

ATTACHMENT "A"

OFFEROR'S REQUIRED FORMS

Offeror must read, complete, and return all required forms. Any misinterpretation or failure to comply **WILL** result in a non-responsive determination of the proposal. All responses **MUST** be submitted electronically; the Offeror must confirm submission in BidNet to ensure the City receives a valid response.

1481 West 15th Street | Riviera Beach, FL 33404

OFFEROR'S CHECKLIST

Offerors must thoroughly examine this solicitation, including all specifications and instructions. Failure to do so will be at the Offeror's own risk.

- All notations must be made in ink or typewritten. No erasures are permitted. Mistakes may be crossed out and corrections typed adjacent to the error. The authorized signatory must initial and date each correction in ink.
- All solicitations must be signed with the firm's name and by a responsible officer or employee. The obligations assumed by the signature must be fully honored.
- Each Offeror must complete, sign, and submit all required forms. Failure to submit required forms will result in the response being deemed non-responsive.
- All required forms must be uploaded and submitted in BidNet.

SOLICITATION CHECKLIST (THIS LIST MAY NOT BE INCLUSIVE)

Offerors are cautioned to review their submittals carefully against the following checklist:

_____	Authorized Signatories – REQUIRED
_____	Conflict of Interest Disclosure Form – REQUIRED
_____	General Certifications (10 certifications – one signature page) - REQUIRED
_____	Human Trafficking Affidavit (Notarized) – REQUIRED
_____	Litigation Statement – REQUIRED
_____	Public Entity Crimes Sworn Statement (Notarized) – REQUIRED
_____	Required References – REQUIRED

It is the Offeror's responsibility to review BidNet prior to submitting to ascertain if any addenda have been issued and to return executed addenda with the submission.

AUTHORIZED SIGNATORIES

The Offeror represents that the following principals are authorized to sign bids and proposals, negotiate, and/or execute contracts and related documents on behalf of the Offeror. A "principal" is defined as an employee, officer, or other technical or professional in a position capable of substantially influencing the development or outcome of an activity required to perform the covered transaction.

Name (printed): _____ Signature: _____ Title: _____

Name (printed): _____ Signature: _____ Title: _____

Name (printed): _____ Signature: _____ Title: _____

Name (printed): _____ Signature: _____ Title: _____

NAME OF BUSINESS:

SIGNATURE OF AUTHORIZED OFFICER:

PRINTED NAME AND TITLE:

PRIMARY OFFICE ADDRESS:

DATE:

TELEPHONE NUMBER:

EMAIL ADDRESS:

DUNS NUMBER (if applicable)

FEIN number:

CONFLICT OF INTEREST DISCLOSURE FORM

Pursuant to Chapter 112, Florida Statutes, the award of any contract is subject to the provisions of the Code of Ethics for Public Officers and Employees. All Offerors must disclose, within their proposal: (a) the name of any officer, director, or agent of the Offeror who is also an employee of the City of Riviera Beach; and (b) the name of any City employee who owns, directly or indirectly, an interest of more than five percent (5%) in the Offeror's firm or any of its branches or affiliates.

A "conflict of interest" includes any situation in which financial or other personal considerations may adversely affect, or have the appearance of adversely affecting, an employee's professional judgment in exercising any City duty or responsibility in administration, management, instruction, research, or other professional activity.

Please check one of the following and attach additional documentation if necessary:

_____ To the best of our knowledge, the undersigned firm has no potential conflict of interest as defined above.

_____ The undersigned firm, by attachment to this form, submits information which may constitute a potential conflict of interest.

Chapter 112, Fla. Stat. (Code of Ethics for Public Officers and Employees)

NAME OF BUSINESS: _____

**SIGNATURE OF
AUTHORIZED OFFICER:** _____

**PRINTED NAME AND
TITLE:** _____

DATE: _____

GENERAL CERTIFICATIONS

By executing this single certification form, the Offeror simultaneously makes each of the following certifications, acknowledgments, and affirmations, which are legally equivalent to separate executed forms. This consolidated format is provided solely for the administrative convenience of the Offeror and does not limit the legal effect of any individual certification.

1. ADDENDA ACKNOWLEDGMENT

If an addendum has been issued, the Offeror must acknowledge receipt and confirm that all information contained therein has been fully considered in the formulation of this bid or proposal. Acknowledgment of all addenda is required; failure to do so may disqualify the proposal.

2. CERTIFICATE OF INSURANCE ACKNOWLEDGMENT

As a condition of contract award, the Offeror acknowledges and agrees that, if selected, it will provide a valid Certificate of Insurance (COI) within four (4) business days of notification of award, meeting the minimum insurance requirements specified in the solicitation. The COI must: (a) be issued by an insurer licensed to do business in the State of Florida; (b) name the City of Riviera Beach (or the City of Riviera Beach Community Redevelopment Agency, if applicable) as certificate holder; (c) include all required coverage and limits; and (d) be submitted prior to contract execution or commencement of work. Failure to provide the required COI within the specified timeframe may result in revocation of award.

3. CONE OF SILENCE ACKNOWLEDGMENT

Pursuant to City of Riviera Beach Code of Ordinances, Section 2-166 (*Cone of Silence*), the Offeror acknowledges that, commencing upon the solicitation deadline and continuing until contract award, rejection of all responses, or termination of the solicitation process, oral communication regarding this solicitation with City employees or elected officials is strictly prohibited, except during oral presentations, contract negotiations, or protest hearings. Any contract entered into in violation of the Cone of Silence is automatically void. All inquiries must be directed solely to the designated Procurement Contact or the Director/Assistant Director of Procurement.

4. DRUG-FREE WORKPLACE CERTIFICATION

Pursuant to Section 287.087, Florida Statutes, the Offeror certifies that it has implemented a drug-free workplace program satisfying all of the following requirements: (a) a published statement prohibiting unlawful controlled substances in the workplace; (b) employee notification of dangers, policies, counseling, and penalties; (c) distribution of the statement to all employees engaged on this contract; (d) a requirement that employees notify the employer within five (5) days of any workplace-related conviction under Chapter 893, F.S., or any federal or state controlled substance law; (e) imposition of sanctions or required rehabilitation for convicted employees; and (f) a good-faith effort to continue to maintain a drug-free workplace. When two or more proposals are equal in price, quality, and service, this certification entitles the Offeror to preference in award.

§ 287.087, Fla. Stat.

5. E-VERIFY AFFIRMATION STATEMENT

Pursuant to Section 448.095(2)(a), Florida Statutes, the Offeror certifies and affirms under penalty of perjury that it will utilize the U.S. Department of Homeland Security's E-Verify System throughout the entire term of any contract awarded pursuant to this solicitation. The Offeror shall verify the employment eligibility of: (a) all persons employed by the Offeror to perform any work or provide any services within the State of Florida; (b) all persons employed by the Offeror at any time during the performance of the contract, regardless of work location; and (c) all subcontractors, sub-vendors, and lower-tier contractors assigned to perform work under the contract, including temporary workers and independent contractors. The Offeror acknowledges that E-Verify participation is a

mandatory, non-waivable condition of contract award and continued performance. The Offeror shall provide the City with proof of E-Verify enrollment and participation upon request. Continued employment or engagement of any unauthorized alien, as defined in Section 448.095(1)(k), F.S., shall constitute a material breach of contract and grounds for immediate termination and debarment.

§ 448.095, Fla. Stat.

6. FOREIGN COUNTRIES OF CONCERN CERTIFICATION

Pursuant to Section 287.138, Florida Statutes, the Offeror hereby attests, under penalty of perjury, that: (a) the Offeror is not owned by the government of a foreign country of concern, as defined in Section 287.138(1)(c), F.S.; and (b) the government of a foreign country of concern does not hold a controlling interest in the Offeror. "Foreign country of concern" includes the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, and the Syrian Arab Republic. The Offeror further certifies that no technology, equipment, or services provided under any resulting contract will be sourced from or controlled by entities of a foreign country of concern.

§ 287.138, Fla. Stat.

7. FORCED LABOR CERTIFICATION

Pursuant to Section 287.1346, Florida Statutes, the Offeror certifies that it does not and will not provide to the City any commodity that was wholly or partially produced by the labor of a victim of forced labor, as defined therein. The Offeror acknowledges that provision of a commodity produced by forced labor shall result in denial or revocation of the right to transact business with the City and any other public agency subject to Chapter 287, F.S.

§ 287.1346, Fla. Stat.

8. NON-COLLUSION AFFIDAVIT

The undersigned certifies that: (a) this proposal is genuine and not collusive or sham; (b) the Offeror has not colluded, conspired, connived, or agreed, directly or indirectly, with any other Offeror or person to put in a sham bid or to refrain from bidding; (c) the Offeror has not, in any manner, directly or indirectly, sought by agreement, collusion, communication, or conference with any person to fix the bid price of the Offeror or any other Offeror, or to fix any overhead, profit, or cost element of the bid price, or to secure any advantage against the City of Riviera Beach or any person interested in the proposed contract; and (d) all statements in the proposal are true. *This certification is made under penalty of perjury and is legally equivalent to a separate sworn affidavit.*

9. NON-DISCRIMINATION AFFIDAVIT

Pursuant to Section 287.134, Florida Statutes, and City of Riviera Beach Code, Section 16.5-40 (Commercial Nondiscrimination), the Offeror certifies that: (a) in preparing this proposal, it has considered all qualified potential subcontractors and suppliers without engaging in discrimination based on race, color, national origin, religion, ancestry, sex, age, marital status, familial status, sexual orientation, gender identity or expression, disability, or genetic information; (b) it agrees to promptly provide all solicitation and supplier-selection documentation requested by the City; (c) it will comply with the City's commercial non-discrimination policy throughout the contract term; and (d) it has disclosed, by attachment if applicable, all legal or administrative proceedings within the past four (4) years in which it was alleged to have discriminated against subcontractors, vendors, suppliers, or commercial customers. A false certification constitutes grounds for rejection of this proposal, termination of any resulting contract, and disqualification from City contracts for up to two (2) years.

§ 287.134, Fla. Stat. | City Code § 16.5-40

10. PROPOSAL CERTIFICATION

The Offeror certifies and affirms, under penalty of perjury, that: (a) the Offeror has carefully examined the Instructions to Offerors, the General and/or Special Conditions, the Specifications, and all other documents forming part of this solicitation, including all addenda; (b) the Offeror proposes to provide the goods or services specified in the solicitation and agrees to abide by all conditions, requirements, and specifications set forth therein; (c) all

information submitted in this proposal is true, accurate, and complete to the best of the Offeror's knowledge and belief; (d) the Offeror is duly authorized to submit this proposal and to bind the Offeror to all terms and conditions herein; (e) the Offeror is fully prepared, willing, and able to perform the work as specified if awarded the contract; and (f) this submission is made without prior understanding, agreement, connection, discussion, or collusion with any other offeror or person, firm, or corporation submitting for the same goods or services, nor with any officer, employee, or agent of the City.

11. PUBLIC RECORDS COMPLIANCE ACKNOWLEDGMENT

Pursuant to Section 119.0701, Florida Statutes, the Offeror agrees that, if awarded a contract, it shall: (a) keep and maintain all public records required by the City to perform the contracted service; (b) upon request from the City's custodian of public records, provide copies of records or allow inspection within a reasonable time at a cost not exceeding the rate provided in Chapter 119, F.S.; (c) ensure that exempt or confidential records are not disclosed except as authorized by law; and (d) upon completion of the contract, transfer all public records to the City at no cost, or retain and meet all applicable public records requirements, including electronic records compatibility. **IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, F.S., TO ITS DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CITY'S CUSTODIAN OF PUBLIC RECORDS: City Clerk's Office, City of Riviera Beach, 600 W. Blue Heron Blvd., Riviera Beach, FL 33404 | CityClerk@rivierabeach.org.** In the event of litigation to enforce compliance with Chapter 119, F.S., the City shall be entitled to recover all costs, including reasonable attorneys' fees.

§ 119.0701, Fla. Stat.

12. SCRUTINIZED COMPANIES CERTIFICATION

Pursuant to Section 287.135, Florida Statutes, the Offeror certifies that it is not: (a) listed on the Scrutinized Companies with Activities in Sudan List; (b) listed on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List; (c) engaged in business operations in Syria; (d) listed on the Scrutinized Companies that Boycott Israel List (Section 215.4725, F.S.); or (e) participating in a boycott of Israel. The Offeror acknowledges that any contract for goods or services may be terminated if the Offeror is found to have submitted a false certification, been placed on the Scrutinized Companies that Boycott Israel List, or is engaged in a boycott of Israel. For contracts of \$1,000,000 or more, the contract may additionally be terminated for placement on the Sudan or Iran Petroleum lists or for business operations in Syria. This Certification is deemed automatically amended upon any legislative amendment to Section 287.135, F.S., binding on the City.

§ 287.135, Fla. Stat. | §§ 215.473, 215.4725, Fla. Stat.

GENERAL CERTIFICATIONS – AUTHORIZED SIGNATURE

The undersigned, as a duly authorized representative of the Offeror, hereby certifies, under penalty of applicable law, that all of the foregoing certifications (Sections 1–10) are true, correct, and complete as of the date of submission, and that the Offeror is legally bound by each.

NAME OF BUSINESS: _____

**SIGNATURE OF
AUTHORIZED OFFICER:** _____

**PRINTED NAME AND
TITLE:** _____

DATE: _____

HUMAN TRAFFICKING AFFIDAVIT

THIS AFFIDAVIT MUST BE SIGNED AND NOTARIZED.

Pursuant to Section 787.06(13), Florida Statutes, any nongovernmental entity contracting with the City of Riviera Beach is required to provide a sworn affidavit attesting that it does not use coercion for labor or services as defined in Section 787.06, F.S.

Section 787.06, F.S., defines "coercion" to include, among other means: threats of force, physical restraint, document confiscation, debt bondage, fraud, and abuse of the legal process. Providing goods or services through the coerced labor or services of others constitutes human trafficking under Florida law.

I, the undersigned, am an officer or authorized representative of _____
(Offeror), and hereby attest that the Offeror does not use coercion for labor or services as defined in Section 787.06, Florida Statutes.

Under penalty of perjury, I hereby declare and affirm that the above-stated facts are true and correct.

§ 787.06(13), Fla. Stat.

Authorized Officer or Representative Name (Printed)

Authorized Officer or Representative Title

Authorized Officer or Representative Signature

State of _____

County of _____

The foregoing instrument was acknowledged before me this _____ day of 20____, by
_____, who is personally known to me or who has produced
_____ as identification and who did (did not) take an oath.

Notary Public Signature

Commission Number: _____
Commission Expires: _____

Notary Name (Printed, Typed, or Stamped)

LITIGATION STATEMENT

The City will consider an Offeror's litigation history in its review and determination of responsibility. All Offerors are required to disclose all "material" cases filed or resolved in the three (3) year period ending with the solicitation response due date, whether brought by or against the Offeror, any parent or subsidiary, or any predecessor organization. If the Offeror is a joint venture, the information must encompass the joint venture and each entity forming it.

A. Case Information

For each case, provide: (1) the name of the claim, arbitration, litigation, or action; (2) the amount at issue or criminal charges alleged; and (3) the status or final disposition.

Additionally, disclose any current or threatened legal actions involving a governmental entity that is or was contracting with the Offeror (or its parent or joint venture). For each such action, provide the name, court, action number, and amount at issue.

B. Enforcement Actions

Provide a list of all enforcement actions taken against the Offeror in the last three (3) years by any regulatory agency (including but not limited to the IRS or SEC), including the agency name and date of action.

C. Definition of "Case"

A "case" includes lawsuits, administrative hearings, and arbitrations. A case is "material" if it relates, in whole or in part, to: (1) a similar type of work sought under this solicitation; (2) allegations of negligence, error, omission, or malpractice against the Offeror or its principals; (3) a default, termination, suspension, or failure to perform on any contract; (4) the financial condition of the Offeror, including any bankruptcy petition; or (5) criminal proceedings concerning business-related offenses in which the Offeror or its principals were defendants. A case is not material if the claims involve only garnishment, auto negligence, personal injury, or a proof of claim filed by the Offeror.

D. Subcontractor Disclosure

Disclose any cases involving the City and any proposed subcontractor or subconsultant.

E. License Revocation or Suspension

Disclose any permit, franchise, license, entitlement, or business license revoked or suspended in the last three (3) years.

F. Bond Claims

Disclose any claims against a Bid Bond or Performance Bond, or any contractual defaults or terminations, in the last three (3) years.

G. Non-Disclosure Consequences

Failure to disclose any material case or to provide all requested information will result in the Offeror being deemed non-responsive. Likewise, failure to provide documentation of past litigation shall result in disqualification of the response.

LITIGATION STATEMENT

CHECK ONE:

- [] Neither the undersigned firm nor any of its officers or principals has been a party to any material litigation or judgment by any local, state, or federal governmental entity during the past three (3) years.
- [] The undersigned firm, BY ATTACHMENT TO THIS FORM, submits a summary and disposition of individual cases of litigation and/or judgments entered by or against it or one or more of its officers or principals by any local, state or federal governmental entity, by any state or federal court, during the past three (3) years.

NAME OF BUSINESS: _____

**SIGNATURE OF
AUTHORIZED OFFICER:** _____

**PRINTED NAME AND
TITLE:** _____

DATE: _____

PUBLIC ENTITY CRIMES SWORN STATEMENT

SECTION 287.133(3)(a), FLORIDA STATUTES

**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 Bid, Proposal, or Contract No./Title: _____
2. This sworn statement is submitted by _____ [name of entity/firm], whose business address is _____, and whose Federal Employer Identification Number (FEIN) is _____ (if the entity has no FEIN, include the Social Security Number of the individual signing this 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 Section 287.133(1)(g), F.S., 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, proposal, or contract for goods or services involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
5. I understand that "convicted" or "conviction," as defined in Section 287.133(1)(b), F.S., 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 Section 287.133(1)(a), F.S., 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 includes officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management. Ownership of 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, constitutes prima facie evidence of control. A person who knowingly enters into a joint venture with a person convicted of a public entity crime in Florida within the preceding 36 months shall be considered an affiliate.
7. I understand that a "person," as defined in Section 287.133(1)(e), F.S., 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 let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term 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 I have marked below is true in relation to the entity submitting this sworn statement. (Please indicate which statement applies.)**

_____ Neither the entity, nor any officers, directors, executives, partners, shareholders, employees, members, agents, or affiliates active in management of the entity, have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity, or one or more of its officers, directors, executives, partners, shareholders, employees, members, agents, or affiliates active in management, has been charged with and convicted of a public entity crime subsequent to July 1, 1989. (Attach a copy of the final order.)

_____ The person or affiliate was placed on the convicted vendor list. A subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings, resulted in a final order determining that removal from the convicted vendor list was in the public interest. (Attach a copy of the final order.)

_____ The person or affiliate has not been placed on the convicted vendor list. (Describe any action taken by or pending with the Department of Management Services.)

State of _____

County of _____

The foregoing instrument was acknowledged before me this _____ day of 20____, by _____, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

Notary Public Signature

Commission Number: _____

Commission Expires: _____

Notary Name (Printed, Typed, or Stamped)

REQUIRED REFERENCES

Provide all information requested below for three (3) references. If available, references should be from public agencies. The City reserves the right to contact any or all references as part of its responsibility determination. Providing inaccurate or unverifiable reference information may result in a non-responsive determination.

Note: Do not list the City of Riviera Beach, proposed team members, or parent/subsidiary/affiliated companies as references.

REFERENCE 1

Client Name:		Contact Person (Name & Title):	
Email:		Phone Number:	
Address:			
City:	State:	Zip Code:	
Contract # (if applicable):		Date Services Were Provided:	
Description of Services Provided and Contract Value:			

REFERENCE 2

Client Name:		Contact Person (Name & Title):	
Email:		Phone Number:	
Address:			
City:	State:	Zip Code:	
Contract # (if applicable):		Date Services Were Provided:	
Description of Services Provided and Contract Value:			

REFERENCE 3

Client Name:		Contact Person (Name & Title):	
Email:		Phone Number:	
Address:			
City:	State:	Zip Code:	
Contract # (if applicable):		Date Services Were Provided:	
Description of Services Provided and Contract Value:			