

**HILLSBORO INLET DISTRICT**

**REQUEST FOR QUALIFICATIONS  
NO. 2020-01**

**CONTINUING COASTAL ENGINEERING AND  
PROFESSIONAL CONSULTING SERVICES**

**ADVERTISEMENT**  
**RFQ 2020-01**  
**REQUEST FOR QUALIFICATIONS (RFQ)**  
**COASTAL ENGINEERING CONSULTING SERVICES**

The Hillsboro Inlet District, an independent special taxing district of the State of Florida (the "District") is soliciting a Request for Qualifications ("RFQ") to provide coastal engineering consulting services for the District. Interested parties are to contact the General Counsel, David N. Tolces, by phone at (561) 835-2111 or by e-mail at [dtolces@wsh-law.com](mailto:dtolces@wsh-law.com) for more information. Statements of Qualifications shall be submitted to the Hillsboro Inlet District c/o Dynamic Accounting, 6402 N.W. 5th Way, Fort Lauderdale, FL 33309 until 2:00 PM local time, on November 30, 2020.

## BACKGROUND

In 1957 the Florida Legislature created the Hillsboro Inlet District (the "District"). The District is an independent special taxing district that can levy taxes to finance the maintenance and improvements to the Inlet. The taxing District runs from Dixie Highway to the Ocean and from the Broward/Palm Beach county line to Lauderdale by the Sea. The District has eight commissioners from the following governmental entities: the City of Pompano Beach, the City of Lighthouse Point, the City of Deerfield Beach, the District of Hillsboro Beach, the District of Lauderdale-by-the-Sea, the Village of Sea Ranch Lakes, the City of Fort Lauderdale, and Broward County.

Based on a physical model in 1964 at the University of Florida, the current configuration of the inlet was created by cutting the rock reef between the channel markers to 10 feet deep, adding the 400 foot South jetty and a 200 foot north jetty. In heavy northeast storms the spillway between the north jetty and the lighthouse allows waves to carry sand from the littoral drift into a sand trap inside the inlet. With the outside channel rock at 10 feet, the sand dredging could only maintain a depth of 8 to 9 feet.

The District currently possesses permits issued by the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers and Broward County for maintenance dredging and sand bypassing within in the Hillsboro Inlet and the beach to the south of the Hillsboro Inlet. The District recently completed the reconstruction of the South Jetty. Pursuant to the applicable permits, the District is required to undertake monitoring of relocated and transplanted corals for at least one more year. In addition, the District works with the applicable Federal, State, and local agencies to insure protection of sea turtles during the nesting season.

By way of this RFQ, the District is soliciting Statements of Qualifications from interested parties for the provision of Coastal Engineering and Professional Consulting Services for the District by a licensed engineering firm (the "Services"). Through the process described herein, licensed consultants interested in assisting the District with the provision of the service must prepare and submit a Statement of Qualifications in accordance with the procedure and schedule of this RFQ.

The District will review submittals only from those consultants that submit a statement of qualifications which includes all the information required to be included as described herein. The District intends to award **one continuing services contract** for Coastal Engineering and Professional Consulting Services to a consultant that possesses qualified manpower, equipment, and administrative capabilities to provide the proposed services, possesses previous experience on this type of work and provides the best offer and prices deemed to be in the greatest benefit to the District.

**Purpose:**

The District is seeking statements of qualifications to establish a contract with a qualified and experienced Coastal Engineering and Professional Consulting Services firm hereinafter referred to as the “Consultant” or “consultant”, to provide the Services described under this RFQ. The work covered by the Specifications and Contract Documents, consists of all District controlled locations.

**SCOPE OF SERVICES**

In accordance with the Consultant Competitive Negotiation Act (“CCNA”), The Hillsboro Inlet District is soliciting Statements of Qualifications from qualified Consultants to provide professional engineering & related services for the Hillsboro Inlet District (the “District”).

The Consultant shall perform, as needed, continuing contract consulting services for the District. The projects will require close and frequent liaison with the District Board of Commissioners, the General Counsel, and other District staff. Projects may include, but are not limited to, the following:

- Sediment budget and shoreline change analyses
- Coastal structures and armoring techniques and applications
- Emergency erosion control and restoration responses
- Engineering design services by a State-licensed Professional Engineer
- Preparation of plans and specifications
- Environmental Resource Permit applications and support with Federal and State Agencies
- Owner representative/agent during construction
- Construction inspection support
- Nearshore hard bottom monitoring, analyses, and reporting in accordance with the District's Biological Monitoring Plan
- Physical monitoring, analyses, modeling, and reporting in accordance with the District's Physical Monitoring Plan
- District sand bypassing reports and analysis of issues and progress, including modeling, if necessary
- Beach condition inspections, monitoring & reporting
- Listed species monitoring
- Construction cost estimating
- Public Outreach
- Geotechnical sampling, data collection, evaluation and reporting in accordance with the District's Sediment QA/QC Plan
- Topographic and hydrographic survey services by State-licensed surveyor
- Project certification

- Inter-governmental coordination
- Direct reporting to the District's Board of Commissioners
- Other coastal issues as directed by the District Board of Commissioners

**It is the intent to award one contract** including, but not limited to the above-referenced categories of work. Further, it is the intent of the District that the agreement will have a term of four (4) years with a single, two (2) year renewal option for a total of six (6) years. No representation or guarantee is made by the District as to the minimum or maximum dollar value, volume of work, or type of work that any firm will receive during the term of any agreement.

After technical selection is completed, firms will be asked to submit labor classifications, fully burdened labor rates, and rates for other expenses for their firm. Firms will be required to certify that the rates offered to the District are the same or lower than the rates offered to other clients in the State of Florida. Mark up shall not exceed 10% for subcontractors/consultants and 5% for all other costs.

As provided in Section 287.055, Florida Statutes, the selected firm(s) will be retained under a continuing contract and shall be requested to provide services on an on-going, as-needed basis, for various projects for and assignments by the District. The selected firm will serve as the District's coastal engineer on a continuing basis. The anticipated services will be delivered in accordance with the latest version of the Consultant's Competitive Negotiation Act, Section 287.055, Florida Statutes.

In accordance with Section 287.055(2)(g), a continuing services contract may be used for professional services for any particular project provided that the estimated construction cost of each individual project does not exceed \$2,000,000.00, or for a study activity if the fee does not exceed \$200,000.00.

In the event that the statutory limits are decreased, the new limits shall automatically apply to any Project Agreement. In the event that the statutory limits are increased, the District may seek an amendment to the continuing services contract to reflect the higher limits.

The District will issue individual Task Orders for projects on as needed basis. Task Order quotes and invoices shall, at a minimum, include labor classifications, hours, rates and any other direct costs (material, travel, etc.), indirect costs and profit/fee. Reimbursable expenses for unforeseen items and quantities shall be based upon prior approval of the District for actual and reasonable costs subsequently supported by invoices.

## **PROCUREMENT SCHEDULE**

The tentative schedule for this solicitation is as follows:

<b>EVENT</b>	<b>DATE</b>
RFQ Issuance	October 28, 2020
Deadline for Questions	November 10, 2020
Proposal Submission Deadline	November 30, 2020
Board of Commissioners Meeting	December 21, 2020

Following a review of the Statement of Qualifications submitted, the District Board of Commissioners may rank the firms and schedule interviews with no more than three (3) of the firms that submitted responses. If interviews are scheduled, the interviews will take place at the January District Board meeting, currently scheduled for January 25, 2021.

### **QUESTIONS AND REQUESTS FOR CLARIFICATION**

The contact person for this RFQ shall be:

David N. Tolces, General Counsel  
1200 N. Federal Highway, Suite 312  
Boca Raton, FL 33432  
(561) 835-2111  
E-mail address: dtolces@wsh-law.com

Any questions or requests for clarification must be made in writing. E-mail requests are acceptable. Please send all questions and/or requests for clarification to the contact named above, no later than November 10, 2020. Failure to submit requests in writing by the specified time shall not be grounds for a protest. While the written requirements of this RFQ and its amendments are binding, oral communications between Consultants and the District are not.

### **CRITERIA FOR SELECTION OF FIRMS**

The District Board of Commissioners ("District Board") shall review the Statement of Qualifications. The District Board will then rank the firms in order of preference based upon the following factors:

1. Professional Qualifications, Experience,
2. Whether the Firm Meets the Minimum Qualifications
3. Past Relevant Project Performance including References
4. Location of Firm

The District Board of Commissioners will then decide by majority vote, based upon capabilities, adequacy of personnel, past record, and experience of the firm or individual, which firm(s) will be selected to negotiate an agreement with the District.

The District reserves the right to reject any and all submissions, to waive any informality within a Statement of Qualification, to modify any of the procedures included in this RFQ, and to award this RFQ in the best interests of the District.

### **FORM OF SUBMITTAL**

1. All Statement of Qualifications must be received by the District at the designated location by the Qualification Submission Deadline. Submissions will be opened at the designated location immediately after the Statement of Qualification Submission Deadline. Any submittals received after the Statement of Qualification Submission Deadline will be returned unopened. The responsibility for submitting the submittal before the Statement of Qualification Submission Deadline is solely that of the Consultant. The District will not be responsible for delays caused by mail, including U.S. Mail, courier service, or any other occurrence.

2. The Statement of Qualifications shall be submitted as provided below, and consist of the following information in the order provided below:

A. Statements of Qualification shall be organized and tabbed in accordance with the sections and manner specified below. Hard-copy submittals should be bound and tabbed as set forth below and include a table of contents with page references. Electronic copies should also be tabbed and contain a table of contents with page references. Consultants should prepare their submittal on 8.5-inch by 11-inch paper. A Statement of Qualification may include other materials such as covers, appendices and brochures, but must contain the documents set forth below, each fully completed, and signed as required, in order to be considered responsive.

B. COVER PAGE. The first page of the submission shall indicate that it is a submitted in response to this RFQ, identify the Consultant and its principals, designate one contact person for the Proposal and set forth the Consultant and contact person's address, telephone and facsimile numbers and e-mail address.

C. TABLE OF CONTENTS. The Statement of Qualifications table of contents shall outline in sequential order the major areas of the Statement of Qualifications, including enclosures. All pages must be consecutively numbered and correspond to the table of contents.

D. INTRODUCTION LETTER. The introduction letter shall summarize the Consultant's qualifications and areas of specialization, and shall demonstrate that the Consultant meets each of the Evaluation Criteria set forth below.

E. MINIMUM QUALIFICATIONS

1. The firm, or principals of the firm, shall be regularly engaged in the business of providing the services as described herein. The firm shall have a record of performance and operation within Florida for a five-year period of time immediately preceding this request for proposal. The firm shall have sufficient financial support, equipment, and organization to insure that they can satisfactorily execute the services if awarded a Contract under the terms and conditions herein stated. There shall not be any pending criminal charges against the firm, principal owners, partners, corporate officers, or management employees. The term "equipment and organization" as used herein shall be construed to mean a fully equipped and well established operation as determined by the District

Consultant shall be regularly engaged in the business of providing the services as described herein. There shall not be any pending criminal charges against the Consultant, principal owners, partners, corporate officers, or management employees of the Consultant. Consultants must be able to demonstrate, through documentation, an exemplary record of performance the past five (5) years and must have performed work in the state of Florida for at least two governmental entities.

Consultant must have sufficient financial capacity, equipment, and organization to ensure that they can satisfactorily provide the services if awarded an Agreement under the terms and conditions of this solicitation. The terms "equipment and organization", as used herein shall, be construed to mean a fully equipped and well established company in line with the best business practices in the industry, and as determined by the District. Statement of Qualifications will only be considered from firms which are regularly engaged in the business of providing the services as described in this RFQ. Consultant must have ability to work effectively with the



District staff with respect to any of the coastal engineering services required by the District; and Consultant must have the ability to work effectively with the public and regulatory agencies. Consultant must have the ability to function in a support role to the District staff since consultant's services may be utilized for coastal engineering activities that exceed the staffing level or expertise of the District. Consultant shall be fully licensed to perform the work described herein and shall comply with all applicable State Statutes and local codes, regulations and ordinances;

To satisfy the Minimum Qualifications requirement, the Respondents should organize Proposals into the following Sections:

A. Professional Qualifications

1. Consultant's Experience: Indicate the Consultant's years of experience in providing the services. Consultant must have a minimum of five years' experience providing the Services to Municipalities, including at least two (2) governmental entities in the State of Florida. Provide a list of current governmental entities for which the Consultant is providing coastal engineering and professional consulting services and describe those services.
2. Principal in Charge's Experience: Provide a comprehensive summary of the experience and qualifications of the chief executive of the Consultant. This individual must have completed have a minimum of ten years' experience providing coastal engineering and professional consulting services.
3. Project Manager's Experience: Provide a comprehensive summary of the experience and qualifications of the individual who will be selected to serve as the Project Manager. This individual must have completed a minimum of five years' experience providing coastal engineering and professional consulting services. This individual must be capable of speaking and making decisions on behalf of the Consultant.

B. Proposed Work Plan to provide services under the RFQ.

- C. Documents demonstrating Consultant maintains a permanent place of business.
  - D. Documentation that Consultant has provided services of a type similar to the services sought through this RFQ including listing of contracts for similar services that have been provided to public and/or private-sector clients, for a minimum of the previous five (5) years.
  - E. Name of the Authorized Negotiator
  - F. Appendices, if applicable.
2. QUESTIONNAIRE. Consultant shall complete the Questionnaire attached to this RFQ and include its responses to same with the Proposal.
  3. CLIENT REFERENCES. The Proposal shall include a list of a minimum of three client references, each which includes the name, title, company, address, telephone and facsimile numbers and email addresses. By submitting said references, the Consultant authorizes the District to communicate with the person or firms listed regarding the Consultant's experience in providing the Services.
  6. SUPPLEMENTAL INFORMATION. Any supplemental materials which might enhance the Districts understanding of the firm and its capabilities and experience.
  7. Proof of Existing Insurance/Sample Insurance Certificate. Evidence of insurance currently in place that meets or exceeds the specifications contained in the Continuing Services Agreement attached hereto, or a commitment from an insurance company that such insurance coverage may be obtained by the Proposer. The successful Firm(s) must submit, prior to signing of a contract, a Certificate of Insurance naming the District as an additional insured and meeting the requirements of the Continuing Services Agreement; and
  8. Litigation Describe any and all previous or pending litigation(s) or investigation(s), either civil or criminal, involving a governmental agency, or which may affect the performance of the Services to be rendered herein, in which the Consultant and/or any of its

employees, subcontractors or subconsultants is/are and/or has/have been involved within the last five (5) years.

9. Sworn Statement regarding Public Entities Crimes
10. Americans with Disabilities Act Non-Discrimination Statement
11. Business Entity Affidavit
12. Certification Regarding Debarment, Suspension & Other Responsibility Matters Primary Cover Transactions
13. Statement of Qualifications Checklist Form
14. Proposal Information Form
15. Certificate of Authority (for Corporations or Partnerships)

2. Applicants that do not comply with all the above instructions or do not include all the requested data may be considered non-responsive, and their submittal shall not be considered.

3. Two (2) paper originals and one (1) electronic copy of submittal on flash drive in PDF format shall be submitted. Paper submittal shall be bound by staple or binder clip and shall consist of paper only. Submittals will not be evaluated on the aesthetic of the package.

#### **ADDITIONAL INFORMATION RELATED TO THE RFQ**

1. Cone of Silence. The District prohibits any discussion by a consultant or sub-consultant with members of the Board of Commissioners, or any other employee regarding this Contract outside of the District's General Counsel, including, but not limited to the District's Administration and District Commissioners about the project during the selection process from the time of advertisement until contract award except during public meetings. Violation of this policy shall result in disqualification of the vendor.

2. Agreement. The successful Consultant shall be required to execute the Agreement included with this RFQ and be able to provide the required insurance. Consultants not able to do this should not submit an RFQ.

3. All questions concerning this selection process or this document, and protests, or appeals of the decision of the Board of Commissioners must be addressed in writing to the District General Counsel and e-mailed to [dtolces@wsh-law.com](mailto:dtolces@wsh-law.com). Questions shall be

received no later than November 10, 2020. All questions will be answered via formal addenda in writing to all interested parties via email.

4. All submittals shall become public records upon receipt by the District.
5. Submittals may be withdrawn prior to Submittal due date by written or faxed request dispatched by the Consultant and received by the District Secretary before the time for receiving Submittals has expired.
6. The District reserves the right to request clarification of information submitted and to request additional information of one or more Consultants after the deadline for receipt of Submittals.
7. Costs for preparation of a response to this request are solely those of the Consultant and the District assumes no responsibility for any such costs incurred by the Consultant. The District will not be liable for any costs incurred by the Consultant prior to execution of the contract by the parties.
8. Submittals shall be on letter sized paper and shall be printed with a minimum 12 point font.
9. Consultants are instructed NOT to fax their submittal. Faxed submittals shall be rejected as non-responsive.
10. No oral interpretation of this RFQ shall be considered binding. The District shall be bound only when such statements are written and executed under the authority of the District General Counsel. Any and all interpretations, and any supplemental instructions will be in the form of written addendum, which, if issued, will be sent by mail and/or emailed to all registered Consultants at the respective points of communication furnished for such purposes. A copy may be obtained from the District General Counsel where the documents are to be distributed. Failure of any Consultant to receive such addendum shall not relieve said Consultant from any obligation under the RFQ submitted. All addenda issued shall become part of the Contract Documents.
11. All Submittals must be manually and duly signed by an authorized corporate officer, principal, or partner (as applicable) with a signature in full on the Cover Letter/Statement of Interest. When a firm is a Consultant, the RFQ shall be signed in the name of the firm by one or more of the partners. When a corporation is the Consultant, the officer signing shall set out the corporate name in full beneath which he shall sign his name, give title of his office and affix the corporate seal. Anyone signing the RFQ as agent must file with it legal evidence of the signature authority. Consultants who are nonresident corporations shall furnish to the District a certified copy of their permit to transact business in the State of Florida along with their RFQ.

12. Submittals that contain any limiting terms and conditions that do not explicitly agree to provide the scope in the contract documents may be disqualified.

13. The Consultant understands that this RFQ does not constitute an agreement or contract with the Consultant. District contracts are awarded only when a fully executed written agreement has been returned to the Consultant by the District.

14. Any Consultant who presents in its RFQ to the District, any information which is determined by the District, in its sole opinion, to be substantially inaccurate, misleading, exaggerated, or incorrect, may be disqualified from consideration.

15. It is the intent of this solicitation to secure services to be used by the District. However, by proposing, the Consultant may accept purchases by other Florida Governmental agencies from this proposal. The successful proposer(s) and the other requesting Governmental agency shall handle any such purchases separately. As such, purchases or contracts with other Governmental agencies shall not apply to the District's contract limits. The District assumes no liability for materials or services ordered by any other Governmental agency by virtue of this proposal.

16. The successful proposer(s) will be required to monitor the performance of their employees on a periodic basis while they are assigned to the District. The successful proposer(s) is required to comply with the Immigration Reform Act of 1986 (IRCA) which requires all individuals hired after November 6, 1986, to provide employers with proof of citizenship or authorization to work in the United States.

17. As required by Section 287.133; Florida Statutes, "A person or affiliate who has been placed on the convicted vendor list following a conviction for Public Entity crime may not submit a bid on a contract to provide goods or services to a public entity, may not submit a bid or contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with a public entity, and may not transact business with any public entity in excess of the threshold amount in Section 287.017, for category two for a period of thirty-six months from the date of being placed on the convicted vendor list".

### **Submission of Statement of Qualifications.**

- A. **Completeness:** All information required by this RFQ must be supplied to constitute an acceptable and complete proposal.
- B. **Economy of Preparation:** Statements of Qualifications should be prepared simply and economically, providing a straightforward, concise description of the Proposer's ability to fulfill the requirements of the Statement of Qualifications.
- C. **Interviews:** The District reserves the right to short list Consultants and conduct personal interviews or require presentations by any or all Consultants at any time during the evaluation process, or at the District Commission Meeting where selection and award is made.
- D. **Submittal; Acknowledgement:** By submitting a proposal, the Consultant shall certify that they have fully read and understood this RFQ and the proposal method and has full knowledge of the scope, nature, and quality of services to be performed.
- E. **Request for Additional Information:** The District reserves the right to amend this RFQ by written addenda with additional clarifying information. Any changes to this RFQ will be brought to the attention of all firms that have collected the RFQ and/or registered with the District. Only written addenda will be binding. Firms shall acknowledge receipt of addenda.
- F. **Firms shall furnish additional information as the District may require.** This includes information that indicates financial resources as well as ability to provide the requisite services. The District reserves the right to make investigations of the qualifications of the firm as it deems appropriate, including but not limited to background investigations and checking of references.
- G. **Statements of Qualifications Binding:** All Statements of Qualifications submitted shall be binding for three hundred sixty-five (365) calendar days following opening.
- H. **Negotiation following Award.** The District will negotiate terms with the selected firm(s), subject to the approval of the District Commission, and enter into continuing service agreement(s) on those terms with the selected firm(s).
- I. **Acceptance/Rejection/Modification to Proposals:** The District reserves the right to reject any and all Statements of Qualifications, to discontinue this RFQ process, or to waive minor irregularities in the Statements of Qualifications and to make awards in the best interests of the District.

J. Proposal Withdrawal: Firms may withdraw their proposals by notifying the District in writing at any time prior to the scheduled opening. Firms may withdraw their proposals in person or through an authorized representative. Firms and authorized representatives must disclose their identity and provide written receipt for the returned proposals. Proposals, once opened, become the property of the District and will not be returned to the firms.

L. Proposal Disclosure: Upon opening, proposals become “public records” and shall be subject to public disclosure consistent with Chapter 119, Florida Statutes, to the extent applicable. Proposers are required to identify specifically any information contained in their Statements of Qualifications which they consider confidential and/or proprietary and which they believe to be exempt from disclosure, citing specifically the applicable exempting law. All Statements of Qualifications received from Proposers in response to this RFQ will become the property of the District and will not be returned to the Proposers. In the event of contract award, all documentation produced as part of the contract will become the exclusive property of the District.

M. Proposal Pricing Not to be Included: Firms submitting Statements of Qualifications **SHALL NOT** submit pricing with their Statements of Qualifications. The District may request, accept and consider proposals for the compensation to be paid under the continuing contract only during the competitive negotiations phase of the RFQ.

N. Force Majeure: The agreement which is entered into with the successful Proposer(s) may provide that performance of any act by the District or Consultant hereunder may be delayed or suspended at any time while, but only so long as, either party is hindered in or prevented from performance by acts of God, the elements, war, rebellion, strikes, lockouts or any cause beyond the reasonable control of such party, provided however, the District shall have the right to provide substitute service from third parties or District forces and in such event the District shall withhold payment due Consultant for such period of time. If the condition of force majeure exceeds a period of 14 days, the District may, at its option and discretion, cancel or renegotiate the Agreement.

O. Collusion: By offering a submission pursuant to this RFQ, the Consultant certifies the Consultant has not divulged, discussed or compared his/her/its Statement of Qualifications with other Consultants and has not colluded with any other proposer or parties to this RFQ whatsoever. Also, the Consultant certifies, and in the case of a joint proposal, each party thereto certifies, as to his/her own organization, that in connection with this RFQ the above statement is correct. No attempt has been made or will be made by the Consultant to induce any other person or firm to submit or not to submit a Statement of Qualifications for the purpose of restricting competition. The only person or persons interested in this Statement of Qualifications, principal or principals is/are named therein and that no person other than therein mentioned has any interest in this Statement

of Qualifications or in the contract to be entered into. No person or agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee except for bona fide employees or established commercial agencies maintained by the Consultant for the purpose of doing business.

P. Prohibition on Contingent Fees: The Consultant warrants that he/she/it has not employed or retained any company or person, other than a bona fide employee working solely for the architect (or registered surveyor and mapper, or professional engineer, as applicable) to solicit or secure this agreement and that he or she has not paid or agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee working solely for the architect (or registered surveyor and mapper or professional engineer, as applicable) any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award or making of this agreement. For the breach or violation of this provision, the District shall have the right to terminate the agreement without liability and, at its discretion, to deduct from the contract price, or otherwise recover, the full amount of such fee, commission, percentage, gift, or consideration.

Q. Truth in Negotiating Certificate: The Consultant hereby certifies, covenants, and warrants that wage rates and other factual unit costs supporting the compensation for projects and services that may be offered pursuant to this Request for Qualifications and the Continuing Services Agreement related thereto will be accurate, complete, and current at the time of contracting. The Consultant further agrees that the price provided under separate, project specific agreements and any additions thereto shall be adjusted to exclude any significant sums by which the District determines the agreement price was increased due to inaccurate, incomplete, or non-current wage rates and other factual unit costs. All such agreement adjustments shall be made within one (1) year following the end of each corresponding agreement. For purpose of this certificate, the end of the agreement shall be deemed to be the date of the final billing or acceptance of the work by the District, whichever is later. The undersigned firm is furnishing this Truth in Negotiating Certificate pursuant to Section 287.055(5)(a) of the Florida Statutes for the undersigned firm to receive a continuing agreement for professional architecture and engineering services with the District of Surfside, Florida.

THE RESPONSIBILITY FOR SUBMITTING A RESPONSE TO THIS RFQ AT THE OFFICE OF THE DISTRICT ON OR BEFORE THE STATED SUBMITTAL TIME AND DATE WILL BE SOLELY AND STRICTLY THE RESPONSIBILITY OF THE PROPOSER. THE DISTRICT WILL IN NO WAY BE RESPONSIBLE FOR DELAYS CAUSED BY THE UNITED STATES MAIL DELIVERY OR CAUSED BY ANY OTHER OCCURRENCE.



**PROPOSER'S CERTIFICATION**

I have carefully examined the RFQ and any other documents accompanying or made a part of this RFQ.

I hereby propose to furnish the services specified in the RFQ. I agree that my Statement of Qualifications will remain firm for a period of 365 days in order to allow the District adequate time to evaluate the Statements of Qualifications.

I certify that all information contained in this Statement of Qualifications is truthful to the best of my knowledge and belief. I further certify that I am duly authorized to submit this Statement of Qualification on behalf of the firm as its act and deed and that the firm is ready, willing and able to perform if awarded the contract.

I further certify, under oath, that this Statement of Qualifications is made without prior understanding, agreement, connection, discussion, or collusion with any other person, firm or corporation submitting a Statement of Qualifications I for the same service; no officer, employee or agent of the District of Surfside or any other Proposer is interested in said Statement of Qualifications; and that the undersigned executed this Proposer's Certification with full knowledge and understanding of the matters therein contained and was duly authorized to do so.

I understand that a person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crimes may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to public entity, may not be awarded or perform work as a contractor, supplier, sub-contractor, or consultant under a contract with a public entity, and may not transact business with any public entity in excess of the threshold amount provided in Sec. 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

\_\_\_\_\_  
*Name of Business*

BY:

Sworn to and subscribed before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Name and Title, Typed or Printed*

\_\_\_\_\_  
*Mailing Address*

\_\_\_\_\_  
*Notary Public*

\_\_\_\_\_  
*City, State, Zip Code*

STATE OF \_\_\_\_\_

(\_\_\_\_\_) \_\_\_\_\_

*Telephone Number*

*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 the HILLSBORO INLET DISTRICT, FLORIDA

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 misrepresentations.
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, non-jury 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, and 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 relations 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 ad 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 THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 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 \_\_\_\_\_,  
20\_\_\_\_\_.

Personally known

OR

Produced identification

Notary Public – State of \_\_\_\_\_

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
*Type of identification*

\_\_\_\_\_  
*Printed, typed or stamped commissioned name of notary public*

**AMERICANS WITH DISABILITIES ACT  
DISABILITY NONDISCRIMINATION STATEMENT**

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

This sworn statement is submitted to the HILLSBORO INLET DISTRICT, FLORIDA

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:  
\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_.)*

I, being duly first sworn state:

That the above named firm, corporation or organization is in compliance with and agreed to continue to comply with, and assure that any subcontractor, or third party contractor under this project complies with all applicable requirements of the following laws, including, but not limited to, those provisions pertaining to employment, provision of programs and services, transportation, communications, access to facilities, renovations, and new construction:

The American with Disabilities Act of 1990 (ADA), Pub. L. 101-336, 104 Stat 327, 42 USC 12101-12213 and 47 USC Sections 225 and 661 including Title I, Employment; Title II, Public Services; Title III, Public Accommodations and Services Operated by Private entities; Title IV, Telecommunications; and Title V, Miscellaneous Provisions; The Florida Americans with Disabilities Accessibility Implementation Act of 1993, Section 553.501-553.513, Florida Statutes; The Rehabilitation Act of 1973, 29 USC Section 794; The Federal Transit Act, as amended 49 USC Section 1612; and The Fair Housing Act as amended 42 USC Section 3601-3631.

\_\_\_\_\_  
*Signature*

Sworn to and subscribed before me this \_\_\_\_\_ day \_\_\_\_\_,  
20\_\_\_\_\_.

Personally known

OR

Produced identification \_\_\_\_\_

*Type of identification*

Notary Public – State of \_\_\_\_\_  
My commission expires: \_\_\_\_\_

\_\_\_\_\_  
*Printed, typed or stamped commissioned name of notary public*



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*Signature of Affiant*

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*Print Name*

Sworn to and subscribed before me this \_\_\_\_\_ day \_\_\_\_\_, 20\_\_\_\_\_.

Personally known

*OR*

Produced identification

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*Type of identification*

Notary Public – State of \_\_\_\_\_

My commission expires: \_\_\_\_\_

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

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS PRIMARY COVERED TRANSACTIONS**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 13 CFR Part 145. The regulations were published as Part VII of the May 26, 1988 *Federal Register* (pages 19160-19211). Copies of the regulations are available from local offices of the U.S. Small Business Administration.

- (1) The prospective primary participant certifies to the best of its knowledge and belief that it and its principals:
  - (a) Are not presently debarred, suspended, proposed for disbarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
  - (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.
  
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective primary participant shall attach an explanation to this Statement of Qualifications.

Business Name \_\_\_\_\_

Date \_\_\_\_\_

By \_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Name and Title of Authorized Representative

**CERTIFICATE OF AUTHORITY  
(if Corporation)**

I HEREBY CERTIFY that a meeting of the [circle one] Board of Directors/ Partners of \_\_\_\_\_  
\_\_\_\_\_ a business existing under the laws of the State of \_\_\_\_\_  
\_\_\_\_\_, (the "Entity") held on \_\_\_\_\_, 20\_\_\_\_, the following  
resolution was duly passed and adopted:

"RESOLVED, that, \_\_\_\_\_, as \_\_\_\_\_  
\_\_\_\_\_ of the Entity, be and is hereby authorized  
to execute this Proposal dated \_\_\_\_\_, 20  
\_\_\_\_\_, on behalf of the Entity and submit this Proposal to the  
Hillsboro Inlet District, and this Entity and the execution of this  
Certificate of Authority, attested to by the Secretary of the  
Corporation, and with the Entity's Seal affixed, will be the  
official act and deed of this Entity."

I FURTHER CERTIFY that said resolution is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official  
seal of the Entity this \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_.

Secretary: \_\_\_\_\_  
Print Name: \_\_\_\_\_

President: \_\_\_\_\_  
Print Name: \_\_\_\_\_

(Seal)



**CERTIFICATE OF AUTHORITY  
(if Individual)**

I, \_\_\_\_\_ (“Affiant”) being first duly sworn, deposes and says:

1. I am the \_\_\_\_\_  
[Select and print as applicable: Owner/Partner/Officer/Representative/Agent] of: \_\_\_\_\_  
\_\_\_\_\_ doing business as \_\_\_\_\_,  
the Contractor that has submitted the attached Proposal.
2. I am fully informed respecting the preparation and contents of the attached Proposal and all of the pertinent circumstances respecting such Proposal.
3. I am authorized to execute the Proposal dated \_\_\_\_\_, and submit this Proposal to the Hillsboro Inlet District, and the execution of this Certificate of Authority, attested to by a Notary Public, will be the official act and deed of this attestation.

**In the presence of:**

**Signed, sealed and delivered by:**

\_\_\_\_\_  
**Witness #1 Print Name:** \_\_\_\_\_

\_\_\_\_\_  
**Print Name:** \_\_\_\_\_

\_\_\_\_\_  
**Witness #2 Print Name:** \_\_\_\_\_

\_\_\_\_\_  
**Title:** \_\_\_\_\_

**ACKNOWLEDGMENT**

State of Florida  
County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me the undersigned, personally appeared \_\_\_\_\_, whose name(s) is/are subscribed to the within instrument, and he/she/they acknowledge that he/she/they executed it.

Witness my hand and official seal:

\_\_\_\_\_  
**Notary Public (Print, Stamp, or Type as Commissioned)**

- \_\_\_\_\_ Personally known to me; or
- \_\_\_\_\_ Produced identification (Type of Identification: \_\_\_\_\_)
- \_\_\_\_\_ Did take an oath; or
- \_\_\_\_\_ Did not take an oath

## COMPANY QUALIFICATION QUESTIONNAIRE

Some responses may require the inclusion of separate attachments. Separate attachments should be as concise as possible, while including the requested information. In no event should the total page count of all attachments to this Form exceed five (5) pages. Some Information may not be applicable, in such instances insert "N/A".

1. How many years has your company been in business under its current name and ownership?

\_\_\_\_\_

- a. Professional Licenses/Certifications (include name and license #)\* Issuance Date

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(\*include active certifications of small or disadvantage business & name of certifying entity)

2. Type of Company:  Individual  Partnership  Corporation  LLC  Other  
If other, please describe the type of company: \_\_\_\_\_

- a. FEIN/EIN Number: \_\_\_\_\_

- b. Dept. of Business Professional Regulation Category (DBPR):

i. Date Licensed by DBPR: \_\_\_\_\_

ii. License Number: \_\_\_\_\_

- c. Date registered to conduct business in the State of Florida:

i. Date filed: \_\_\_\_\_

ii. Document Number: \_\_\_\_\_

- d. Primary Office Location: \_\_\_\_\_

- e. What is your primary business? \_\_\_\_\_  
(This answer should be specific)

f. Name and Licenses of any prior companies

Name of Company	License Name & No.	Issuance Date
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3. Company Ownership

a. Identify all owners or partners of the company:  
(Attach additional pages if necessary)

Name	Title	% of ownership
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b. Is any owner identified above an owner in another company?   
Yes  No  If yes, identify the name of the owner, other company names, and % ownership

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c. Identify all individuals authorized to sign for the company, indicating the level of their signing authority (use additional pages/attachments if necessary)

Name	Title	Signatory Authority (All, Cost Up to \$Amount, No-Cost, Other)
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4. Employee Information

a. Total No. of Employees: \_\_\_\_\_

b. Total No. of Managerial/Admin. Employees: \_\_\_\_\_  
\_\_\_\_\_

5. Recent Contracts

a. Identify the five (5) most recent contracts in which your company has provided similar services to other public entities. Include the Owner's name and contact person.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Insurance Information:

a. Insurance Carrier name & address:

\_\_\_\_\_

b. Insurance Contact Name, telephone, & e-mail:

\_\_\_\_\_

c. Number of Insurance Claims paid out in last 5 years & value: \_\_\_\_\_

7. In the space below, describe any other experience, not covered by any of the stated submittal requirements of the RFQ, related to the Services to be performed under the Agreement that Proposer believes is unique to its organization and would benefit the District:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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By signing below, Proposer certifies that the information contained herein is complete and accurate to the best of Proposer's knowledge.

By: \_\_\_\_\_  
Signature of Authorized Officer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name





By signing below, Proposer certifies that the information contained herein is complete and accurate to the best of Proposer's knowledge.

By: \_\_\_\_\_  
Signature of Authorized Officer

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



**CLIENT REFERENCES  
REFERENCE #1**

Public Entity Name: \_\_\_\_\_

Reference Contact

Name: \_\_\_\_\_

Contact Title:

\_\_\_\_\_

Contact Department:

\_\_\_\_\_

Contact Telephone:

\_\_\_\_\_

Contact Email:

\_\_\_\_\_

Public Entity Size/Number of Residents/Square Mileage: \_\_\_\_\_

Contract Start Date: \_\_\_\_\_ Contract End Date: \_\_\_\_\_

Is the Contract still Active? Yes \_\_\_\_\_ No \_\_\_\_\_

Scope of Work (be as detailed as possible) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**REFERENCE #2**

Public Entity Name: \_\_\_\_\_

Reference Contact

Name: \_\_\_\_\_

Contact Title:

\_\_\_\_\_

Contact Department:

\_\_\_\_\_

Contact Telephone:

\_\_\_\_\_

Contact Email:

\_\_\_\_\_

Public Entity Size/Number of Residents/Square Mileage: \_\_\_\_\_

Contract Start Date: \_\_\_\_\_ Contract End Date: \_\_\_\_\_

Is the Contract still Active? Yes \_\_\_\_\_ No \_\_\_\_\_

Scope of Work (be as detailed as possible) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**REFERENCE #3**

Public Entity Name: \_\_\_\_\_

Reference Contact

Name: \_\_\_\_\_

Contact Title:

\_\_\_\_\_

Contact Department:

\_\_\_\_\_

Contact Telephone:

\_\_\_\_\_

Contact Email:

\_\_\_\_\_

Public Entity Size/Number of Residents/Square Mileage: \_\_\_\_\_

Contract Start Date: \_\_\_\_\_ Contract End Date:

\_\_\_\_\_

Is the Contract still Active? Yes \_\_\_\_\_ No \_\_\_\_\_

Scope of Work (be as detailed as possible) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## DISPUTE DISCLOSURE

Answer the following questions by placing an "X" after "Yes" or "No". If you answer "Yes", please explain in the space provided, or on a separate sheet attached to this form.

1. 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 associations within the last five (5) years?

YES \_\_\_\_\_ NO \_\_\_\_\_

2. 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 \_\_\_\_\_

3. Has your firm had against it or filed any requests for equitable adjustment, contract claims, Bid protests, 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 of 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 or Bid for the District of Surfside.

Firm: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Print or Type Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**ACKNOWLEDGEMENT OF ADDENDA**

I HEREBY ACKNOWLEDGE that I have received all of the following addenda and am informed of the contents thereof:

Addendum Numbers Received:  
(Check the box next to each addendum received)

- |                                     |                                      |
|-------------------------------------|--------------------------------------|
| <input type="checkbox"/> Addendum 1 | <input type="checkbox"/> Addendum 6  |
| <input type="checkbox"/> Addendum 2 | <input type="checkbox"/> Addendum 7  |
| <input type="checkbox"/> Addendum 3 | <input type="checkbox"/> Addendum 8  |
| <input type="checkbox"/> Addendum 4 | <input type="checkbox"/> Addendum 9  |
| <input type="checkbox"/> Addendum 5 | <input type="checkbox"/> Addendum 10 |

\_\_\_\_\_  
NAME OF ENTITY

\_\_\_\_\_  
AUTHORIZED SIGNATURE

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
DATE