

P R O P O S A L

*To The Mayor
City of St. Petersburg,
Florida*

The undersigned, as Bidder, hereby declares that the only person or persons interested in the Proposal as principal or principals is or are named herein, and that no other person than herein mentioned has any interest in this Proposal or in the Contract to be entered into; that this Proposal is made without connection with any other person, company, or parties making a Bid or Proposal; that it is in all respects fair and in good faith without collusion or fraud.

The Bidder further declares that he has examined the site of the Work and informed himself fully in regard to all conditions pertaining to the place where the Work is to be done; that he has examined the Plans and Specifications for the Work and Contract Documents relative thereto, and has read all special provisions furnished prior to the opening of Bids; that he has satisfied himself relative to the Work to be performed.

The Bidder further declares that he has accurately responded to all questions on the Questionnaire section of this Proposal and has the specified pre-qualifications.

The Bidder proposes and agrees, if this Proposal is accepted, to Contract with the City of St. Petersburg, Florida, in the form of Contract specified for

NEWRF Aeration Blower Replacement Project

St. Petersburg, Florida, Project No. 17075-111, in full and complete accordance with the shown, noted, described, and reasonably intended requirements of the plans, specifications, and contract documents to the full and entire satisfaction of the City of St. Petersburg, Florida.

PROPOSAL

Florida Trench Safety Act Certification and Disclosure Statement

Bidder acknowledges that included in the various items of the proposal and in the Bidder's Contract Total are costs for complying with the Florida Trench Safety Act (90-96, Laws of Fla.) effective October 1, 1990. The Bidder further identifies the costs to be summarized below:

	Trench Safety Measure (Description)	Units	Estimated Quantity	Unit Price	Total Price
A.	_____	_____	_____	_____	_____
B.	_____	_____	_____	_____	_____
C.	_____	_____	_____	_____	_____
D.	_____	_____	_____	_____	_____
	Total	_____			

Failure to complete the above may result in the Bid being declared non-responsive.

PROPOSAL

The Bidder acknowledges that included in the various items of the Proposal are costs for complying with the Florida Trench Safety Act (90-96, Laws of Florida) which is in effect as of October 1, 1990. The Bidder further identifies that cost to be \$ _____ (THIS BLANK MUST BE FILLED IN BY BIDDER). This cost is itemized in the Florida Trench Safety Act Certification and Disclosure Statement which is included in this Proposal.

The Bidder proposes and agrees to commence certain Work items on the first day of the Limited Notice to Proceed and complete same within Fifteen (15) days.

The Bidder further proposes and agrees to commence Work under this Contract within ten (10) consecutive calendar days after the date contained in the written Notice to Proceed and to fully complete all Work under this Contract within the time specified in the Agreement from (and including) the date contained in the written Limited Notice to Proceed.

The under signed further agrees that, in case of failure on his part to execute the said Contract and the Bond within ten (10) consecutive calendar days after written Notice of Award of the Contract, the check or Bid Bond accompanying this Bid, and the monies payable thereon, shall be paid into the funds of the City of St. Petersburg, Florida, as liquidated damages for such failure; otherwise, the check or Bid Bond accompanying this Proposal shall be returned to the undersigned.

Attached hereto is a certified check, cashier's check or Bid Bond in the amount of:

_____ Dollars (\$_____)

or _____ Percent (_____%) made payable to the City of St. Petersburg, Florida.

Seal

Address:

_____ Company: _____

_____ By: _____
(Name and Title)

FAX #:

(_____) _____ Corporation No.: _____

Phone:

(_____) _____

(Signature)

E-Mail Address: _____ Date: _____

The full names, titles and residences of persons and firms interested in the foregoing Bid, as principals, are as follows:

Name Title Residence Address

Name Title Residence Address

Name Title Residence Address

FLORIDA STATUTES ON PUBLIC ENTITY CRIMES

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

1. This sworn statement is submitted to _____ City of St. Petersburg, Florida _____
(Print Name of the Public Entity)
- by _____ for _____
(Print Individual's Name and Title) (Print Name of Entity Submitting Sworn Statement)
- whose business address is _____
-

and (if applicable) its Federal Employer Identification Number (FEIN) is _____
(If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: _____)

2. I understand that a public entity crime” as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or of the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
3. I understand the “convicted” or “conviction” as defined in Paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.
4. I understand that an “affiliate” as defined in Paragraph 287.133(1)(a), Florida Statutes, means:
- a) A predecessor or successor of a person convicted of a public entity crime; or
 - b) An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term “affiliate” includes those officers, directors, executives, partners, shareholders, employees, members and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm’s length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.
5. I understand that a “person” as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids, or applies to bid, on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term “person” includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

Florida Statutes-Public Entity Crimes, cont'd.

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 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.

_____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or gents 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 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES FOR CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

(Signature)

(Date)

STATE OF _____

COUNTY OF _____

Personally appeared before me, the undersigned authority, _____
(Name of Individual Signing Document)

who, after first being sworn by me, affixed his/her signature in the space provided on this _____ day of _____, 20____.
(Select)

NOTARY PUBLIC

(Seal)

BID BOND

BOND # _____

STATE OF FLORIDA

(COUNTY OF _____)

(CITY OF _____)

KNOW ALL MEN BY THESE PRESENTS:

That we, _____ (hereinafter called "Principal")
(Name of Corporation, Partnership, or LLC)

located at _____, (_____) _____,
(Principal Business Address) (Phone Number)

and _____ (hereinafter called "Surety")
(Name of Surety)

located at _____, (_____) _____,
(Surety Business Address) (Phone Number)

are held and firmly bound unto the City of St. Petersburg, Florida (hereinafter called "City") in the sum of: _____ Dollars (\$_____) lawful money of the United States of America, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

WHEREAS, the Principal: contemplates submitting or has submitted a Bid to the City:

**NEWRF Aeration Blower Replacement Project
Project No. 17075-111**

WHEREAS, it was a condition precedent to the submission of said Bid that a certified check, cashier's check or Bid Bond in the amount of five percent (5%) of the Bid be submitted with said Bid as a guarantee that, if awarded the contract, the Principal would, within ten (10) consecutive calendar days after written notice of award (or such longer period of time agreed to by the City), enter into a written contract with the City and furnish the required performance bond (or alternate form of security permitted by applicable laws) in an amount equal to one hundred percent (100%) of the Bid satisfactory to the City.

NOW, THEREFORE, THE CONDITIONS OF THIS OBLIGATION ARE SUCH, that if the Bid and the Principal herein be accepted and within ten (10) consecutive calendar days after written notice of award (or such longer period of time agreed to by the City) said Principal enter into a written contract with the City, and furnish the required performance bond (or alternate form of security permitted by applicable laws) in an amount equal to one hundred percent (100%) of the Bid, satisfactory to the City, then this obligation shall be void; otherwise, the sum herein stated shall be due and payable to the City and the Surety herein agrees to pay said sum immediately upon demand of said City, in good and lawful money of the United States of America, as liquidated damages for failure thereof of said Principal.

IN TESTIMONY WHEREOF, the hands and seals of the parties hereto this _____ day of _____, 20_____.

(Principal Name)

BY: _____
(Signature)

(Print or Type Name and Title)

SURETY NAME

BY: _____
Attorney-in-Fact

(Print or Type Name)

(Florida license # of Attorney-in-Fact)



Attest and Impress Principal's seal or check the checkbox below.

ATTEST:



BY: _____
(Signature)

(Print or Type Name)

Principal has no seal. (If checked, signature of Witness 1 and Witness 2 needed)

WITNESS 1:

BY: _____
(Signature)

(Print or Type Name)

WITNESS 2:

BY: _____
(Signature)

(Print or Type Name)

Countersignature of Florida Licensed Agent (Only Required if Attorney-in-Fact is not a Florida Licensed Agent.)

LETTER OF INTENT TO PERFORM

**AS A CERTIFIED CITY OF ST. PETERSBURG
SBE SUBCONTRACTOR**

TO: _____
(Prime Contractor)

_____ In response to a telephone/written request
(City of St. Petersburg Subcontractor)
for quote on _____ 20____, agrees to perform the work outlined below

on the project known as _____ for the City of St.
Petersburg. The work description is as follows:

<u>PAY ITEM (IF APPLICABLE)</u>	<u>DESCRIPTION</u>	<u>DOLLAR AMOUNT</u>

The price for said work totals: \$_____.

_____ will enter into a formal agreement with you, for the
(City of St. Petersburg Sub-contractor)
work described above conditional upon your entering a contract with the City of St. Petersburg.

(Date)

(Name of SBE Firm)

(City of St. Petersburg Certification Number)

(Title of Official Signing)

(City, County of SBE Firm)

(Signature of Official)

ACCEPTANCE BY PRIME CONTRACTOR

Name of Prime Contractor

(Signature of Official)

(Title of Official Signing)

Date this "Letter of Intent" received and accepted _____

SUMMARY LISTING OF REASONS FOR NON-USE

The undersigned swears (or affirms) that the reasons stated below for the non-use of a Small Business Enterprise (SBE) are accurately stated:

(Name of Prime Contractor)

Located at _____
(Physical Address) (No. & Street) (City) (State & Zip)

Project _____

Reasons for non-use of a SBE:

ANY MATERIAL MISREPRESENTATION WILL BE GROUNDS FOR INITIATING ACTION UNDER FEDERAL OR STATE LAWS CONCERNING FALSE STATEMENTS.

SIGNATURE: _____ DATE: _____

PRINT NAME: _____ TITLE: _____

On this _____ day of _____ 20____, before me appeared (name) _____
to me personally known _____ OR produced _____
as identification, who being duly sworn, did execute the foregoing affidavit, and did state that he/she
was properly authorized by (name of firm) _____
to execute the affidavit and did so as a free act and deed.

Notary Public: _____

My commission Expires: _____

(SEAL)

CERTIFICATION

City of St. Petersburg

The Greenhouse

SBE SOLICITATION

Bid Invitation No. Project Name:

I hereby certify that I have read, understand, and will comply with the City of St. Petersburg SBE requirements for this project.

Further, I certify that I am aware that _____% of the contract price has been established for performance by Small Business Enterprises. I will meet the percentage or demonstrate reasonable sufficient efforts to do so.

IN ADDITION, THE "LETTER OF INTENT TO PERFORM AS A SUBCONTRACTOR" MUST BE EXECUTED BY AN OFFICER OF THE SBE FIRM AND SUBMITTED WITH THE BID PROPOSAL. I FURTHER UNDERSTAND THAT I AM COMMITTED TO ENTERING INTO A SUBCONTRACT AGREEMENT WITH THE IDENTIFIED SBE FOR THE SCOPE OF WORK OUTLINED ON THE "LETTER OF INTENT" AND FOR THE SPECIFIED DOLLAR VALUE:

Any changes, including the addition or deletion of SBE firms after bid opening, must have written approval of the Economic Development/Green House Manager or POD, The Greenhouse Address all requests to:

Economic Development/Greenhouse Manager
City of St. Petersburg
The Green House
PO Box 2842
St. Petersburg, FL 33731

Title of Official

Company

Date

Signature of Official

**CITY OF ST. PETERSBURG SBE GOOD FAITH EFFORTS
QUESTIONNAIRE EVALUATION CRITERIA**

Item	Indicators	Points	Score
1.	Attended Pre-Bid Conference	5	
2.	Published advertisements concerning subcontracting opportunities in area newspapers, trade association publications, and small business oriented publications at least ten (10) days prior to the bid opening date.	10	
3.	<p>Provided written invitations to bid notices by mail, fax or hand delivery, at least 10 days prior to bid opening to <i>SBEs certified by the City of St. Petersburg*</i>. The city of St. Petersburg's approved SBE certified companies' list is located on the city's website at www.stpete.org/bac under "Certified SBE search list". Advised SBE firms of the following (<i>failure to adhere to the 10-day criteria will result in zero(0) points</i>):</p> <p>a. Scope of Work/material being solicited. (5 pts.)</p> <p>b. Their interest in the contract is being solicited. (5 pts.)</p> <p>c. How to obtain information for review and inspection of contract plans and specifications. (5 pts.)</p>	15	
4.	<p>Conducted negotiations with SBE firms. Providing a list of SBEs subcontractors with whom the bidder or proposer negotiated in good faith.</p> <p>a. Submitted all SBE quotes/proposal received for work category solicited, and if not used the reasons why the quotes/proposal were not used. (5 pts.)</p> <p>b. A list of each SBE contacted but determined to be unavailable to work on project. (5 pts.)</p> <p>c. A description of information provided to solicit SBEs subcontracting agreements. (5 pts.)</p> <p>d. Actual participation percentages achieved as demonstrated by the letter(s) of intent submitted in the bid documents, indicating project number, the name of the subcontractor, the scope of work to be performed and dollar value amount, a copy of the SBE certification, and the signatures of both prime contractor and the SBE. (10 pts.)</p> <p>e. Information submitted by the Bidder which would demonstrate good faith efforts or lack thereof. (5 pts.)</p> <p>f. Negotiate with SBEs on which portion(s) of the contract that will be assigned to SBE subcontractors. Contracts should be broken down into smaller components as needed. (5 pts.)</p>	35	
5.	Provided assistance in reviewing the contract plans and specifications.	10	
6.	Documented assistance to SBEs in obtaining bonding, insurance and lines of credit (<i>for current or previous SBEs within the last two calendar years</i>).	15	
7.	Contacted the City of St. Petersburg Business Assistance Center staff for guidance and assistance regarding SBE participation (i.e. if having difficulty obtaining SBE participation or if unable to identify portions of work that can be feasibly broken down).	10	

REQUIRES A MINIMUM OF 75 OF 100 POINTS TO BE IN COMPLIANCE

***A reminder, for SBE evaluation purposes, only SBE's certified by the city of St. Petersburg are eligible during the evaluation.**