



**Request for Proposals
To Provide External Audit Services
For Fiscal Year
Ending June 30, 2023**

Release Date: April 07, 2023

Proposals Due:

5:00 P.M. April 27, 2023

The purpose of this Request for Proposal (RFP) is to obtain the services of a public accounting firm, whose principal officers are independent certified public accountants, hereinafter referred to as the "Offeror," to perform a financial and compliance audit of the Early Learning Coalition of Manatee County (The Coalition) for the fiscal year ending June 30, 2023, with the option to renew on a year-by-year basis for four additional fiscal years. Only licensed certified public accounting firms may respond to this RFP.

A. BACKGROUND OF THE EARLY LEARNING COALITION OF MANATEE COUNTY

The Coalition is a not-for-profit corporation organized under the laws of the State of Florida, a sub-recipient under Florida's Office of Early Learning (OEL) and has been determined to be exempt from federal income tax under Section 501 (c)(3) of the Internal Revenue Code. Administrative offices and all records are located at 600 8th Avenue West, Palmetto, Florida 34221.

The Coalition manages the programs that provide early education and child care for children in Manatee County. It employs 51 people in one location with an operating budget for the fiscal year ending June 30, 2023, of \$51,524,662. The Coalition maintains a voluntary retirement Annuity plan (403[b]) for its employees. All full-time employees are eligible for participation in the plan, upon completion of six (6) months of employment. In 1999, the State of Florida passed legislation (Florida Statute 411.01) creating local School Readiness Coalitions to enhance children's chances of achieving future educational success and becoming productive members of society. The Coalition is tasked with ensuring that parents are provided with the information necessary to prepare their children to enter school. The Coalition is also charged with ensuring that children eligible for subsidized child care receive quality services -- ensuring they are ready for school. In addition to these major tasks, the Coalition assists with the needs of children through age twelve by providing funding for after-school and summer programs.

In early 2005 Florida passed Voluntary Pre-Kindergarten legislation which placed local responsibility for the VPK program with the local school readiness coalitions. The coalitions have been named "Early Learning Coalitions" to reflect their role in meeting the early care and education needs of children and their families.

The Coalition Board of Directors has the responsibility of coordinating a local system of programs that work together in providing school readiness services for children birth to 5 years of age, and before and aftercare for school-age children. The Board of Directors is comprised of community leaders and includes representatives of childcare, businesses, Department of Children and Families, the Health Department, the Manatee County Public Schools, and other legislatively mandated members.

The Coalition has been audited for the fiscal year ended June 30, 2022. Per Florida Statutes, the accounting and financial reporting functions are centralized within the Coalition under Florida's Office of Early Learning. The Coalition's computers are networked and Abila MIP Fund Accounting software is used.

The Coalition's budget for School Readiness, Voluntary Pre-Kindergarten, VPK Outreach and Awareness, Performance Funding Project and other local grants and private contributions combined was \$39,584,947 for fiscal year ended June 30, 2022. Majority funding comes from federal and state awards as follows:

U.S. Department of Health and Human Services
Pass-Through from Florida's Office of Early Learning:

Child Care and Development Block Grant

CFDA Number 93.575

Child Care Mandatory and Matching Funds	
Of the Child Care and Development Fund	CFDA Number 93.596
Temporary Assistance for Needy Families	CFDA Number 93.558
Performance Funding Project	CFDA Number 93.575
Social Services Block Grant	CFDA Number 93.667

State of Florida Department of Education
Pass-Through from Florida’s Office of Early Learning

Voluntary Pre-Kindergarten Education Program CSFA Number 48.108

B. SCOPE OF WORK TO BE PERFORMED

The Coalition desires to receive the following financial and compliance services:

- **Financial Statement Audit:** The examination will be a financial and compliance audit made in accordance with General Accepted Auditing Standards (GAAP). The primary purpose of the audit is to express an opinion on the Coalition’s financial statements. The examination includes transactions and accounts that support the amounts in the financial statements and includes an overall review of the Coalition’s financial statements. The audit procedures used shall be sufficient to enable the respondent to express an opinion on the fairness of the Coalition’s presentation of its financial position, results of operations, and cash flows in accordance with United States generally accepted accounting principles. In addition, such procedures should be adequate to determine whether the Coalition operations were conducted in compliance with legal and regulatory requirements including Florida Statutes, Federal Laws, and the Coalition policies and procedures.
- **Review of Internal Control:** The Offeror is required to review the Coalition’s internal controls and obtain an understanding of the Coalition operations to properly plan auditing procedures, identify areas of potential misstatements, and assess fraud risk. In addition, the Offeror may need to test internal controls to assess the extent the controls can be relied upon to reduce testing procedures. Also, internal control testing will be required as part of the State and Federal Single audits. Internal control management letter comments and reportable conditions shall be communicated in writing in accordance with Generally Accepted Auditing Standards.
- **Single Audit:** The required audits are to be conducted in accordance with Generally Accepted Auditing Standards (GAAS), applicable auditing standards set forth in the Generally Accepted Government Auditing Standards (GAGAS) issued by the Comptroller General of the United States, the Federal Single Audit Act of 1984 (Public Law 98-502), the Federal Single Audit Act Amendments of 1996 (Public Law 104-156) and Office of Management (OMB) Uniform Grant Guidance (2 Code of Federal Regulations (CFS), Part 200, previously OMB Circular A-133), the Florida Single Audit Act (215.97 F.S. and Chapter 10.650, Rules of the Auditor General and Chapter 691-5, Rules of the Department of Financial Services).

In addition, the Federal Data Collection Form SF-SAC will be a required part of the Single audit under this audit contract.

- **Audit Report:** Independent Auditor’s report must include the following financial statements and reports:
 - Statements of Financial Position
 - Statements of Activities and Changes in Net Assets
 - Statements of Functional Expenses
 - Statements of Cash Flow
 - Notes to Financial Statements
 - Schedule of Findings and Questioned Costs Federal Awards and State Financial Assistance
 - Notes to the Schedules of Expenditures of Federal Awards, State Financial Assistance, and Local Awards
 - Independent Auditor’s 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
 - Independent Auditor’s Report on Compliance for each Major Federal Program and State project and on Internal Control over Compliance Required by the Uniform Guidance and Chapter 10.650, Rules of the Auditor General
 - Management Letter
 - Organization’s Response to Management Letter

- **Tax Services:** Form 990 – Return of Organization Exempt from Income Tax and Form 990-T – Exempt Organization Business Income Tax Return for all fiscal years covered under the engagement contract.

- **Working Papers:** All working papers and reports must be retained, at the auditor's expense, for a minimum of five (5) years, unless the firm is notified in writing by the Coalition of the need to extend the retention period. The auditor will be required to make working papers available, upon request to the following parties or their designees:
 - Florida's Office of Early Learning,
 - Parties designated by the Federal or State governments or by the Coalition as part of an audit quality review process, and
 - Auditors of entities of which the Coalition is a direct or indirect recipient or sub-recipient of grant funds

C. TIME REQUIREMENTS

- **Audit Commencement:** The Coalition will have all records prepared for the audit in a timely manner to meet the reporting deadline. All appropriate personnel will be available to meet with the successful respondent’s audit team upon acceptance of the proposal and execution of a contract.

- **Audit Plan:** The successful respondent shall work with the Coalition’s Chief Financial Officer, or designee, to develop a detailed plan for the audit for the fiscal year ended June 30, 2023, within 30 days of the execution of a contract. In each succeeding fiscal year for which audit services are

provided, a detailed plan will be arranged with the Chief Financial Officer or designee by May 31st of that year.

- **Fieldwork:** For the fiscal year ending June 30, 2023, and thereafter, fieldwork should commence sufficiently after the end of the fiscal year to ensure that the reporting deadlines outlined below are met.
- **Communication:** The Auditor shall communicate sufficiently with management and/or the Board, as necessary, scheduling conflicts, changes to the agreed-upon delivery date, the detection of violations of laws or agreements, fraud, or significant internal control weaknesses.
- **Reporting Deadlines:** The audit report, in its final form including the management letter, if any, shall be completed each year, with adequate time for management review, to be presented to the Executive/Finance Committee at its December meeting.

D. INSTRUCTIONS FOR THE EXTERNAL AUDITING SERVICES RFP

The purpose of the proposal is to demonstrate the qualifications, competence, and capacity of the firms seeking to undertake an independent audit of the Coalition in conformity with the requirements of this RFP. As such, the substance of proposals will carry more weight than their form or manner of presentation. The proposal should demonstrate the qualifications of the firm and of the staff to be assigned to this engagement. It should also specify an audit approach that will meet the RFP requirements. The proposal should address all the points outlined in the RFP. The proposal should be prepared simply and economically, providing a straightforward, concise description of the respondent's capabilities to satisfy the requirements of the RFP.

Provide responses to the following:

- **General Description of Scope of Work:** Provide a brief statement demonstrating the respondent's understanding of the work to be performed and a positive commitment to perform the work. There must be a discussion of how the respondent will perform each of the desired services that are listed in Section B: Scope of Work to be performed.
- **Approach to the Engagement:**
 - Describe the approach to be used in providing the audit services.
 - Describe the procedures to be used in documenting the internal control environment.
 - Describe the procedures used for assessing fraud risk and preparing audit responses in accordance with SAS 99.
 - Describe plans for obtaining an understanding of internal controls and the method to be used to test the effectiveness of internal controls.
 - Describe the procedures for reporting fraud, illegal acts, or significant internal control deficiencies to clients.
 - Describe the philosophy and procedures of formulating management letter comments.
- **Firm Profile and Qualifications:**
 - Communicate its experience in performing not-for-profit and governmental types of audits. Communicate its experience in preparing financial statements in compliance with

FASB Pronouncements and the GAAP hierarchy. Communicate its experience in performing state and federal single audits.

- Indicate whether it is a local, regional or national firm. In addition, give the location of the office from which the work is to be performed and indicate the number of partners, managers, supervisors, seniors and staff members that are employed by that office.
 - Describe the types of work offered by the local office such as auditing, write-up, tax, consulting, litigation support, and investment advisory services.
 - Indicate any disciplinary action taken against the respondent or any individual associated with the respondent by the State of Florida Board of Accountancy within the last three years.
 - Describe all lawsuits that were filed or are pending against the local office within the last three years.
 - Furnish its last peer review report and explain any significant weaknesses that were identified by the report.
- **Audit Team Members' Profiles and Qualifications:**
 - Identify the audit team that will be responsible for providing the required audit and tax services, including the partners, managers, supervisors, and staff. Resumes for each partner, manager, supervisor, senior, and staff to be assigned to the audit team should be submitted and the resumes should include the following information:
 - Formal education,
 - Continuing professional education relative to not-for-profit and governmental accounting and auditing,
 - Experience in public accounting in general
 - Experience in auditing not-for-profit and/or governmental entities, including the individual's current position held (partner, manager, supervisor, senior or staff)
 - Experience in computerized systems and technology,
 - Membership to various national and state accounting boards, committees or associations,
 - Professional licenses, such as a Certified Public Accountant,
 - Professional recognition such as community service, awards, etc.
 - Identify who would serve as the primary point of contact on the engagement.
- **References:** Provide at least three references of current clients within the not-for-profit industry. Provide the name and contact information of a responsible member of management, including, but not limited to the Chief Financial Officer and/or Chief Executive Officer.
 - **Cost of Services:**
 - Prepare a schedule of billing rates for the various levels of staff, together with an estimate of the number of hours it anticipates for completing the annual examination of the Coalition's financial statements and tax services separately. The rates and hours should be extended to present the total cost by level. Using these estimates, the respondent shall provide a not-to-exceed amount for the proposed audit services. The final contract will be based on the not-to-exceed amount.

• **Illustrative Guide for Reporting Cost of Services**

Staff Level	Hourly Billing Rate	Estimated Number of Hours	Estimated Charges	Responsibilities
Staff				
Senior				
Manager				
Partner				
Other				
Total	N/A			N/A

Fiscal Year Ending	Estimated Number of Hours	Amount Not to Exceed
June 30, 2023		
June 30, 2024		
June 30, 2025		
June 30, 2026		
June 30, 2027		

- **Prior Firm Not-for-Profit and Government Experience:** List all recent not-for-profit and governmental audit engagements.
- **Additional Information:** Please include any additional information not already requested that you consider essential to your response. If there is no additional information to include, state "There is no additional information we wish to present."

E. SELECTION METHOD AND INSTRUCTIONS

- **Evaluation Process:** Evaluation of each proposal will be scored on the following five evaluation criteria. In compliance with 2 CFR Part 200.319 – Competition, no geographic preferences will be given in the evaluation of this proposal, since the section states, “The non-Federal entity must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state or local geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference.” The Finance Committee (Committee) will evaluate the proposals and prepare recommendations for the Coalition Board of Directors. The proposals received will be reviewed in accordance with the criteria listed below. The Committee may ask additional questions to clarify the proposal submitted. The Committee shall make the final decision. When the Committee has selected the successful Offeror and the protest period has expired, contract negotiations will begin. If the contract agreement cannot be reached with the successful Offeror, negotiations with that firm will be formally terminated. The Committee would then negotiate with the Offeror until an agreement is reached. The Committee reserves the right to reject any or all proposals submitted.

- **Evaluation Criteria:**

Description of Criteria	Points
A. Approach to the Engagement	0-15
B. Firm Profile and Qualifications	0-25
C. Audit Team Members Profile and Qualifications	0-15
D. Cost of Services	0-20
E. Prior Not-For-Profit and Governmental Auditing Experience	0-25
Maximum Points	100

- **Applicable Timetable:**

	Event	Date
1	Solicitation for Audit Services proposals publicly noticed and RFP posted to elc-manatee.org	By 04/7/2023
2	Notification of intent to bid due by email to kgaylord@elc-manatee.org	04/13/23
3	Inquiry period via email to kgaylord@elc-manatee.org . Inquiries answered via e-mail reply to all responding with intent to bid	04/14/2023- 04/20/2023
4	Sealed proposal package due to address in section E Bidding Instructions below by 5PM	4/27/2023
5	Review of proposal packages by Procurement Committee	04/28/2023- 05/21/2023
6	Executive Board of the Coalition reviews and approves recommendations of the Procurement Committee.	06/07/2023
7	Coalition Board of Directors ratifies decision of Executive Board	06/21/2023
8	Posting of the selected vendor	06/22/2023
9	Protest period	06/23/2023- 06/29/2023
10	Negotiations take place	6/29/2023- 6/30/2023
11	Engagement contract to begin	7/1/2023

- **Bidding Instructions:** Each Offeror shall submit only one proposal per Bid Solicitation. A proposal shall consist of one manually signed original and 3 copies of the completed proposal. They shall be submitted in a sealed envelope or package bearing the title, "EARLY LEARNING COALITION OF MANATEE COUNTY EXTERNAL AUDITING SERVICES" along with the name and address of the organization submitting the proposal. Proposals should include a contact name and an e-mail address for correspondence and must be received through U.S. Mail, courier or hand delivery, no later than 5:00 P.M. on 4/27/2023 at the address below.

Early Learning Coalition of Manatee
County, Inc. Attn: Kerry Gaylord
600 8th Avenue West, Suite 100
Palmetto, FL 34221

- **Inquiries:** All inquiries related to this RFP are to be directed, via e-mail, to Kerry Gaylord, Chief Operations Officer at kgaylord@elc-manatee.org. Responses to written inquiries will be answered no later than 5:00 P.M. on April 27, 2023 via an email reply to all those responding with an intent to submit a proposal.

F. SUBMISSION OF PROPOSALS

Electronic and/or faxed bid submissions will not be accepted. Questions and/or comments may be addressed by contacting Kerry Gaylord at kgaylord@elc-manatee.org. Telephone inquiries will not be accepted. Any unauthorized contact may disqualify the bidder. All communications for bidders must be in writing and directed to the electronic address provided above.

G. AWARD NOTIFICATION

It is anticipated that a firm will be confirmed by June 22, 2023. Following notification to the selected firm, it is anticipated a contract will be executed between both parties by June 30, 2023.

H. CERTIFICATIONS

On behalf of the Offeror:

1. The individual signing certifies that he/she is authorized to contract on behalf of the Offeror.
2. The individual signing certifies that the Offeror is not involved in any agreement to pay money or other consideration for the execution of this agreement, other than to an employee of the Offeror.
3. The individual signing certifies that the prices in this proposal have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition.
4. The individual signing certifies that the prices quoted in this proposal have not been knowingly disclosed by the Offeror prior to an award to any other Offeror or potential Offeror.
5. The individual signing certifies that there has been no attempt by the Offeror to discourage any potential Offeror from submitting a proposal.
6. The individual signing certifies that the Offeror is properly licensed to practice public accounting.
7. The individual signing certifies that the Offeror meets the independence standards of the *Government Auditing Standards*.
8. The individual signing certifies that he/she is aware of and will comply with the GAO's continuing education requirement of 80 hours of continuing education every two years and that 24 hours of the 80 hours of education will be in subjects directly related to the government environment and to government auditing for individuals.
9. The individual signing certifies that he/she is aware of and will comply with the GAO requirement of an external quality control (peer) review at least once every three years.
10. The individual signing certifies that he/she has read and understands the following publications relative to the proposed audits:
 - a. *Government Auditing Standards* (Yellow Book)

- b. *Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (“Uniform Guidance”)*
 - c. *Audits of Not-for-Profit Entities (AICPA Audit Guide)*
 - d. *Audits of State and Local Governments (AICPA Audit Guide)*
11. The individual signing certifies that he/she has read and understands all the information in this RFP, including the information on the programs/grants/contracts to be audited.
 12. The individual signing certifies that the Offeror, and any individuals to be assigned to the audit, does not have a record of substandard audit work and has not been debarred or suspended from doing work with any federal, state, or local government. (If the Offeror or any individual to be assigned to the audits has been found in violation of any state or AICPA professional standards, this information must be disclosed.)

I. COMPLIANCE WITH LAWS, RULES AND REGULATIONS

The document found [here](#) includes a compilation of required disclosures from federal and state laws, rules, regulations, and grant award requirements. This is a reference tool provided to assist early education entities in supporting the preparation of contracts and other agreements.

NOTE: The issuance of this solicitation does not require the Coalition to enter into an agreement with any party. Further, the Coalition reserves the right to withdraw or change this Request for Proposals at any time when doing so is in the best interest of the Coalition.

APPENDICES

Appendix A

Proposal Evaluation Criteria

Appendix B

Acceptance of Contract Terms and Conditions – Signature Required

Appendix C

Statement of No Involvement – Signature Required

Appendix D

Statement of Assurances – Signature Required; 2 Witness Signatures Required

Appendix E

Certification Regarding Debarment, Suspension, and Other Responsibility Matters; Primary Covered Transactions – Signature Required

Appendix F

Sworn Statement Pursuant to Section 287.133(3)(A), Florida Statutes on Public Entity Crimes – Signature Required; Notary Required

Appendix G

Statement of Non-Discrimination – Signature Required

Appendix H

Certification Regarding Lobbying – Signature Required

Appendix I

Certification Regarding Drug-Free Workplace - Signature Required

Appendix A

PROPOSAL EVALUATION CRITERIA

THE FOLLOWING TO BE COMPLETED BY PROCUREMENT COMMITTEE

Fatal Criteria (Proposals will not be reviewed, if all fatal criteria are not met)	Evaluation
1. Notice of Intent to Bid was received by the time and date specified	<input type="checkbox"/> YES <input type="checkbox"/> NO
2. Proposal was received by the time and date specified	<input type="checkbox"/> YES <input type="checkbox"/> NO
3. Original and three (3) copies of the Proposal were submitted	<input type="checkbox"/> YES <input type="checkbox"/> NO
4. Original sets of Appendices B-I were submitted	<input type="checkbox"/> YES <input type="checkbox"/> NO
DID PROPOSAL MEET ALL FATAL CRITERIA?	<input type="checkbox"/> YES <input type="checkbox"/> NO

Review Criteria	Rating
4. The narrative described in detail how the proposed facility would meet <u>all</u> the specifications and requirements	<input type="checkbox"/> 3 = Outstanding <input type="checkbox"/> 2 = Adequate <input type="checkbox"/> 1 = Inadequate
5. Evidence of experience (review narrative, customer lists, and sample of work)	<input type="checkbox"/> 3 = Outstanding <input type="checkbox"/> 2 = Adequate <input type="checkbox"/> 1 = Inadequate
6. The timeline was reasonable/workable	<input type="checkbox"/> 3 = Outstanding <input type="checkbox"/> 2 = Adequate <input type="checkbox"/> 1 = Inadequate
7. The proposed cost <input type="checkbox"/>	<input type="checkbox"/> 3 = Outstanding <input type="checkbox"/> 2 = Adequate <input checked="" type="checkbox"/>
Total Score	

PROCUREMENT COMMITTEE MEMBER NAME:

Appendix B

ACCEPTANCE OF CONTRACT TERMS AND CONDITIONS

If _____ should be awarded a Contract, the company
Company Name
will comply with all the terms and conditions contained in Contract.

Signature of Authorized Official*

Date

Name (Print)

Title (Print)

*An authorized official is an officer of the Offeror's organization who has legal authority to bind the Proposer to the provisions of the Proposal. This usually is the President, Chairman of the Board, Executive Director, or owner of the entity. A document establishing delegated authority must be included with the Proposal if signed by other than the President, Chairman, Executive Director, or owner.

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Appendix C

STATEMENT OF NO INVOLVEMENT

I, _____, as an authorized representative of
_____, certify that no member of this firm, or any person
having interest in this firm, has been awarded a Contract by the Early Learning Coalition of Manatee
County on a noncompetitive basis to:

- 1) Develop this Request for Proposal
- 2) Perform a feasibility study concerning the scope of work contained in this RFP; or
- 3) Develop a program similar to what is contained in this RFP.

Signature of Authorized Official

Date

Appendix D

STATEMENT OF ASSURANCES

The Offeror assures the following itemized requirements and conditions will be met:

- 1) The Offeror has the ability to provide directly all products/services described in this RFP and resulting Contract.
- 2) The Offeror will accept accountability for meeting the performance standards established by the Coalition related to the products/services described in this RFP.
- 3) The Offeror assures that there are no continuing or frequently recurring conflicts between the Offeror's private interests and the performance of the Offeror's duties in the public interest.

Signature of Authorized Official

Date

Witness

Date

Witness

Date

Appendix E

**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, 29 CFR Part 98, Section 98.510, Participants Responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160 – 19211).

- 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 debarment, and declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency.
 - b. Have not within a three (3) year period preceding this Contract 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 government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph 1.b. of this certification.
 - d. Have not within a three (3) year period preceding Proposal had one or more public transactions (Federal, State, 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 participant shall attach an explanation to this Proposal.

Name and Title of Authorized Official (Please Print)

Signature

Date

Appendix F

**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 by _____

for _____,

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 and 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 and services to be provided to any public entity or any agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy or material misrepresentation.
3. I understand the “convicted” or “conviction” as defined in Paragraph 287.133(l) (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(l) (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 who has been convicted of a public entity crime. The term “affiliate” included 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 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 thirty six (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 and services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

6. Based on information and belief, the statement, which I have marked below, is true in relation to the entity submitting this sworn statement. [Indicate which statement applies.]

_____ Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate or the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity 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 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31 OR 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 of Authorized Official

Date

Sworn to and subscribed before me this _____ day of _____ 20____.

Personally known _____ Or produced identification _____

Notary: _____

Notary Seal

Appendix G

STATEMENT OF NON-DISCRIMINATION

Public Law 105-220, Sec. 188 Nondiscrimination

(a) In General.--

- (1) Federal financial assistance.—For the purpose of applying the prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), on the basis of disability under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), on the basis of sex under title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), or on the basis of race, color, or national origin under title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), programs and activities funded or otherwise financially assisted in whole or in part under this Act are considered to be programs and activities receiving Federal financial assistance.
- (2) Prohibitions of discrimination regarding participation, benefits, and employment.—No individual shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with, any such program or activity because of race, color, religion, sex (except as otherwise permitted under title IX of the Education amendments of 1972), national origin, age, disability, or political affiliation or belief.
- (3) Prohibition on assistance for facilities for sectarian instruction or religious worship.—Participants shall not be employed under this title to carry out the construction, operation, or maintenance of any part of any facility that is used or to be used for sectarian instruction or as a place for religious worship (except with respect to the maintenance of a facility that is not primarily or inherently devoted to sectarian instruction or religious worship, in a case in which the organization operating the facility is part of a program or activity providing services to participants).
- (4) Prohibition on discrimination on basis of participant status.—No person may discriminate against an individual who is a participant in a program or activity that receives funds under this title, with respect to the terms and conditions affecting, or rights provided to, the individual, solely because of the status of the individual as a participant.
- (5) Prohibition on discrimination against certain non-citizens.—Participation in programs and activities or receiving funds under this title shall be available to citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and other immigrants authorized by the Attorney General to work in the United States.

The undersigned has read and agreed to the statements described above.

Name and Title of Authorized Official

Signature

Date

Appendix H

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

- 1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or an employee of any agency, a member of congress, an officer or employee of congress, or an employee or member of congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- 2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of congress, an officer or employee of congress, or an employee of a member of congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- 3) The undersigned shall require that the language of this certification be included in the award documents for all* sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all* subrecipients shall certify and disclose accordingly.

This certification is material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Name and Title of Authorized Official

Signature

Date

*NOTE: - In these instances, "All" in the Final Rule is expected to be clarified to show that it applies to covered Contract/Grant transactions over \$100,000 (per OMB).

Appendix I

CERTIFICATION REGARDING DRUG-FREE WORKPLACE

Pursuant to the Drug-Free Workplace Act of 1988 and its implementing regulations codified at 29 CFR 98, Subpart F. I, _____, the undersigned, in representation of _____, the Contractor, attest and certify that the Contractor will provide a drug-free workplace by the following actions.

- A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Contractor's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
- B. Establishing an ongoing drug-free awareness program to inform employees concerning:
 - 1. The dangers of drug abuse in the workplace.
 - 2. The policy of maintaining a drug-free workplace.
 - 3. Any available drug counseling, rehabilitation and employee assistance programs.
 - 4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- C. Making it a requirement that each employee to be engaged in the performance of the Contract be given a copy of the statement required by paragraph 1.
- D. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the Agreement, the employee will:
 - 1. Abide by the terms of the statement.
 - 2. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction.
- E. Notifying the agency in writing ten (10) calendar days after receiving notice under subparagraph 4.b. from an employee or otherwise receiving actual notice of such conviction. We will provide such notice of convicted employees, including position title, to every Grant officer on whose grant activity the convicted employee was working. The notice shall include the identification number (s) of each affected Contract/Grant.
- F. Taking one of the following actions, within thirty (30) calendar days of receiving notice under subparagraph 4.b., with respect to any employee who is so convicted.
 - 1. Taking appropriate personnel action against such an employee, up to and including termination consistent with the requirements of the Rehabilitation Act of 1973 as amended.

- 2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local, health, law enforcement or other appropriate agency.

- G. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5, and 6.

- H. Notwithstanding, it is not required to provide the workplace address under the Agreement. As of today, the specific sites are known and we have decided to provide the specific addresses with the understanding that if any of the identified places change during the performance of the Contract, we will inform the agency of the changes. The following are the sites for the performance of work done in connection with the specific Contract including street addresses, city, county, state and zip code:

Check () if there are workplaces on files that are not identified here.
Check () if any additional page was required for the listing of the workplaces.

CERTIFICATION

I declare under penalty of perjury under the laws of the United States and under the penalties set forth by the Drug-Free Workplace Act of 1988, that this certification is true and correct.

Signature of Authorized Official

Date