



EARLY LEARNING COALITION OF BREVARD COUNTY, INC.

**REQUEST FOR PROPOSALS
ELCBRFP12.13.01**

for

EXTERNAL AUDITING SERVICES

ISSUED JULY 20, 2012

**DEADLINE FOR RECEIPT OF RESPONSES
August 8, 2012 @ 12:00 pm EST**

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SECTION 1: GENERAL INFORMATION

1.1 INTRODUCTION

Legislation enacted by the Florida Legislature, entitled the *School Readiness Act of 1999, Florida Statute, 411.01 as amended* (the "Act"), created Florida's Office of Early Learning to provide a unified approach to coordinate and enhance School Readiness programs with responsibility for adopting and maintaining coordinated programmatic, administrative, and fiscal policies and standards for all School Readiness programs. The Act, as amended, authorized the formation of the Early Learning Coalitions representing Florida's counties. The Coalitions are each responsible for developing a plan and administering local School Readiness programs.

Pursuant to the Act, Florida's Office of Early Learning (FOEL) is charged with the responsibility for administering the School Readiness programs at the state level and is required to have a budget for the School Readiness system to be financed through an annual appropriation. Each Early Learning Coalition is responsible for administering the School Readiness program at the local level. The Early Learning Coalition of Brevard County, Inc. (hereinafter referred to as "Coalition"), a 501(c)3, non-profit corporation, was created to fulfill the intent of this legislation at the local level. Its governing board consists of no more than 15 members of the local community. Its mission is to provide leadership and support for School Readiness and Voluntary Pre-kindergarten programs so that children have the opportunity to benefit from the highest quality early learning environments.

The local Early Learning Coalition's role is to develop and administer comprehensive School Readiness and Voluntary Pre-Kindergarten programs that prepare children to succeed in school and in life. This ongoing process involves building on existing services, working in cooperation with other programs for young children and coordinating and integrating program funding and services to achieve efficiency, accountability, and full effectiveness.

1.2 STATEMENT OF PURPOSE

Responses to the Early Learning Coalition of Brevard County, Inc's Request for Proposals, Solicitation Number: ELCBRFP12.13.01 (referred hereinafter as the "RFP") will be received by the Coalition until **12:00 p.m. on Wednesday, August 8, 2012** at the Coalition's Main Office located at 1018 Florida Avenue, Rockledge, FL 32955. The Proposals received by this date and time will be publicly opened and read at **12:15 p.m. on Wednesday, August 8, 2012** in the Coalition's Conference Room, Main Office, 1018 Florida Avenue, Rockledge, FL 32955. No Proposal or modification to Proposal will be considered after the time and date specified in this RFP for receiving Proposals. Persons or entities desiring to submit a response to the RFP shall deliver its Notice of Intent to Submit a Proposal (Appendix A) to the Coalition no later than **12:00 p.m. on Thursday, July 26, 2012**. Electronic submissions will not be accepted for the Notice of Intent.

The Coalition will contract for all services described herein Section 3 of this RFP. The Coalition has determined that an Invitation to Bid for this purpose is not practicable and, as such, the contractual services herein will be procured by competitive sealed proposals.

It is the Proposer's responsibility to examine the RFP, become familiar with all statutes, laws and rules affecting this RFP (including, without limitation, § 411.01, F.S. and §1002.53 F.S.) to determine that the Coalition's requirements are clearly stated, and to submit its Proposal in a timely, complete, and procedurally correct manner. The services described in this RFP will be procured in accordance with § 411.01(5)(e)1 and § 287.057, F.S. The Contract will be awarded through written notice to the qualified and responsive Proposer whose Proposal is determined to be the most advantageous to the Coalition, taking into consideration price, quality, and other criteria.

1.3 DEFINITIONS

Amendment. A document by which changes are made to the terms of an executed contract. (Changes requiring an amendment include but are not limited to, adjustments in costs, services, time period and methods of payment. The amendment is incorporated as part of the original Contract.)

Coalition. The Early Learning Coalition of Brevard County, Inc.

Contract. An agreement between the Coalition and the successful proposer for the procurement of services requested in this Request for Proposal.

Contract Compliance Coordinator. The Coalition employee designated by the Coalition to be responsible for managing the contract. This individual enforces execution of the contract terms and conditions and often serves as liaison between the Coalition and the contractor.

Contractor. A proposer that is awarded a contract as a result of this Request for Proposals.

Day(s). Shall mean calendar days, unless otherwise specified.

Deliverable. A negotiated service or work product specified in the Contract.

ELCB. Abbreviation for the Early Learning Coalition of Brevard County, Inc. used in this document and in Coalition business.

Exhibit. A document or material object added to the Contract's Attachment I or any other specific attachment.

Fiscal Year. An accounting period of 12 months; for the purposes of this RFP and resulting contracts, the fiscal year is July 1 through June 30.

Florida Statute 411 (F.S. 411, the School Readiness Act): A statute created by legislation that describes the overall requirements and program parameters and components of the school readiness initiative. This statute is subject to amendments by the Florida Legislature.

Invoice. A standardized form used by the Contractor to request payment from the Coalition.

Method of Payment. A payment specification that includes the maximum dollar amount of the Contract, the manner in which Contract costs will be displayed on invoices, the frequency with which invoices will be submitted to the Coalition and any special conditions pertaining to payment of Contract invoices.

FOEL. Florida's Office of Early Learning based in Tallahassee.

Proposer. The entity making an offer to the Coalition in response to this Request for Proposals.

"Proposal" or "Response". A document submitted by the Proposer in response to this RFP.

RFP. This Request for Proposals.

You and Your. The same as the term "Proposer."

SECTION 2: GENERAL INFORMATION

2.1 CONTACT PERSON

This RFP has been issued by the Early Learning Coalition of Brevard County, Inc. The contact person listed below is the sole point of contact for this RFP. The contact person for this RFP is:

Cathie Odom, Director of Business Operations
Early Learning Coalition of Brevard County, Inc.
PO Box 560692
Rockledge, Florida 32956
(321) 637-1800 ext. 2010
codom@elcbrevard.org

Entities requesting a copy of the RFP may pick up a copy at 1018 Florida Ave., Rockledge, FL or may download the document as a PDF file on the Coalition's website: www.elcbrevard.org.

2.2 LIMITATIONS ON CONTACTING EARLY LEARNING COALITION PERSONNEL

Effective with the date of release of this solicitation and ending at the end of the 72-hour period following the Coalition's posting the Notice of Intended Award excluding Saturdays, Sundays, and State holidays, no person, entity or other organization (or any person, entity or organization acting on his/her/its behalf) that anticipates submitting a Proposal pursuant to this solicitation shall discuss with any Coalition personnel or Board member other than the person named above regarding this RFP solicitation. Any occurrence of a violation may result in the disqualification of the Proposer. Please refer to Section 2.6 for instructions regarding inquiries.

2.3 SCHEDULE OF EVENTS AND DEADLINES*

ACTIVITY	DATE	TIME	ADDRESS
Request for Proposal Advertised	07.20.12	N/A	N/A
Request for Proposal Released and posted on the ELC website	07.20.12	N/A	www.elcbrevard.org
Notice of Intent to Submit a Proposal to be received by the Coalition no later than:	07.26.12	12:00 p.m.	1018 Florida Ave. Rockledge, FL 32955
Last day to submit Written Inquiries to the Coalition	07.30.12	5:00 p.m.	1018 Florida Ave. Rockledge, FL 32955
Coalition's Response to Written Inquires (Posted to ELC Website)	08.02.12	9:00 a.m.	www.elcbrevard.org 1018 Florida Ave. Rockledge, FL 32955
Sealed Proposals must be received	08.08.12	12:00 p.m.	1018 Florida Ave. Rockledge, FL 32955
Proposals will be opened by the Coalition	08.08.12	12:15 p.m.	1018 Florida Ave. Rockledge, FL 32955
*Initial Meeting of Evaluation Committee	08.08.12	2:30 p.m.	Berman Hopkins CPAs 8035 Spyglass Hill Road 2 nd Floor Melbourne, FL 32940
*Final meeting of Evaluation Committee	08.16.12	1:30 p.m.	Berman Hopkins CPAs 8035 Spyglass Hill Road 2 nd Floor Melbourne, FL 32940
*Coalition Board Approval of Contract	08.21.12	4:00 p.m.	1018 Florida Ave. Rockledge, FL 32955
Effective date of Contract	09.15.12		N/A

**These dates and locations are subject to change. Proposers will be notified of any changes made to the schedule of events. Notifications of changes will be posted at www.elcbrevard.org*

2.4 NOTICE OF INTENT TO SUBMIT A PROPOSAL

Any interested proposer must submit a "Notice of Intent to Submit a Proposal" form (**Appendix A**) no later than **12:00 pm on Thursday, July 26, 2012**:

Early Learning Coalition of Brevard County, Inc.
1018 Florida Ave.
Rockledge, Florida 32955
Attention: Cathie Odom

The purpose of the Notice of Intent is to provide the Coalition with the address and contact person for each Proposer so that any notices can be forwarded appropriately. **ANY PERSON OR FIRM THAT FAILS TO SUBMIT A NOTICE OF INTENT TO SUBMIT A PROPOSAL BY THE DEADLINE SET FORTH SHALL BE EXCLUDED FROM THE RFP PROCESS.** Electronic transmissions of proposals **will not** be considered responsive.

2.5 PROPOSER'S CONFERENCE

There will be **NO** Proposer's conference; however there will be one (1) time period within which Proposers may submit written inquiries to the Coalition for the purpose of obtaining clarification or responses to questions concerning any matter relating to this RFP solicitation. The time period within which the Coalition will be receiving written inquiries are set forth in the Calendar of Events.

2.6 WRITTEN INQUIRIES

All inquiries requesting clarification regarding this RFP must be made in writing by certified mail or e-mail return receipt requested, to the contact person identified in Section 2.1 of this document no later than **5:00 pm on Monday, July 30, 2012**. Copies of responses to all inquiries which require clarifications and/or addenda to the RFP will be posted on the Coalition's website at www.elcbrevard.org on **Wednesday, August 1, 2012**.

As stated in Section 2.2, Proposers **may not** individually ask questions of Coalition Board Members or staff of the Coalition outside of the contact person identified in Section 2.1 from the time this RFP is advertised through the final award posting in reference to this RFP.

2.7 ADDENDA

The Coalition has, at its sole discretion, the absolute right to cancel, amend, modify, supplement or clarify this RFP solicitation at any time. If any solicitation revisions become necessary or appropriate, as determined by the Coalition, the Coalition will electronically post the addenda to the Coalition's website at www.elcbrevard.org. Proposers are responsible for checking the Coalition website and contacting the Coalition's Point of Contact for this solicitation before the RFP deadline to ascertain whether any addenda have been issued. Failure to do so could result in a Proposal being determined as non-responsive.

2.8 ACCEPTANCE / REJECTION OF PROPOSALS AND WAIVER OF IRREGULARITIES

All Proposals must be received by the Coalition **no later than 12:00 pm on Wednesday, August 8, 2012**, at:

Early Learning Coalition of Brevard County, Inc.
1018 Florida Ave.
Rockledge, FL 32955
Attn. Cathie Odom

The Proposers must follow the detailed instructions in Section 5 of this RFP regarding number of copies and how to submit a proposal.

PROPOSALS NOT RECEIVED AT EITHER THE SPECIFIED PLACE OR BY THE SPECIFIED DATE AND TIME OR BOTH, WILL BE REJECTED AND RETURNED UNOPENED TO THE PROPOSER BY THE COALITION. FACSIMILES OR ELECTRONIC TRANSMISSIONS WILL NOT BE ACCEPTED AT ANYTIME.

At the sole discretion of the Coalition, the Coalition reserves the right to reject any and all Proposals or to waive any minor irregularities, defects, irregularities, informalities or technicalities therein, to negotiate Contract terms with the successful Proposer, to disregard all non-conforming or non-responsive parts of the Proposal, or to accept any Proposal which, in the Coalition's sole judgment would be in the best interest of the Coalition and the children of Brevard County. A *minor irregularity* is defined as a variation from the RFP terms and conditions that does not affect the price of the Proposal or does not give the proposer an advantage or benefit not enjoyed by other proposers, or does not adversely impact the interest of the Coalition. Please refer to Section 6 for more details. The Coalition reserves the right to cancel this RFP solicitation at any time without any liability and to cancel the award of any Contract at any time before execution of said Contract by all parties without any liability to the Coalition. In consideration of the Coalition's evaluation of submitted Proposals, the Proposer, by submitting its Proposal, expressly waives any claim to damages, of any kind whatsoever, in the event the Coalition exercises its rights provided for this Section 2.8.

2.9 PROPOSER DISQUALIFICATION

- 2.9.1 **Convicted Vendor.** In accordance with § 287.133, Fla. Stat., persons and affiliates who have been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies 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 any public entity; and may not transact business with any public entity in excess of the threshold amount provided in § 287.017, Fla. Stat., for Category Two for a period of thirty-six (36) months following the date of being placed on the convicted vendor list. Any Proposal received from a person, entity or affiliate who has been placed on the convicted vendor list shall be rejected by the Coalition as an unresponsive Proposal and shall not be further evaluated.
- 2.9.2 **Discriminatory Vendor.** In accordance with § 287.134, Fla. Stat., an entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies 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 any public entity; and may not transact business with any public entity. Any Proposal received from a person, entity or affiliate who has been placed on the discriminatory vendor list shall be rejected by the Coalition as an unresponsive Proposal and shall not be further evaluated.
- 2.9.3 **Failure to Perform Prior Contracts.** Failure to have performed any contractual obligations with the Coalition in a manner satisfactory to the Coalition will be a sufficient cause for disqualification. To be disqualified as a Proposer under this provision, the Proposer must have:
- 2.9.3.1. Previously failed to satisfactorily perform in a contract with the Coalition, been notified by the Coalition of the unsatisfactory performance, and failed to correct the unsatisfactory performance to the satisfaction of the Coalition; or,
 - 2.9.3.2. Had a contract terminated for cause by the Coalition, by any agency of the State of Florida, or by any Children's Services Council.

2.10 PUBLIC OPENING

Proposals shall be opened on the date and at the time and location specified on the **Calendar of Events, Section 2.3**. Proposers may, but are not required to, attend. Any person requiring a special accommodation because of a disability should contact the Point of Contact for this RFP solicitation at least five (5) workdays prior to the solicitation opening.

2.11 PUBLIC RECORDS / PROPOSER TRADE SECRETS

Article 1, Section 24 of the Florida Constitution and Chapter 119, F.S., guarantees every person access to all public records. All information contained within each Proposal submitted to the Coalition pursuant to this RFP is part of the public domain, consistent with Chapter, 119, F.S. Proposers must invoke the exemptions to disclosure provided by law, in their Proposals by providing the specific statutory authority for the claimed exemption, identifying the data or other materials to be protected, and state the reason, in writing, why the exclusion from public disclosure is necessary. Such claimed exempt information shall be segregated from the remainder of the Proposal. All Proposals will be open for public inspection in accordance with Chapter 119, F.S., except for any information that qualifies as exempt information under Florida Statutes and which has been identified by the Proposer. Proposer agrees that no right or remedy for damages shall be had against the Coalition that arises from any disclosure made by Coalition herein, in good faith, pursuant to Chapter 119, F.S. Further, Proposer agrees that it shall indemnify, defend and hold the Coalition harmless from and against any losses, expenses, liabilities, costs, (including court costs and reasonable attorney's fees and costs), claims or actions by a third party that relates to Proposer's claimed exemptions herein.

2.12 EVALUATION PROCESS

The Coalition shall conduct a comprehensive review of the responses to the solicitation by convening a proposal evaluation committee. Responses will be evaluated using the RFP Evaluation Form, which has two sections, Initial Screening and Qualitative Evaluation Criteria. The initial screening consists of a series of pass or fail questions that ensure respondents meet certain compliance items. Responses that are incomplete or do not satisfactorily address every requirement may be disqualified (see Appendix J). The second portion, Qualitative Evaluation Criteria, is based on RFP Section 3, Service Requirements and assigns a maximum point value to a series of questions that ensure the respondents have satisfactorily addressed each and all requirements. A Proposer may include additional information and such information may or may not be considered by the Coalition during the evaluation process. If the respondent includes additional information, such additional information shall accompany the requirement to which it applies or which it illustrates. Proposers are requested to be concise, yet complete in their responses.

The evaluation process is designed to assess the Proposer's ability to meet the Coalition's requirements and to identify those Proposers likely to satisfy those requirements. The evaluation process will be conducted in a thorough and impartial manner at a proposal evaluation committee meeting held according to section 286, FS. Proposers are advised to periodically check the Coalition website (www.elcbrevard.org) for the scheduled date, time and location of this session, should changes occur.

Subsequent to the end of the evaluation process, the proposal evaluation committee will rate Proposers, who in their judgment, best meet the needs and requirements of the Coalition. While price is an important factor in selecting Proposer(s) for an award, other factors in the competitive process will be considered and may take precedence over price. Those factors may include: quality of service offered, operating characteristics, technical innovations, administrative capacity, previous experience in providing the same or similar services, and the ability to achieve the deliverables as specified in Section 3. The Coalition's Board of Directors, in its sole discretion, may elect not to award a contract to any Proposer under this solicitation. Proposer(s) may be selected for further evaluation in the context of an oral presentation, in-person interview, conference call, or a combination of the foregoing. References may be checked and background checks may be performed to verify information submitted in the proposal(s).

The factors show in the following table will be considered in scoring the quality of the written responses and it is in the Proposer's best interest to address these factors in its response.

Qualitative Evaluation Criteria

EXTERNAL AUDITING SERVICES	
Organizational Capacity <ul style="list-style-type: none"> • Seasoned firm with knowledge in programmatic monitoring for Federal and State Funded programs. 	Points 35
Specifications <ul style="list-style-type: none"> • At least 5 years relevant experience 	15
<ul style="list-style-type: none"> • Licensed CPA and local presence 	15
Documentation <ul style="list-style-type: none"> • Report Format and Content 	20
Pricing <ul style="list-style-type: none"> • Costs within a range of \$18K - \$23K 	10
<ul style="list-style-type: none"> • Match proposed 	5
Total Evaluation Points for External Auditing Services	100

2.13 PROTEST OR DISPUTES

Any person who believes that he or she is adversely affected by the Coalition’s decision concerning a procurement solicitation or Contract award and who wants to protest such decision shall file a protest in compliance with Subsection 120.57(3), Florida Statutes and Rule 60A-1.006(6), Florida Administrative Code. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. This protest must be filed within the 72 hour posting period. Failure to file a protest within the time prescribed shall constitute a waiver of the proceedings under Chapter 120, F.S.

Any Proposer who desires to file a formal protest to this RFP, must accompany that protest with a bond payable to the Coalition in an amount equal to one percent of the Coalition’s estimate of the total volume of the Contract or \$5,000, whichever is less, which bond shall be conditioned upon the payments of all costs that may be adjudged against the protest filer in the administrative hearing in which the action is brought and in any subsequent appellate court proceeding. In lieu of a bond, the Coalition may accept a cashier’s check or a money order in the amount of the bond. Failure to file the proper bond at the time of filing the formal written protest will result in a denial of the protest

2.14 NOTICE OF CONTRACT AWARD

The Coalition anticipates awarding a single Contract to the responsible and responsive Proposer for each applied component whose Proposal is determined, in writing, to be the most advantageous to the Coalition, taking into consideration the price and the other criteria set forth in this RFP. The Coalition will electronically post a Notice of its Intended Award at the Coalition’s website following the Coalition selection of the Successful Proposer. If the notice of award is delayed, in lieu of posting the notice of intended award, the Coalition will post a notice of the delay and a revised date for posting the notice of intended award.

2.15 NO DISCRIMINATION/IDENTICAL OR TIE RESPONSES

The Coalition, in accordance with Title VII of the Civil Rights Act of 1964, ensures that in any Contract entered into pursuant to this Request for Proposals, minority business enterprises will be afforded full

opportunity to submit Proposals and will not be discriminated against on the grounds of race, color, or national origin in consideration of award.

The Coalition will follow the laws set forth in §287.057, F.S., when evaluating identical responses from multiple Proposers. If two equal responses to an RFP are received and only one response is from a certified minority business enterprise, the Contract shall be awarded to the certified minority business enterprise pursuant to § 287.057(12), F.S.

2.16 COMPLIANCE WITH LAWS/RULES/REGULATIONS

The Successful Proposer shall for itself, and it shall cause each of its employees, agents, representatives, contractors and subcontractors to continuously comply with any and all federal, state, and local laws, rules, regulations, codes, ordinances, statutes and orders of any public authority bearing on the performance of the awarded Contract by Proposer. The Successful Proposer shall ensure throughout the duration of the Contract that it, and all of its contractors and subcontractors of any tier, shall be properly licensed and certified continuously throughout the duration of all work performed and services provided in accordance with the resulting Contract. All such licensing and certification shall be at the sole cost of each contractor and subcontractor. Upon request, Proposer shall furnish to the Coalition copies of any licenses, permits or certifications required to comply with any law, rule, regulation, code, ordinance, statute and order referenced herein.

2.17 COST OF PREPARATION OF PROPOSAL

The Coalition is not liable for any costs incurred by Proposer in responding to this Request for Proposal.

2.18 EMPLOYMENT/RETENTION OF UNAUTHORIZED ALIENS

The Coalition shall consider the employment or retention by any Proposer of unauthorized aliens a violation of section 274A(e) of the Immigration and Nationality Act. Such violation shall be cause for rejection of the Proposal or, if subsequently discovered, for unilateral cancellation of the Contract without any liability to the Coalition.

2.19 STATE OF FLORIDA PUBLIC ENTITY CRIME

As required by Section 287.133, Florida Statutes, the following restrictions are placed on the ability of persons convicted of public entity crimes to transact business with the Coalition. When a person or affiliate has been placed on the convicted vendor list following a conviction for a public entity crime, he/she 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 a public entity, may not be awarded or performed work as a Contractor, supplier, subcontractor or consultant under a contract with any public entity and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

Any bid or Proposal received from a person or affiliate who has been placed on the convicted vendor list shall be rejected by the Coalition as an unresponsive bid or Proposal and shall not be further evaluated.

2.20 TRADE SECRETS

The Coalition will attempt to afford protection from disclosure of any trade secret as defined in Section 812.081, Florida Statutes, where identified as such in the response to this RFP, to the extent permitted under Section 815.04, Florida Statutes. Any prospective vendor or Proposer acknowledges, however, that the protection afforded by Section 815.04, Florida Statutes, is incomplete, and it is hereby agreed by the Proposer and the Coalition that no right or remedy for damages arise from any disclosure.

2.21 BACKGROUND SCREENING - POSITIONS OF SPECIAL TRUST

In accordance with Section 110.1127(3)a, Florida Statute, certain positions are designated, due to their nature, to be positions of special trust because they involve access to confidential information and as such, are subject to background screening pursuant to section 435.04, Florida Statute, as a condition of employment or contract. As a result of this special trust, the successful proposer agrees that upon award of contract, all current employees, sub-contractors, and applicants seeking employment with responsibilities related to the contract are required to submit a Level 2 background screening, including fingerprinting, as a condition of employment or contract.

SECTION 3: SERVICE REQUIREMENTS

3.1 SCOPE

The Early Learning Coalition of Brevard County, Inc. is issuing this RFP for External Auditing Services. The Coalition with an annual budget of over \$28 million is soliciting the performance of an independent annual audit, all related statements, and all necessary IRS Tax Filings for fiscal years ending June 30, 2012, 2013, 2014, 2015, and 2016. **Proposer(s) must be certified public accounting firms with over five (5) years of a proven track record of performing successful audits for non-profit and/or governmental organizations.**

The Scope of the Audit will include tests of compliance as such related to the following sources:

<u>CDFA</u>	<u>CSFA</u>	<u>Title of Program</u>
93.558	75.005	School Readiness
93.575		
93.596		
93.667		
	75.007	Voluntary Pre-Kindergarten (VPK) Services

3.2 SPECIFICATIONS

Each proposer must provide an audit plan, which addresses the following elements, not-to-exceed ten (10) pages. Most importantly, this plan must include experience of the firm, including but not limited to the history of the firm and its relevant work history in Central Florida, detailed account of the firm’s management team and their related experience and other project staff listing with current key client responsibilities identified.

AUDIT OBJECTIVES

The objective of the Proposer’s audit is the expression of an opinion about whether the Coalition’s financial statements are fairly presented, in all material respects, in conformity with U. S. Generally Accepted Accounting Principles, Government Auditing Standards for Agreed Upon Procedures, and to report on the fairness of the additional schedule of expenditures of federal programs and state projects when considered in relation to the financial statements taken as a whole. The objective also includes reporting on:

- Internal control related to the financial statements and compliance with laws, regulations, and the provisions of contracts or grant agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control related to major programs and an opinion (or disclaimer of opinion) on compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*.

This report is intended solely for the information and use of the Board of Directors (including committees thereof), the Coalition, specific legislative or regulatory bodies, federal and state awarding agencies (if applicable), and is not intended to be, and should not be, used by anyone other than these specified parties.

The audit will be conducted in accordance with U.S. Generally Accepted Auditing Standards, the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the Single Audit Act Amendments of 1996, and the provisions of OMB Circular A-133, and will include tests of accounting records, a determination of major program(s) in accordance with OMB Circular A-133, and other procedures considered necessary by the Proposer to enable the Proposer to express such an opinion and to render the required reports. If the Proposer's opinion on the financial statements or the Single Audit compliance opinion is other than unqualified, the Proposer will discuss reasons with the Coalition in advance. If, for any reason, the Proposer is unable to complete the audit or is unable to form or have not formed an opinion, the Proposer may decline to express an opinion or to issue a report as a result of this engagement.

AUDIT PROCEDURES

GENERAL

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, the audit will involve judgment about the number of transactions to be examined and the areas to be tested. The Proposer will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from errors, fraudulent financial reporting, misappropriation of assets, or violations of laws or governmental regulations that are attributable to the Coalition or to acts by the Coalition or employees acting on behalf of the Coalition. As required by the Single Audit Act Amendments of 1996 and OMB Circular A-133, the audit will include tests of transactions related to major federal award programs for compliance with applicable laws and regulations and the provisions of contracts and agreements. Because an audit is designed to provide reasonable, but not absolute, assurance and because the Proposer will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by the Proposer. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct effect on the financial statements or major programs. However, the Proposer will inform the Coalition of any material errors and any fraudulent financial reporting or misappropriation of assets that come to the Proposer's attention. The Proposer will also inform the Coalition of any violations of laws or governmental regulations that come to the Proposer's attention, unless clearly inconsequential. The Proposer will include such matters in reports required for a Single Audit. The Proposer's responsibility as auditors is limited to the period covered by the Proposer's Audit and does not extend to any later periods for which the Proposer is not engaged as auditor.

The Proposer's procedures will include tests of documentary evidence supporting the transactions recorded in the accounts and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected funding sources, creditors, and financial institutions. The Proposer will also request written representations from the Coalition's attorneys as part of the engagement, and may bill the Coalition for responding to this inquiry. At the conclusion of the audit, the Proposer will require certain written representations from the Coalition about the financial statements and related matters.

INTERNAL CONTROL

In planning and performing the audit, the Proposer will consider the internal control sufficient to plan the audit in order to determine the nature, timing, and extent of the auditing procedures compliance with requirements applicable to major programs.

The Proposer will obtain an understanding of the design of the relevant controls and whether they have been placed in operation, and will assess control risk. Tests of controls may be performed to test the effectiveness of certain controls that the Proposer considers relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Tests of controls relative to the financial statements are required only if control risk is assessed below the maximum level. The tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in the Proposer's report on internal control issued pursuant to *Government Auditing Standards*.

As required by OMB Circular A-133, the Proposer will perform tests of controls to evaluate the effectiveness of the design and operation of controls that are considered relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, the tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in the Proposer's report on internal control issued pursuant to OMB Circular A-133.

An audit is not designed to provide assurance on internal control or to identify reportable conditions. However, the Proposer will inform the governing body or audit committee of any matters involving internal control and its operation that are considered to be reportable conditions under standards established by the American Institute of Certified Public Accountants. Reportable conditions involve matters coming to the Proposer's attention relating to significant deficiencies in the design or operation of the internal control that, in the Proposer's judgment, could adversely affect the entity's ability to record, process, summarize, and report financial data consistent with the assertions of the Coalition in the financial statements. The Proposer will also inform the Coalition of any non-reportable conditions or other matters involving internal control, if any, as required by *Government Auditing Standards* and OMB Circular A-133.

COMPLIANCE

The audit will be conducted in accordance with the standards referred to in the section titled "Audit Objectives." As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, the Proposer perform tests of the Coalition's compliance with applicable laws and regulations and the provisions of contracts and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance, and the Proposer will not express such an opinion in the report on compliance issued pursuant to *Government Auditing Standards*.

OMB Circular A-133 requires that the Proposer also plans and performs the audit to obtain reasonable assurance about whether the Coalition has complied with applicable laws and regulations and the provisions of contracts and agreements applicable to major programs. The procedures will consist of the applicable procedures described in the *OMB Circular A-133 Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the Coalition's major programs. The purpose of these procedures will be to express an opinion on the Coalition's compliance with requirements applicable to each of its major programs in the Proposer report on compliance issued pursuant to OMB Circular A-133.

AUDIT ADMINISTRATION, FEES, AND OTHER

The Proposer understands that the Coalition's employees will prepare all cash, accounts receivable, and other confirmations the Proposer requests and will locate any documents selected for testing.

At the conclusion of the engagement, the Proposer will complete the appropriate sections of and sign the Data Collection Form that summarizes the audit findings. The Proposer will provide copies of the reports to the Coalition; however, it is the Coalition's responsibility to submit the reporting package (including financial statements, schedule of expenditures of federal programs and state

projects, summary schedule of prior year audit findings, auditor's reports, and corrective action plan) along with the Data Collection Form to the designated federal clearinghouse and, if appropriate, to pass-through entities. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of the Proposer's reports or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for the audit. At the conclusion of the engagement, the Proposer will provide information to the Coalition as to where the reporting packages should be submitted and the number to submit.

The Proposer may be requested to make certain audit documentation available to the cognizant or oversight agency, other grantors or agencies providing direct or indirect funding (or their designees), or the U.S. General Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. The Proposer will notify the Coalition of any such request. If requested, access to such audit documentation will be provided under the supervision of the Proposer's personnel. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for the proposed audit will be retained for a minimum of five years after the date the Proposer's report is issued or for any additional period requested by a grantor(s) or oversight agency. If the Proposer is aware that a federal awarding agency, a pass-through entity, or the Coalition is contesting an audit finding, the Proposer will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

The Proposer will prepare the federal information return, Form 990.

The Proposer needs to submit as part of the proposal estimates of the fees for these services. Estimated fees should be based on anticipated cooperation from the Coalition's personnel and the assumption that unexpected circumstances will not be encountered during the engagement. If significant additional time is necessary, the Proposer will discuss it with the Coalition and arrive at a new fee estimate that is agreeable to both parties and an amendment to the contract will be executed before incurring the additional costs.

Government Auditing Standards requires that the Proposer provide the Coalition with a copy of the most recent external peer review report and any letter of comment and any subsequent peer review reports and letters of comment received during the period of the contract.

SECTION 4: GENERAL REQUIREMENTS

Proposal should be clearly organized under four (4) headings:

- I. Application Cover Sheet/Title Page
- II. Proposal Response
- III. Proposed Rate Schedule and Budget
- IV. Required Statements and Certifications

4.1 APPLICATION COVER SHEET/TITLE PAGE

The Application Cover Sheet/Title Page consists of the following:

- 4.1.1 Name of Coalition – Early Learning Coalition of Brevard County Inc.
- 4.1.2 Title of RFP – External Auditing Services
- 4.1.3 Request for Proposals Number – ELCB12.13.01
- 4.1.4 Proposer's Name
- 4.1.5 Number of full-time personnel in:
 - 4.1.5.1 Auditing
 - 4.1.5.2 Tax Preparation

- 4.1.5.3, and administrative support
- 4.1.6 Location of headquarters and any field offices
- 4.1.7 Location of office that would service the Coalition
- 4.1.8 Present information if your organization is a Florida Certified Minority Business Enterprise

4.2 PROPOSAL RESPONSE

- 4.2.1 Description of the approach the Proposer will use in providing the services requested.
- 4.2.2 Description of how the Proposer is positioned to provide the services requested, with a history of experience on providing similar services.
- 4.2.3 Name, title, address, and telephone number of three references for clients, whom similar services have been provided, including information referencing the actual services performed and length of tenure.
- 4.2.4 Personnel must be subjected to criminal background checks. **Please indicate what types of background check your organization currently uses or proposes to use and what screening/selection criteria is mandated by your firm.**
- 4.2.5 Explanation of any contract termination for default or other incident in the past five years. Termination for default is defined as notice to stop services for non-performance or poor performance, and issue was either litigated or not litigated. If default occurred, list name, address, and telephone number of the party. If NO such termination occurred for default, declare it.
- 4.2.6 Scope of services beyond the RFP that the firm provides which may be of interest to Coalition.

4.3 PROPOSED RATE SCHEDULES AND BUDGET

The Proposal must include a budget / costs (rate schedule) for the services with sufficient detail to allow proper evaluation. The contract resulting from this RFP will be a cost-reimbursement agreement.

Florida’s Office of Early Learning tasks the Coalition yearly with providing a 6% match for its School Readiness grant award. In obtaining this match, the Coalition may submit any discounted prices on professional services as in-kind expenses in order to meet this requirement. If the rate schedule includes a discount or reduced costs specifically for the Coalition (not available to general public or organizations), documentation of said discount/reduction must be submitted

4.4 REQUIRED STATEMENTS AND CERTIFICATIONS

Each copy of the Proposal must include a copy of those forms, affidavits, certifications and **Criteria Check List (Appendix J)**, except the Notice of Intent to Submit a Proposal which shall have been submitted by the deadline set forth in Section 2.3. All submissions requiring a signature shall be executed by an Authorized Official of the Proposer’s organization who has legal authority to bind the Proposer to the provisions of the RFP. This is usually the President, Chair of the Board, Executive Director, or owner of the entity.

4.4.1 ACKNOWLEDGEMENT FORM

The Proposal Acknowledgement Form (Appendix B) must be signed and returned to the contact person listed in Section 2.1 as page 1 of the Proposal.

4.4.2 STATEMENT OF NO INVOLVEMENT

The Proposal must include a signed statement indicating that neither the Proposer nor any person with an interest in the firm had a noncompetitive contract involving any of the preliminary work such as preparing the RFP. The Statement of No Involvement signature form may be found in **Appendix C**.

4.4.3 STATEMENT OF ASSURANCES

The Statement of Assurances in **Appendix D** must be signed and included in the Proposal.

4.4.4 CERTIFICATION REGARDING DEBARMENT

The Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion in **Appendix E** must be initialed and included in the Proposal.

4.4.5 SWORN STATEMENT PURSUANT TO SECTION 287.133(3) (A), FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

The Sworn Statement regarding Public Entity Crimes in **Appendix F** must be completed, signed, notarized and included in the Proposal.

4.4.6 DISCRIMINATION STATEMENT

The Discrimination Statement in **Appendix G** must be signed and included in the Proposal.

4.4.7 CERTIFICATION REGARDING LOBBYING

The Certification Regarding Lobbying in **Appendix H** must be signed and included in the Proposal.

4.4.8 CERTIFICATION REGARDING DRUG-FREE WORKPLACE

The Certification Regarding Drug-Free Workplace in **Appendix I** must be signed and included in the Proposal.

SECTION 5: PROPOSAL SUBMISSION

5.1 NUMBER OF COPIES REQUIRED

One (1) original and four (4) copies of the Proposal are required. At least one copy of the Proposal submitted to the Coalition must contain an original signature of an official of the Proposer who is authorized to bind the Proposer to its Proposal.

5.2 HOW TO SUBMIT A PROPOSAL

5.2.1 FORMAT

Each Proposal package must be submitted sealed and with each copy in a binder clip, single spaced, in 12-point font and on 8.5" x 11" white paper; and submitted in tabbed Sections. Pages must be numbered consecutively within each Section. All supporting documentation or exhibits shall be clearly referenced.

5.2.2 SUBMISSION: Proposals must be received by the Early Learning Coalition of Brevard County, Inc., 1018 Florida Avenue, Rockledge, FL 32955, on or before 12:00 p.m. (EST) August 8, 2012.

One (1) original and four (4) copies of Proposal package (with the Original copy marked "ORIGINAL") must be delivered sealed and clearly marked on the outside of the package: "RESPONSE TO RFP" and contain the Proposer's name and address.

The Coalition cautions Proposers to assure actual delivery of Proposals either hand delivered or mailed via U.S mail or overnight courier, directly to the office of the Coalition, Attention: Cathie Odom, no later than the deadline set for submission of the Proposals. Proposals and modifications to Proposals received after the time and date specified herein for Proposal submission will not be considered. Submissions by email or facsimile will not be accepted.

APPENDIX A

INTENT TO SUBMIT A PROPOSAL

Title of Proposal

Proposer Name

Proposer Contact Person

Title

Proposer Address

Telephone

Fax

E-mail

Name of Proposer's Project Director (if known)

APPENDIX B

EARLY LEARNING COALITION OF BREVARD COUNTY, INC.

REQUEST FOR PROPOSAL ACKNOWLEDGEMENT FORM

Proposer Information	Contact Information
Name:	Name:
Address:	Title:
Main Telephone Number:	Mailing Address:
Website:	Direct Telephone Number or Extension:
Federal Identification Number:	Email Address:

Total number of pages submitted in proposal: _____

As signatory on this proposal, I hereby certify that I have the authority to submit this proposal and that this proposal has been submitted without prior understanding, agreement or connection with any other corporation or firm or entity submitting a proposal in response to this Request for Proposal and has been prepared and submitted without collusion or fraud. I agree to abide by all conditions of this Proposal and I certify that I had the authority to execute this proposal.

I further certify that the proposal is in compliance with the requirements of the Request for Proposal including, but not limited to, the certification requirements. I agree that the Request for Proposal and accompanying cost schedule will be valid and binding for ninety (90) days following the proposal due date and will become part of the contract negotiated with the Coalition.

Signature

Date

Printed Name and Title

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 Brevard County, Inc. on a noncompetitive basis to:

- a. Develop this solicitation;
- b. Perform a feasibility study concerning the scope of work contained in this solicitation; or
- c. Develop a program similar to what is contained in this solicitation.

Signature of Authorized Representative

Date

APPENDIX D

STATEMENT OF ASSURANCES

The Proposer assures the following eight (8) itemized requirements and conditions will be met:

1. The Proposer has the ability to provide directly or through another contract, all services applied for as described in this RFP and resulting Contract.
2. The Proposer will accept accountability for meeting the outcomes and performance standards established by the Coalition related to the project described in this RFP.
3. As applicable, the Proposer will accept responsibility for implementation of transition activities to assure that there is no disruption in services related to the proposed programs.
4. As applicable, the Proposer will accept responsibility for all required data collection and reports. The Proposer accepts responsibility for the establishment and maintenance of sufficient Management Information Systems capability to accomplish database coordination as required.
5. The Proposer assures the establishment sufficient working capital, as required, to meet interim expenses and to maintain an ongoing cash flow.
6. The Proposer assures its understanding of section 411.01, Florida Statutes and assures the establishment of services consistent with its provisions.
7. The Proposer attests that it is an eligible entity for responding to this RFP as outlined in Section 2.3 of the solicitation.

Proposer (Print Name)

Signature

Date

APPENDIX E

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS PRIMARY COVERED TRANSACTION

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, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this Proposal 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; and

(d) Have not within a three-year period preceding this proposal/Proposal 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 participant shall attach an explanation to this Proposal.

Name and Title of Authorized Representative

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” 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 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 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 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 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)

STATE OF FLORIDA
COUNTY OF BREVARD
Sworn to or affirmed and signed before me on _____

by_____.

NOTARY PUBLIC

PRINT, TYPE OR STAMP COMMISSION NAME

APPENDIX G

DISCRIMINATION STATEMENT

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 noncitizens.—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 Representative

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 federally 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* subawards at all tiers (including subcontracts, subgrants, 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 of Certifying 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 Provider, attest and certify that the Provider will provide a drug-free workplace by the following actions:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Provider's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees concerning:
 - a. The dangers of drug abuse in the workplace;
 - b. The policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation and employee assistance programs;
and
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
3. 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.
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the Agreement, the employee will:
 - a. Abide by the terms of the statement;
 - b. 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.
5. Notifying the Coalition 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.

- 6. 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.
 - a. 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; or
 - b. 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.
- 7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5, and 6.
- 8. 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

Date

Typed Name and Title

APPENDIX J

FATAL CRITERIA CHECKLIST

FATAL CRITERIA CHECKLIST	Proposer Check (√)	Evaluation Committee (√)
1. Was the proposal received by the time and date specified in the Request for Proposal?		
2. Original and FIVE (5) copies of the Proposal?		
3. Original signed and dated Request for Proposal Acknowledgement Form, indicating the total number of pages in the proposal? (APPENDIX B)		
4. Signed Statement of No Involvement? (APPENDIX C)		
5. Signed Statement of Assurances / Certification Documents? (APPENDICES D-I)		
6. Was the proposal (including all accompanying forms requiring signature) signed by a duly authorized officer of the applying organization, and was proof of authorization included, if needed?		