchasing and Contracting Department in City Hall, 205 N. Marion Avenue, Lake City, FL 32055 or our website <http://www.lcfla.com/purchasing.htm>. There will be **no communication**, written or verbal, with any City employee, Elected Official, Board Member, or City representative during the course of this solicitation other than through the Purchasing Department. Failure to have all information as requested may cause the response to be rejected. Any and all Addenda are to be signed and returned with the original response to be considered responsive.

It will be the sole responsibility of the offeror to contact the Purchasing and Contracting Department prior to submitting proposals to determine if any addenda have been issued, to obtain such addenda, and to acknowledge addenda with their proposal.

(386) 719-5818 or (386) 719-5816
purchasing@lcfla.com

Submittal

Submit your response in a sealed envelope. Identify the envelope with:

BID/PROPOSAL NAME

BID/PROPOSAL NUMBER

PLACE AND TIME OF PUBLIC OPENING

NAME OF COMPANY/INDIVIDUAL SUBMITTING BID/PROPOSAL

An original plus six (6) copies of your qualifications must be sealed and plainly marked on the outside of the envelope with RFQ-005-2009, Water, Wastewater & Reclaimed Water Rates and Charges Study, Friday, December 19, 2008 @ 4:00 P.M. (E.S.T.) Qualifications must be addressed to the following:

City of Lake City
Purchasing and Contracting Department, 2nd Floor
205 N. Marion Avenue
Lake City, Florida 32055

Submit proposals in accordance with the instructions listed herein regarding time, place and date required. Responses received after the time requirement will NOT be opened, and will NOT be considered for award. It is the sole responsibility of the bidder to be sure his/her response is in the hands of the City Purchasing and Contracting Department by the required time and date, and that the response is properly sealed and labeled as required. The City will not be responsible for any bid/proposal delivered incorrectly or to the wrong address or location.

THE CITY OF LAKE CITY IN NO WAY TAKES RESPONSIBILITY FOR ANY EXPENSES INCURRED BY ANY BIDDER IN THE COURSE OF RESPONDING AND/OR PRESENTING THIS BID/PROPOSAL.

ALL PROPOSALS MUST BE MARKED ON THE OUTSIDE OF THE ENVELOPE WITH THE PROPOSAL NAME AND NUMBER, THE TIME AND DATE OF THE PROPOSAL OPENING.

Scott Reynolds, City Manager

Posted on DemandStar, November 25, 2008

Advertised in Lake City Reporter November 28, 2008

<http://www.lcfla.com/purchasing.htm>

SCOPE OF WORK

The City intends to award one (1) contract to the most highly qualified firm to prepare the following:

DESCRIPTION OF WORK TO BE COMPLETED BY THE CHOSEN FIRM

The purpose of this Request for Qualifications is to obtain responses from firms qualified to perform services as listed herein in accordance with F.S. 287.055. The City of Lake City is seeking the firm most highly qualified to prepare an analysis of the City's current potable water, wastewater and reclaimed water rates, revenues, capital and operational expenditures, bond and loan commitments, water and sewer connection and benefit fees, miscellaneous charges, and other financial data and provide recommendations for the next three (3) fiscal years. Recommendations shall include proposed rates and charges modifications for the next three (3) fiscal years, other financial recommendations, and associated enhancements.

The City of Lake City owns and operates its own potable water treatment and distribution system that serves approximately 10,000 connections. The City of Lake City also owns and operates its own wastewater collection and treatment system, and currently serves approximately 6,000 connections. Effluent from the City of Lake City's wastewater treatment (Water Reclamation) facility will be in the form of reclaimed water for use by the Quail Heights Golf Course and sale to and use by residential, agricultural and commercial customers.

The Scope of Work will include services related to the completion of the Water, Wastewater and Reclaimed Water Rates and Charges Study and assist in the Ordinance Resolution of final rates with a rate schedule for implementation for the City of Lake City.

Work is scheduled to begin in January 2009.

Basic Requirements: The study shall consist of the following minimum information.

Task 1: Analysis:

The qualified firm shall be required to perform an analysis of the City's current potable water, wastewater and reclaimed water rates, revenues, capital and operational expenditures, bond and loan commitments, water and sewer connection and impact fees, miscellaneous charges, and other financial data and provide recommendations for the next three (3) fiscal years. The City currently has three (3) years of available data in regards to customer billings, revenues, and other financial data that will be furnished to the most qualified vendor.

The recommendations shall include:

- A. Establishment of base and gallonage charges for tiered, water conservation rates
- B. Connection and benefit fees
- C. Deposit amounts
- D. Turn-on/Turn-off fees (for during normal and after hour times)
- E. Vandalism charges
- F. Fire line and hydrant fees
- G. Miscellaneous Charges

Rates and fees shall be established for both inside and outside of the City municipal boundaries for potable water and wastewater customers. City utility customers residing outside of the boundaries shall be subject to a 25% surcharge for water and wastewater services. Recommendations shall include proposed rates and charges modifications for the next three (3) fiscal years, other financial recommendations, and associated enhancements.

Task 2: Preparation of Rates and Fees Report:

The qualified firm shall be required to prepare a draft report that summarizes the rates and fees for the appropriate category, the relevant methodologies employed and documents all assumptions and cost factors. The report will include as a minimum the following information:

- Executive Summary
- A brief overview of methods for setting rates within the State of Florida. A description of standards and cost factors used and accompanying rationale for inflation and percentage increases for index rates in years 1, 2, and 3.
- A minimum of ten (10) tables of rates showing the comparison of the City of Lake City to other North Central Florida governments.
- A detailed schedule of all proposed rates and fees listed by type or activity.
- Other information which adequately explains and justifies the resulting recommended rate and fee schedule.

Task 3: Meetings and Public Participation:

The following table identifies the schedule of meetings in which the qualified firm shall be required to participate. City staff would be available for additional meetings to aid the consultant in completing this study and such meetings would be included in the original contract fee. If additional meetings, other than the seven (7) identified, are requested in writing by City staff, additional payment to the contract consultant may be authorized.

Meeting	Who the meeting is with:
Initial meeting	City Staff
Information gathering meeting	City Staff
Public participation meeting	Public
70% completion (final direction)	City Staff
One meeting reserved	City Staff or City Council
Public meeting for first reading	City Council
Public meeting for second reading	City Council

Task 4: Deliverables:

The following are deliverables in which the qualified firm shall be required to provide.

1. **Six (6) copies of the Draft Final Report shall be delivered to the City for staff review.**
2. **Ten (10) copies of the Final Report shall be delivered to the City for implementation.**

RFQ SUBMITTALS AND FORMAT

The City reserves the right to award a contract pursuant to this RFQ without further discussion with respondents. Therefore, it is important that each submittal is complete, adheres to the format and instructions contained herein, and is submitted in the most favorable manner possible.

The submittal package shall consist of the following and failure to submit this information will render your package non-responsive.

A. Title Page

Show the Request for Qualifications subject, the name of your firm, address, telephone number, name of contact person and date.

B. Table of Contents

Clearly identify the material by section and page number.

C. Letter of Transmittal

Limit to one (1) or two (2) printed pages.

- Briefly state your firm's understanding of the work to be done and provide a positive commitment to perform the work.
- Give the names of the persons who will be authorized to make representations for your firm, their titles, addresses and telephone number(s).
- The letter must be signed by an authorized representative of the company who has the authority to commit the company to their proposal as submitted.

D. Profile of Proposer

- State whether your organization is national, regional or local.
- State the location of the office from which your work is to be performed.
- Describe the firm including the size and provide a list of the proposed staff, for this project and list their qualifications individually.
- List key management and operating personnel who would have direct responsibility for fulfilling the terms of the contract.
- Describe the areas of responsibility for each assigned employee.
- What ability does the firm have to sustain the potential loss of key personnel and still adequately meet the terms of the contract?

E. Summary of Proposer's Qualifications

- Identify the project manager and each individual who will work as part of this project.
- Identify the number of years in business along with a brief historical summary of the firm.
- Provide past experience in providing similar consulting services to governmental entities.
- Provide a client listing and a minimum of three (3) current or previous references for similar projects as defined by the Scope of Service herein. Include the term of the relationship(s), current status and individual, contact name, address, email, and telephone number.

F. Approach to Project

Specifically describe how your firm would approach this project to ensure it meets, and continues to provide for the needs of this agency as expressed in the Scope of Service. Proposers may offer alternative solutions/options to achieve successful completion of the Scope of Service.

ONLY PROPOSALS WHICH CLEARLY DELINEATE A SPECIFIC APPROACH AS DESCRIBED IN THE SCOPE OF SERVICE WILL BE CONSIDERED.

EVALUATION AND SELECTION PROCESS OF CONSULTANT FIRM OR INDIVIDUAL

Florida Statute 287.055 will be followed to secure all required firms. In addition to the materials provided in the written responses to this RFQ, the City may utilize site visits or may request additional material, information, presentations or references from the Respondent(s) submitting qualifications packages.

1. **Evaluation Process** - Initial Review-All submittals will be initially evaluated to determine if they meet the following minimum requirements:
 - a. The submittal must be complete, in the required format, and be in compliance with all the requirements of the RFQ.
 - b. Respondents must meet the Minimum Proposer Requirements outlined in the technical review of this RFQ.
 - c. All submittals will be subject to a review and evaluation process. It is the intent of the City of Lake City that all firms responding to this RFQ who meet the requirements shall be ranked in accordance with the criteria established in these documents.

2. **Evaluation Criteria:** Respondents meeting the above requirements will be evaluated on the basis of the following criteria:
 - a. Qualifications of personnel.
 - b. Proven past experience and performance with governing municipalities within the State of Florida and within the region.
 - c. Location of Primary office in Florida where work will actually be performed out of.
 - d. Approach to Project.

In general, the City of Lake City wishes to avoid the expense (to the City and to presenting firms) of unnecessary presentations. Therefore, the City will make every reasonable effort to achieve the ranking using written submittals alone. If no single top ranked firm can be clearly identified by review of the written submittals alone, then evaluator(s) shall request the Purchasing and Contracting Department to schedule the top ranked firms for presentations / interviews.

The City may choose to conduct oral interviews with, or receive oral presentations from, one or more of the proposer's. If the City chooses to allow oral interviews and/or presentations, such interviews or oral presentations will open to the public. The City reserves the right to request additional information and/or clarification of any information submitted by any respondent.

Recommendation and Approval of Ranking: The City shall rank all complete submittals received and/or formal oral presentations/interviews in order of preference and submit this ranking as its final recommendation to the City Manager.

Selection will be based on determination of which respondent meets the highest qualifications and needs of the city as it pertains to the requirements of the scope of work. The most important evaluation emphasis will be placed upon firms with performance and past experience in the State of Florida and governing municipalities within the State of Florida. The evaluation criteria are scored as follows:

EVALUATION CRITERIA	MAX POINTS
Summary of Proposer's Qualifications	35
Experience with Government Municipalities within the State of Florida and within the region.	30
Location of Primary Office in Florida	20
Approach to Project	10
Previous work experience with the City of Lake City	5
TOTAL POSSIBLE POINTS	100

3. Submission of Qualifications Packages

Interviews: The City reserves the right to conduct personal interviews or require presentations of any or all submittals prior to selection. The City will not be liable for any costs incurred by the respondent in connection with such interviews/presentations (i.e. travel, accommodations, etc.)

Submittal Acknowledgement: By submitting a qualifications package, the proposer certifies that he/she has full knowledge of the scope, nature, and quality of work to be performed.

Request for Additional Information/Clarification: The respondent shall furnish such additional information/clarification as the City may reasonably require. This includes, but is not limited to information that indicates financial resources as well as ability to provide and maintain the services as requested. The City reserves the right to make investigations of the qualifications of the respondent as it deems appropriate.

Economy of Preparation: The submittals should be prepared simply and economically, providing a straightforward, concise description of the respondent's ability to fulfill the requirements of the proposal.

Request for Modification: The City reserves the right to negotiate a final agreement with the top ranked respondent to more fully meet the needs of the City of Lake City.

Key Contractor Personnel

In submitting a qualifications package, the Respondent is representing that each person listed or referenced in the qualifications package shall be available to perform the services described for the City, barring illness, accident, or other unforeseeable events of a similar nature in which case the Respondent must be able to promptly provide a qualified replacement. In the event the Respondent wishes to substitute personnel, the Respondent shall propose a person with equal or higher qualifications and each replacement person is subject to prior written City approval. In the event the requested substitute person is not satisfactory to the City and the matter cannot be resolved to the satisfaction of the City, the City reserves the right to cancel the contract for cause.

Negotiation:

The City reserves the right to negotiate any and all elements of this response.

Award Of Response:

The City reserves the right to reject any or all responses, to waive any minor informality or irregularity in any response, and to make award to the response deemed to be most advantageous to the City.

Submitting Required Deliverables:

If any successful respondent fails to furnish the required deliverables within the required time frame, award to that respondent may be withdrawn and award made to the next highest rated respondent.

Collusive Responses:

The respondent certifies, by submission of a response, that their response is made without any previous understanding, agreement or connection with any person, firm or corporation making a response for the same service with prior knowledge of competitive prices, and is in all respects fair, without outside control, collusion, fraud or otherwise illegal action. Any evidence of collusion among respondents and

prospective respondents acting to illegally restrain freedom of competition by agreement to offer a fixed price, or otherwise, will render the responses of such responders void.

Conflict Of Interest:

If any officer, director, or agent of your organization is also an employee of the City of Lake City, then you shall clearly identify in your response the name of the individual(s) and the position he or she holds in your organization. Further, you shall disclose the name(s) of any City employee(s) who owns, directly or indirectly, any interest in your organization or any of its branches. This does not include stock in a publicly traded organization unless the individual holds more than a ten- percent (10%) stake. You shall complete and have notarized a conflict of Interest Form and include it in your qualifications package.

If there is a conflict of interest as defined above and by Florida Statutes, Chapter 112, Part III, and Code of Ethics for Public Officers and Employees, then the respondent cannot be considered for award.

Modifications and Withdrawals

Proposals cannot be modified after submitted to the City. Offeror's may withdraw qualifications at any time before public opening. **HOWEVER – NO PROPOSAL MAY BE WITHDRAWN OR MODIFIED AFTER THE PUBLIC OPENING.** Bids/proposals will be opened as announced in the Request for Qualifications.

Agreement

The resulting AGREEMENT or CONTRACT, including the General and Special Conditions and all Amendments or Addenda issued by the City, contains all the terms and conditions agreed upon by all parties. No other agreements, oral or otherwise, regarding the subject matter of this AGREEMENT/CONTRACT shall be deemed to exist or to bind either party hereto. All changes must be submitted to the City in writing, and approved by the City Manager and/or Council prior to taking effect.

Communications

There will be **NO FURTHER COMMUNICATIONS**, by any means, verbal or written, with any City employee, elected official, or representative of the City of Lake City during the course of this bid/proposal until the Council makes the award. Any communications shall be made via FAX or e-mail to the Purchasing Department at 386-719-5818 purchasing@lcfla.com . When questions arise that may affect the proposal the answers will be distributed in the form of an ADDENDA and posted on DemandStar. No questions will be addressed within 48 working hours (or 6 business days) from date and time of the public opening of the proposal. All rules pertaining to addenda will apply to any written questions and answers. **ANY ADDENDA MUST BE SIGNED AND ADDED TO YOUR RESPONSE TO BE CONSIDERED RESPONSIVE.**

Insurance

Without limiting Contractor's indemnification, it is agreed that the successful Contractor 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 Contractor's policy contains higher limits, the City of Lake City 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 Lake City 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.

Statutory Workers Compensation insurance as required by the State of Florida.

Commercial General Liability insurance to provide coverage of not less than \$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.

Comprehensive Automobile Liability Insurance covering all owned, hired and non-owned vehicles with coverage limits not less than \$100,000.00 per person, \$300,000.00 per occurrence and \$100,000.00 property damage.

PROPOSER 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 _____ and principal office in _____.
- City & State City & State
2. The above named entity is submitting a Proposal for the City of Lake City RFQ-005-2009 described as Request for Qualifications for Water, Wastewater, and Reclaimed Water Rates and Charges Study.
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 any one 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 any one 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 Lake City.
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 lake City.
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 Lake City.

DATED this _____ day of _____ 2008.

(Affiant)

Typed Name and Title

Sworn to and subscribed before me this _____ day of _____ 2008.

Personally Known _____ Or produced identification _____.

Identification type: _____

Notary Public-State of _____

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

My commission expires _____.

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 Lake City, RFQ-005-2008, Request for Qualifications, Water, Wastewater and Reclaimed Water Rates and Charges Study.

Firm

Date

Authorized Signature

and Title Printed or Typed Name and Title

DRUG FREE WORKPLACE CERTIFICATE

I, the undersigned, in accordance with Florida Statute 287.087, hereby certify that, _____(print or type name of firm) 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 _____2008.
Personally known_____or Produced Identification _____
(Specify type of identification)

Signature of Notary
My Commission Expires:_____

**SWORN STATEMENT PURSUANT TO SECTION 287.133(3)(a),
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 _____
(print name of the public entity)
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, any lease for real property, or any contract for the construction or repair of a public building or public work, 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:
- 1) A predecessor or successor of a person convicted of a public entity crime; or
 - 2) 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. (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 management of the entity, nor any affiliate of the entity have 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 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.)

_____ 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. 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. (Please attach a copy of the final order.)

I UNDERSTAND THAT 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, THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT 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)
Sworn to and subscribed before me this _____ day of _____, 20____.

Personally known _____

OR Produced identification _____ Notary Public - State of _____

(Type of Identification) My commission expires: _____

(Printed type or stamped commissioned name of notary public)