

**Project Title: Professional External Auditing Services
FY 21/22 – FY 22/23**

Bid No: 22-01

Date: September 12, 2022

**Prepared by: Cery Logeman
Town Clerk
Town of Inglis
135 Hwy 40 West
Inglis , FL 34449

352-447-2203 x 101**

townclerk@townofinglis.org

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SECTION 1: REQUEST FOR PROPOSAL NOTICE

**PUBLIC NOTICE
TOWN OF INGLIS,FLORIDA
REQUEST FOR PROPOSAL
PROFESSIONAL AUDITING
SERVICES
RFP 22-01**

Notice is hereby given that the Town of Inglis, Florida ("Town") is requesting proposals from experienced and qualified Auditing Firms (Auditors). To provide professional Financing Auditing Services to the Town.

Proposals must be received by mail, hand delivery or email on or before September 23, 2022, to the Town of Inglis by 5:00 p.m., located at 135 Hwy 40 W. Inglis Florida 34449 or townclerk@townofinglis.org, the bids will be opened at 8:30 A.M. the next business day.

Requirements for the Proposal are available and may be obtained from Cery Logeman, Town Clerk, Town of Inglis, 135 Hwy 40 W. Inglis, FL: (352)447/2203. Questions related to the proposal may be e-mailed to townclerk@townofinglis.org.

The Town reserves the right to reject any and all proposals, to waive any and all non-substantial irregularities in proposals received whenever such rejection or waiver is in the best interest of the Town. In the event that any or all proposals are rejected or waived, the Town reserves the right to solicit and re-advertise for other proposals.

TOWN OF INGLIS
135 HWY 40 W.
INGLIS, FLORIDA

SECTION 2: GENERAL TERMS AND CONDITIONS

PURPOSE:

The Town of Inglis is requesting proposals from experienced and qualified Auditing Firms (Auditors) to establish a multi-year contract for provision of professional Financial Auditing Services, as required in F.S. 11.45, for the Fiscal Years ending September 30, 2022, 2023, 2024, with the potential for two, one-year extensions.

RFP DOCUMENTS.

The RFP documents constitute the complete set of Proposal specifications and forms. All forms and documents must be executed, sealed, and submitted as provided in this RFP. Proposals not submitted in the prescribed manner and on the required forms may be rejected. By submitting a Proposal, the Proposer agrees to be subjected to all terms and conditions specified herein. Submittal of a response to this RFP constitutes a binding offer by the Proposer.

QUESTIONS:

All questions relating to this Request for Proposals should be addressed to Cery Logeman, Town Clerk. The Town Hall office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. The phone number is (352) 447-2203,x 101, the e-mail address is townclerk@townofinglis.org. All questions must be received by September 22nd, 2022, a code of silence shall be observed after that date and until the date of award. No person is authorized to give oral interpretations of or make oral changes to the RFP documents. Therefore, oral statements shall not be binding and should not be relied upon. All interpretation of, or changes to, the RFP documents shall be made in a written addendum to the RFP document and shall be furnished to all proposal holders.

ELIGIBILITY:

To be eligible to respond to the RFP, the proposing firm must demonstrate that they, or the principals assigned to the project, have successfully completed services, similar to those specified in the Scope of Services for at least two agencies similar to the Town of Inglis.

NO CONTINGENT FEES:

Proposer warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the Proposer, to solicit or secure this Contract, and that it has not paid or agreed to pay any person, company, corporation, individual or firm, other than a bona fide employee working solely for the Proposer, any fee, commission, percentage, gift of other consideration contingent upon or resulting from the award or making of this Contract.

BACKGROUND:

The Town of Inglis (hereafter "Town") is requesting proposals from qualified firms of Certified Public Accountants to audit its financial statements for a period of three years beginning with the fiscal year October 1, 2021, through September 30, 2022, with two, one-year options to extend those services. Town finances are segmented into two major areas, General Government and Utilities as described below.

The audit shall be performed in accordance with

- **Government Auditing Standards** issued by the Comptroller General of the United States
- **Audits of State and Local Governmental Units** – American Institute of Certified Public Accountants
- Single Audit Acts – Federal and Florida

- OMB Circular A-133 and other applicable OMB circulars
- Sections 11.45, 218.39 and 218.415 of the Florida Statutes
- Regulations of the State of Florida Department of Financial Services
- Rules of the Auditor General and other Florida agencies as relevant

Respondents shall construct their proposal(s) to include One (1) original and one (1) electronic copy saved on a USB thumb drive or other suitable media (the electronic copy shall maintain the format of the original, be color if necessary, and be in a pdf or similar file format for ease of use and printing.

Inglis is home to approximately 1,300 citizens, it has one major highway US 19. The Town operates under a Commission-Mayor form of government, with six elected officials. The Town reports the following major governmental fund:

The **General Fund** accounts for all financial transactions not accounted for in other funds. The majority of current operating expenditures of the Town other than proprietary fund activities are financed through revenues received by the General Fund.

The Town reports the following major proprietary fund:

The **Water Fund** accounts for the assets, operation, and maintenance of the Town-owned water system.

The Town also reports one nonmajor fund, the Road and Bridge fund.

The Town had expended \$281,780 in the prior year on a Bridge Improvement project. Current year expenditures were \$84,018 and the project was placed in service at a total cost of \$365,798. Additionally, the town expended \$42,000, in the current year to complete a fire station improvement project. The project was completed and capitalized in the current fiscal year at a total cost of \$68,925

The Town expended \$76,000 on a pre-construction study for a sub-regional wastewater treatment plant. The total cost to date is \$830,150. Excluding grants.

TIMELINE:

RFP TIMETABLE:

The anticipated schedule is as follows for this RFP:

RFP available for distribution on September 12th,2022

Deadline for Questions regarding the RFP September 22,2022

Deadline for submittal of both technical and fee proposals by firms is September 23rd, 2022, at 5:00 p.m.

Review by staff September 23, 2022

Review and Award by Town Commission sitting as the Audit Committee September 23, 2022.

Should the Commission desire to hear oral presentations firms will be notified.

RFP POSTPONEMENT/CANCELLATION/WAIVER OF IRREGULARITIES

The Town reserves the right to reject any or all proposals, and to waive any technical defects in proposals; readvertise this RFP; postpone or cancel, at any time, this RFP process.

WITHDRAWAL OF PROPOSALS:

Proposal may be amended or withdrawn only by written notice prior to September 23, 2022. Amendments/Addenda must be included within the sealed proposal envelope.

Amendments or withdrawals received after the proposal opening will not be effective, and the original proposal submitted will be considered.

CONSIDERATION OF PROPOSALS:

Telegraphic or telephonic proposals will not be considered. The proposer agrees that his/her proposal will not be withdrawn within sixty (60) calendar days following the opening of proposals, and that during such time the proposal will remain firm and irrevocable.

EXCEPTION TO THE RFP:

Proposers may take exceptions to any of the terms of this RFP unless the RFP specifically states where exceptions may not be taken. Should a proposer take exception where one is not allowed, their proposal shall be rejected as non-responsive. All exceptions taken must be specific, and the Proposer must indicate clearly what alternative is being offered to allow the Town a meaningful opportunity to evaluate and rank proposals.

Where exceptions are permitted, the Town shall determine the acceptability of the proposed exceptions and the proposals will be evaluated based on the proposals as submitted. The Town reserves the right after evaluation to accept or reject all exceptions.

QUALIFICATIONS OF PROPOSERS:

As a part of the Proposal evaluation process, the Town will conduct a background check of the proposers, and the Proposer's submission of a proposal acknowledges this.

AWARD OF CONTRACT:

Those persons negotiating on behalf of the Town are without authority to bind the Town and the Town will only be bound by a proposal for the acquisition of such services that has been approved at a public meeting of the Town Commission. The Town Commission acting as the Audit Committee shall be responsible for the award of this contract. Pricing shall be utilized as one factor in the consideration of award, a firm's qualifications, background, references, and prior experience being the primary ranking factors for consideration and final award.

FLORIDA STATUTES ON PUBLIC ENTITY CRIMES:

The 1989 Florida Legislature enacted Section 287.132-133, Florida Statutes, which mandate that a vendor execute a sworn statement pertaining to "Public Entity Crimes" before an award may be made to the successful proposer. This form is included with this Request for Proposals and must be completed, notarized, and returned with your proposal.

FLORIDA PUBLIC RECORDS LAW:

Sealed bids or requests for proposals received by The Town of Inglis, pursuant to invitations to bid or requests for proposals/qualifications are exempt from the provisions of subsection (1) and s.24(a), Art. 1 of the State Constitution until such time the Town provides notice of a decision or intended decision pursuant to s. 120.57(3)(a) or within 10 days after bid or proposal opening, whichever is earlier. If you believe that your bid/proposal or any portion thereof, is exempt from disclosure under the public records law, state the grounds for your position in CAPITAL LETTERS on the cover sheet accompanying your sealed bid/proposal and a determination will be made as to whether or not it is exempt prior to opening. If a determination is made that it is not exempt from disclosure, the sealed proposal will be returned to you upon request.

SECTION 3: SCOPE OF SERVICES

INTENT:

The Town requires an external auditor to express an opinion on the fair presentation of its basic financial statements in conformity with auditing standards generally accepted in the United States of America.

The Town also requires the auditor to express an opinion on the fair presentation of supplemental information (including combining and individual fund financial statements and schedules) in relation to the basic financial statements taken as a whole.

Separate audit opinions shall be issued on separate financial statements for any grants expending more than \$750,000 in a single year. The proposer shall show the fee for this service as a separate item in their fee proposal since this service is not normally required of our auditor.

The auditor shall include as part of the cost of the normal audit services compliance with F.S. 218.415.

The auditor shall audit the general government financial statements, the utility financial statements, the fire fund financial statements as well as all other special fund and grant financial statements of the Town of Inglis.

The auditor(s) shall also be required to work with the Town's financial advisors and staff in preparing any other attest services at the discretion of the Town. Any such additional work agreed to between the Town and the firm selected shall be performed upon the approval of the Town Auditor/designee with confirmation by the Town Commission if required. Fees for such authorized additional work shall be negotiated at that time.

Beauchamp and Edwards provided the Town's current contracted Financial Audit and Services.

REPORTS TO BE ISSUED

Following the completion of the audit of the fiscal year's financial statements, the auditor(s) shall issue the following:

1. A report on the fair presentation of the financial statements in conformity with accounting principles generally accepted in the United States of America for both General Government and Utilities in a combined statement.
2. A report on the internal control structure based on the auditor's understanding of the control structure and assessment of control risk for both General Government and the Utilities.
3. A "management letter" required by Section 11.45 (3)(a)4, Florida Statutes, for both General Government and the Utilities, including a statement regarding the Town's compliance with the requirements of F. S. 218.415.
4. Any additional reports required by the Town's grantors.
5. For the General Government audit, reports required by the Single Audit Act to include:
 - a. An "in relation-to" report on the schedule of federal awards to and state financial assistance.
 - b. A report on Compliance and on Internal Control over Compliance Applicable to each Major Federal Awards Program and State Financial Assistance Project in accordance

with U. S. Office of Management and Budget Circular A-133 Compliance Supplement, and the requirements described in the State Projects Compliance Supplement.

- c. In the required report(s) on internal controls, the auditor shall communicate any significant deficiencies found during the audit. A significant deficiency shall be defined as a control deficiency or a combination of control deficiencies that adversely affects the organization's ability to initiate, authorize, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the financial statements that is more than inconsequential will not be prevented or detected by the organization's internal control.
- d. Significant deficiencies that are also material weaknesses shall be identified as such in the report.
- e. Other conditions discovered by the auditors shall be reported in the management letter required by Florida Statutes 11.45(3)(2)(4), and F.S. 218.415, which shall be referred to in the Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards. The report shall include all instances of noncompliance.

Use of the audited Financial Statements, opinions or any of the above-named reports will not result in additional compensation unless their use requires additional certification or services on the part of the firm.

6. Irregularities and Illegal Acts. Auditors shall be required to make an immediate, written report of all irregularities and illegal acts of which they become aware to the Town Clerk, Town Commission, and Town Attorney, as appropriate.

SPECIAL CONSIDERATION:

1. The Town shall require the audited Financial Statement to be issued in a timely fashion which is compliant with the State of Florida's deadline for submission of all audited financial statements. The Town shall notify the auditor of the number of copies each year of the financial statement they shall require to be sent to each grant agency both state and federal. Also, the auditor shall be required to provide the Audit in PDF searchable format for submittal to the Auditor General's Office of the State of Florida.
2. The auditor shall complete and forward form SF-SAC, a Single Audit Requirement described in section 320 of OMB Circular A-133 to the Town for filing with the Federal Audit Clearinghouse.
3. It is anticipated that the auditor may be required to provide assistance under this contract to meet the requirements of all newly issued GASB statements.

RATES FOR ADDITIONAL PROFESSIONAL SERVICES:

If it becomes necessary for the Town to request the auditor to render any additional services as a result of significant changes in scope or other auditing services, such additional work shall be performed upon request of the Town Clerk, and with approval of the Town Commission, if required. Fees for any such additional work agreed to between the Town and the auditor shall be negotiated. However, the Town requests that you provide a list of your standard fees for services, in your sealed fee envelope as part of this proposal.

MANNER OF PAYMENT:

Payments will be made based upon a schedule of payments to be developed upon award of the contract. The Town reserves the right to inspect records supporting the auditor's billings.

WORKING PAPER RETENTION AND ACCESS TO WORKING PAPERS:

All working papers and reports must be retained, at the auditor's expense, for three years or longer if such longer retention period is required by any specific Federal or State Agency. The auditor will be required to make working papers available upon request.

In addition, the auditor shall respond to the reasonable inquiries of successor auditors and allow successor auditors to review working papers relating to matters of continuing accounting significance. As requests for copies of working papers are fulfilled, the auditors will be required to notify the Town Clerk, and the respective Financial Coordinator of the request as appropriate.

SECTION 4: PROPOSAL FORMAT

Instructions to proposer: Proposals must contain each of the below enumerated documents, each fully completed, signed, and notarized as required. Proposals submitted which do not include the requested documents may be deemed non-responsive and may not be considered for contract award.

A. Format and Contents of Proposal

Signed Cover Letter with Statement of Interest from Principal in the Firm must accompany all proposals.

1. Table of Contents

The table of contents should outline in sequential order the major areas of the proposal, and all pages of the proposal, and all pages of the proposal, including the enclosures, must be clearly and consecutively numbered and correspond to the table of contents.

2. Technical Proposals

The technical proposal is a narrative which addresses the scope of the work, the proposed approach to the work, the schedule of the work, and any other information called for by the RFP which the proposer deems relevant.

3. Price Proposal

As this is a multi-step evaluation process, firms shall submit their price proposal(s) in a separate, sealed envelope, with the RFP name and number and the proposer's firm name clearly shown on the outside of the envelope (container), containing all of the required bid documents. Price proposals shall provide a detailed rate structure and clearly indicate the firms fee structure is for the services requested, or for the additional items as requested in Section II "Rates for Additional Services."

Fee Proposal shall include the following:

- a. Fee for year one audit services
- b. Fee for year two audit services
- c. Fee for year three audit services
- d. Price for single audit
- e. Hourly rate for employees and partners

If this proposal is a joint venture, the proposal shall include similar information on the other firm(s) involved.

Adjustment of fees from year one, to subsequent years shall correlate to the Consumer Price Index for the Southern region, all items with a five (5) percent limit on any increase or decrease.

4. Qualifications
The response to the minimum qualification requirements contained herein is a list of minimum qualification requirements prescribed for the RFP. Proposers must provide documentation which demonstrates their ability to satisfy all of the minimum qualification's requirements. Firm which does not meet the minimum qualifications requirements or who fail to provide supporting documentation to support this fact shall not be considered for award.

B. QUALIFICATIONS/STATEMENT OF QUALIFICATIONS

The proposal should state the size of the firm, the size of their governmental audit staff, the location of the office from which the work on this project is to be performed and the number and nature of the professional staff to be employed in this project on a full-time or part-time basis, and a delineation of the responsibilities by firm(s). In addition, for each proposed member of the audit team, the proposer must state that they meet Yellow Book requirements and disclose how many years of governmental auditing experience each has.

The firm shall also provide information on the results of any federal or state desk reviews or field reviews of its audits during the past three years. In addition, the firm shall provide information on the circumstances and status of any disciplinary action taken or pending against the firm or any of the professional staff during the past three years with state regulatory bodies or professional organizations.

The firm(s) shall also describe any litigation or proceedings whereby, during the past two years, a court of any administrative agency has ruled against the firm(s) in any manner relating to its professional activities. Similar information shall be provided for any current or pending litigation. Failure to return this information with your proposal will result in the rejection of your proposal. If this is a joint venture, each firm involved must provide this information, not just the lead firm.

C. SCOPE

Proposal Response Requirements

The purpose of the technical proposal is to demonstrate the qualifications, competence and Cape Town of the firm(s) seeking to undertake an independent audit of the Town in conformity with the requirements of this request for proposals. The technical proposal should demonstrate the qualifications of the firm(s) and the particular staff to be assigned to this project and should address knowledge of GASB statements. It should also specify an audit approach that will meet the requirements of this request for proposals.

If this proposal is a joint venture, the proposal shall include similar information on the other firm(s) involved. The technical proposal should address all the points outlined in the request for proposals. The proposal should be prepared simply, and economically, providing a straightforward, concise description of the proposer's capabilities to satisfy the requirements presented herein. While additional data can be presented, only items 1-9, must be included as they are criteria by which the proposal shall be evaluated.

1. Firm Profile
- Name of Business
 - Mailing Address, telephone/fax number, and e-mail address of primary contact for this project
 - Business hours
 - State whether the firm is based locally, within the state, has national or international offices, and indicate the business legal status (corporation, partnership, etc.)
 - Date the business was formed or incorporated, and where location of the office from which the work is to be done and the number of professional staff employees at that office

- Indicate whether the business is a parent or subsidiary in a group of firms/agencies

2. Independence

The firm shall provide an affirmative statement that it is independent of the Town as defined by generally accepted auditing standards and the U. S. General Accounting Office's (Government Auditing Standards)

The firm should also list and describe the firms' professional relationships involving the Town for the past five (5) years, along with a statement explaining why such relationships do not constitute a conflict of interest relative to performing the proposed audit.

In addition, the firm shall give the Town written notice on any professional relationships entered into during the period of this engagement, which could pose a potential conflict of interest.

3. License to Practice in Florida

An affirmative statement must be included indicating that the firm and all assigned key professional staff are properly licensed/registered to practice in Florida. Copies of licenses shall be provided to the Town upon execution of contract at the time of final award, for all primary staff that shall be engaged to work on this project.

4. Firms Qualifications and Experience with Other Governmental Entities

Describe the range of services performed by the firm. Include a description of activities and contributions to the governmental accounting profession. Include any nationwide resources available to your firm.

For the firm's professional staff assigned to this audit, list and rank the five most relevant engagements performed in the last three years that are similar to the project described in the RFP.

Indicated five relevant client references for projects similar in scope and detail to this RFP, for projects within the past three years, and provide their contact information, phone #, name and principal client contact. The Town reserves the right to contact any references given and any other clients during the evaluation process.

5. Partner, Supervisory and Staff Qualifications and Experience

The proposal shall identify the principal supervisory and management staff of the firm, including engagement partners, managers, other supervisors, and Clerk, who will be assigned to the Town audit. Please indicate whether each person is licensed to practice as a Certified Public Accountant in Florida. The proposal shall also include the information on the auditing experience of each person on the team in government and utility audits as well as data processing auditing experience and expertise. Information should include relevant continuing professional education for the past two years, memberships in professional organizations and on standards setting advisory boards and committees relevant to the performance of this audit.

The proposer should include as much information on the staff that shall be engaged in this project as possible regarding their number, education, experience, and years in the field. The proposal shall also include how over the term of the project this level of staff quality shall be maintained.

Partners and staff working on this project may be changed during the term of this agreement only with the expressed prior written consent of the Town. The Town retains the right to approve or reject any replacement staff they deem not up to the approved original standards of the professional team.

6. Conflict of Interest
The proposal must also disclose any potential conflicts of interest due to any other clients' contract or property interest or **include a notarized statement certifying that no member of your firm's ownership, management, or staff currently have a vested interest which might be considered a conflict of interest.** Any potential conflict of interest listed by a firm will be reviewed by the Town Attorney to determine its substance. If the conflict of interest is found to be substantive, the proposal will be rejected.
7. Specific Audit Approach
The proposal must set forth a work plan, including an explanation of the audit methodology to be followed to perform the services required as described in this document. In developing the work plan, reference should be made to such sources of information as the Town's budget and related materials. Proposers will be required to provide the following information on their audit approach:
 - a. Proposed segmentation of the project
 - b. Staffing assignments
 - c. Extent of evaluation and use of electronic data processing software in the project (Town uses Microsoft Office, and Cougar Mountain Accounting)
 - d. Approach to be taken to gain and document an understanding of the Town's internal control structure
 - e. Approach to be taken in determining laws and regulations that be subject to audit test work
 - f. Approach to be taken in drawing audit test samples for compliance
 - g. Approach to be taken in reviewing financial statements
8. Proof of Professional Liability Insurance
Firms shall provide proof that they are in compliance with Rule 61H1-26.002, Florida Administrative Code, regarding Minimum Capitalization or Adequate Public Liability Insurance for Public Accounting Corporations.
9. External Quality Control Review
A copy of the firm's most recent external quality control review (peer review) should be submitted, along with a statement indicating whether quality reviews included a review of specific government projects. Also include information regarding AICPA practice section membership.
10. Drug Free Workplace
Each Firm must include a notarized statement regarding their Drug Free Workplace requirements. Copies of the companies' policies regarding this matter should also be included in the packet.
11. Assignment: Non-transferability of Proposal
Proposals shall not be assigned or transferred. A Proposer who is, or may be, purchased by or merged with any other corporate entity during any state of the Proposal process, through to and including award of and execution of a Contract, is subject to having its Proposal disqualified as a result of such transaction. The Town Commission will determine whether a Proposal is to be disqualified in such instances.

Timing of Audit and Assistance Provided

The State of Florida requires that annual audits be provided to them no later than June 30th each year. Generally, external auditors will begin some interim work in the fall of each year and then return in November to begin completion of the process. All audits shall be completed and the opinion letter, management letter, and requested reports or corrections submitted to the Town Manager no later than the end of February each year of the contract.

All required Finance, Billing and Management staff shall be available during the audit to assist the firm by providing information, documentation, and explanations.

Proposal Pricing Sheet

Provide a proposal containing a total price to perform the audit engagement as described in this request for proposals. The total all-inclusive maximum price bid is to contain all direct and indirect costs including all out-of-pocket expenses. The selected vendor agrees not to exceed this amount.

Basic Financial Statement	2022	2023	2024
Total Audit Fee			
Single Audit Fee			
Hourly Rate for Principals			
Hourly Rate for Employees			

Taxpayer Identification Number:

Company's Name

Signature of Authorized Representative

Printed Name and Title of Signatory

SECTION 5 – SELECTION, EVALUATION AND AWARD

As this is a multi-step evaluation process, the following is the outline of the selection and evaluation procedures:

Bids shall be received by staff, opened reviewed for correctness and completeness, and then present to the Commission acting as the Audit Committee for final award and approval.

Staff opening and reviewing the proposals shall have no part in the final consideration of award, however, they shall notify the Commissioner if a bid is deemed non-responsive due to the lack of required information, and the Commission shall then make a determination of acceptance or rejection of the proposal.

Firms shall be scored based on the information contained in the proposal ONLY.

Firms shall be ranked according to their firms:

1. Technical Qualifications (assessment of the firm's ability based on experience and qualifications of key team members, the firm capability to meet timelines and the firms record with regards to this type of work, i.e., client references) 0- 30 points
2. Written proposal (assessment of the firms understanding of the project and the Town's needs) 0-30 points
3. Price Proposal (firms proposed fee for services contemplated, which must contain all of the pricing information relative to this project as well as the additional pricing information on other services requested) 0-30 points
4. Other Factors (the Town shall asses the quality of the proposal and the ability of the proposer to fulfill the requirements of the RFP, the Town shall take into consideration past history of the proposer when working on other Town projects, years of experience working for other sister cities in the Tri-County area, other governmental client comments, and DRUG FREE WORKPLACE participation and Disbarred Vendors Form) 0-10 points

Selection Process:

The Commissioners shall review the information compiled on each firm by staff, and shall rank each proposal, based on the ranking criteria above, each firm shall be ranked separately, firms submitting a joint proposal shall be ranked as if they were one firm. Selection shall be made by the Commission after consideration of all scores, and in the event of a tie score the Commission has final approval over the selection and their decision shall be deemed the tie breaker.

Firms may be requested during the final selection process to give an oral presentation to the Commission this shall be done at the cost of the proposer, and no fee for this item shall be included in the firm's contract.

CONTRACT AWARD

The selected firm's technical proposal shall be incorporated into the final contract for services between the Town and the proposer. Any and all items concerning payment must be included in each firm's technical proposal, and in the fee proposal, items not included as requiring additional payment shall be considered part of the firms negotiated contract price for services and shall not be considered at a later date.

Indemnification

The Contractor shall agree to indemnify and save harmless the Town, its officers, agents, and employees, from and against any and all liability, claims, demands, fines, fees, expenses, penalties, suits, proceedings, actions and cost of action, including attorney's fees for trial and on appeal, of any kind and nature arising or growing out of or in any way connected with the performance of the contract whether by act or omission or negligence of the Contractor, its agents, servants, employees or other, or because of or due to the mere existence of the Contract between the parties.

Insurance

The Contractor shall provide proof of insurance in an amount noted below:

Workers Compensation Insurance providing coverage in compliance with Chapter 440, Florida Statutes.

Public Liability Insurance (other than automobile) consisting of broad form comprehensive general liability insurance including contractual coverage \$1,000,000 per occurrence (combined single limit for bodily injury and property damage).

The Town shall be an additional insured on such Public Liability Insurance and the Contractor shall provide copies of endorsements naming the Town as additional insured.

Automobile Insurance property damage in the amount of \$500,000 per occurrence (combined single limits for bodily injury and property damage).

The Contractor shall furnish the Town copies of the certificate of insurance in a form acceptable to the Town for all insurance required in the proposal. The Contractor must state that the Town will be given thirty (30) days' written notice prior to cancellation or material change in coverage.

Sovereign Immunity

Nothing in the executed contract shall be interpreted that the Town waives its sovereign immunity granted under Section 768.28 Florida Statutes.

Term

The term of the contract shall commence upon final execution and will continue for a period of three years, with the option by the Town upon satisfactory performance, to renew the contract for two additional one (1) year extensions, for a total term of five year (5).

Termination

The contract will provide termination by either party without cause upon 120 days with prior written notice given to the other party. In the event of termination of the contract payment for services rendered will be paid up until the final effective day of the contract. Without early termination the contract shall end no more than five years from the original date of execution.

Applicable Law

The contract and legal relations between the parties hereto shall be governed and construed in accordance with the laws of the State of Florida, venue in the courts of Levy County, Florida.

Joint Bidding/Cooperative Purchasing Agreement

All bidders submitting a response to this Request for Proposal agree that any joint proposals submitted bind all firms participating in that joint proposal equally. Each shall adhere to the requirements of this bid, and each shall submit a copy of the forms required in the bid packet, including but not limited to the Public Entity Crimes Forms, Drug Free Workplace, Insurance, Licensing, etc.

SECTION 6 – EXHIBITS:

Exhibit 1:

PROPOSER'S WARRANTY:

The undersigned person, by the undersigned's signature affixed hereon, warrants that:

1. The undersigned is an officer, partner or a sole proprietor of the firm and the enclosed proposal is submitted on behalf of the firm.
2. The undersigned has carefully reviewed all the materials and data provided on the proposal on behalf of the insurer, and, after specific inquiry, believes all the material and data to be true and correct.
3. The proposal offered by the insurer is in full compliance with the Minimum Qualifications of Proposer set for in Section II of this RFP.
4. The Proposer authorizes the Town, its staff, or consultants to contact any of the references provided in the proposal and specifically authorizes such references to release either orally or in writing any appropriate data with respect the Proposer offering this proposal.
5. The undersigned has specifically authorized to issue a contract in full compliance with all requirements and conditions, as set forth in this RFP, other than those deviations noted above.
6. If this proposal is accepted, the contract will be issued as proposed.

Name of Firm

Signature of Authorized Representative & Date Signed

Printed Name of Authorized Representative and Title

e-mail address and phone # for Representative

Exhibit II:

CONFLICT OF INTEREST FORM

Please Initial Beside Each Appropriate Section

_____ I hereby certify that my firm does not have any known conflict of interest in relation to this RFP. There are no officers, directors, elected officials, agents, or employees of the Town of Inglis that own, directly or indirectly any interest in my firm, or any of its branches, or currently receives insurance services from said firm.

_____ I also certify that no officer, employee, elected officials, or their delegates who exercise any bid award authority in regards to this project; have any interest, either direct or indirect, in any sale or contract or subcontract, or the proceeds thereof during their tenure, or for a period of one year after award of contract.

DISCLOSURE OF CONFLICT:

_____ I disclose the following potential conflict of interest between my firm and the Town of Inglis in regard to this RFP:

Responsible Party

Date

Printed Name of Notary

Notary Signature, Date

Seal:

AFFIDAVIT REGARDING PUBLIC ENTITY CRIMES

Pursuant to section 287.133 of the Florida State Statutes, I hereby certify that I have not been convicted of a public entity crime. I also certify that neither my name nor the name of my business appears on any convicted vendors list, nor does my business or I appear on any list of publicly disbarred vendors.

I also certify that I am not an affiliate of any person or business that has been convicted of a public entity crime; or business that appears on a list of publicly disbarred vendors.

Name: _____

Title: _____

Address: _____

Telephone and Fax #: _____

E-Mail: _____

Signature: _____

Date: _____

Printed Name of Notary: _____

Signature of Notary: _____

Notary Commission Expiration Date: _____

Exhibit III:

DRUG-FREE WORKPLACE FORM

The undersigned vendor for the Town of Inglis in accordance with Florida Statute 287.087 hereby certifies that _____ does:

(Name of Business)

1. Publish a statement notifying its employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for the drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
4. In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on or require 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.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

Proposer's signature

Date

Exhibit IV:

ACKNOWLEDGMENT OF RECEIPT OF ADDENDA

I The undersigned proposer hereby acknowledge the receipt of all addenda and have attached them to my proposal as required:

Authorized Representative

Note: Should NO Addenda be issued for this RFP, please put N/A in the signature line.