



REQUEST FOR PROPOSALS

FOR DEVELOPMENT AND DISPOSITION OF CRA-OWNED PROPERTIES IN THE SW NEIGHBORHOOD FOR WORKFORCE HOUSING



RELEASE DATE: Monday, April 22, 2019
SUBMISSION DEADLINE: Thursday, May 23, 2019 @ 2:00 pm

DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY
20 NORTH SWINTON AVENUE
DELRAY BEACH, FL 33444

INVITATION

The Delray Beach Community Redevelopment Agency (CRA) hereby requests proposals from interested qualified Not-for-Profit parties specializing in affordable / work force housing for the development and disposition of ten (10) residential properties owned by the CRA, within the Southwest Neighborhood of the CRA District of the City of Delray Beach, Florida, more specifically described in Section C of this Request for Proposals (RFP). It is the CRA's intention to dispose of said properties to a qualified not-for-profit entity, for the purpose of providing affordable/workforce housing, and to enter into an agreement with the successful proposer in order to provide for-sale single family housing that is restricted on a long-term basis for affordable/workforce housing. It is the CRA's intent that the properties are developed concurrently base on plans prepared by the CRA.

The CRA is vested by the State of Florida pursuant to its powers under Florida Statutes, Chapter 163, Part III, the Community Redevelopment Act of 1969 as amended, with the authority to request proposals for the redevelopment of any area within its district in order to effectuate redevelopment pursuant to the goals and objectives of the CRA Redevelopment Plan.

Factors that the CRA will use in judging the proposals include, but are not limited to, the Proposer's experience in the provision and construction of affordable housing and income qualification of home buyers, the pricing structure, and development fees. Selection criteria are discussed in more detail within this RFP.

Upon receipt of an acceptable proposal and a negotiated contract with a Successful Proposer, as well as the applicant's compliance with conditions precedent to closing, the CRA will close on the properties as described in the RFP, or as agreed to pursuant to the contract negotiated between the Successful Proposer and the CRA.

Proposers are required to submit one (1) unbound original and eight (8) copies, and an electronic PDF file of the full response, sealed and marked on the outside of the package "Request For Proposals No. CRA 2019-03, Development & Disposition of CRA-Owned Properties in the SW Neighborhood for Workforce Housing", delivered to the CRA office located at 20 North Swinton Avenue, Delray Beach, FL 33444 **on or before 2:00 pm on Thursday, May 23, 2019.**

PROPERTY INFORMATION

The subject properties are located within the Southwest Neighborhood of the CRA District (Sub Area #8), specifically the west side of SW 7th Avenue, between SW 3rd and 4th Streets, and 238 SW 6th Avenue.



The majority of the properties are approximately 50' X 130'.

The City of Delray Beach is in the design phase of a Streetscape & Utility Improvement Project in the Southwest Neighborhood (SW 3rd Court, SW 4th Street, SW 6th Street, and SW 7th Avenue), which includes improvements to utilities (water, sewer, drainage, lighting), alleys, sidewalks, installation of streetlights, and expansion of the City's Reclaimed Water System. Sidewalks and parallel parking spaces will also be installed adjacent to the CRA-owned properties along SW 7th Avenue and SW 4th street as part of the streetscape and utility project.

RFP OVERVIEW

A. Schedule

RFP Issued	Monday, April 22, 2019
Pre-Bid Conference Delray Beach CRA office located at 20 N. Swinton Avenue, Delray Beach, FL 33444. (Attendance is voluntary.)	Monday, May 6, 2019 10:00 am
Deadline for Questions	Monday, May 13, 2019 5:00 pm
RFP Submittal Delray Beach CRA office located at 20 N. Swinton Avenue, Delray Beach, FL 33444.	Thursday, May 23, 2019 2:00 pm
Selection Committee Ranking	Friday, May 31, 2019
CRA Board Approval	Tuesday, June 11, 2019

*The CRA reserves the right to advance or delay scheduled dates.

B. Development Objectives

The CRA's preference for redevelopment of the site is for long-term affordable housing consisting of ten (10) single family homes, based on Construction Documents prepared by the CRA, to be constructed within 270 Days from Notice to Proceed. Exhibit A contains the Construction Bidding documents.

The CRA intends to dispose of the ten (10) properties to one qualified not-for-profit entity specializing in affordable housing, for the purpose of providing long-term and/or permanent affordable/workforce housing. The ten (10) single family homes MUST be constructed in one phase. Proposals shall state the proposer's ability to develop the properties as stated herein.

The not-for-profit entity respondent will be responsible to construct the homes, income qualify prospective buyers, and facilitate the sale to the new owner.

C. Location & Legal Description:

<u>ID</u>	<u>PROPERTY ADDRESS</u>	<u>LOT/BLOCK</u>	<u>ZONING</u>
1	238 SW 6 th Avenue	Lot 32 & 33 / Block 15	R1A
2	SW 7 th Avenue	Lot 37 / Block 8	R1A
3	SW 7 th Avenue	Lot 36 / Block 8	R1A
4	SW 7 th Avenue	Lot 35 / Block 8	R1A
5	202 SW 7 th Avenue	Lot 34 / Block 8	R1A
6	SW 7 th Avenue	Lot 33 / Block 8	R1A
7	SW 7 th Avenue	Lot 32 / Block 8	R1A
8	322 SW 7 th Avenue	Lot 31 / Block 8	R1A
9	SW 4 th Street	Lot 26-30 / Block 8	R1A

D. Land Use Regulations

The Construction Documents are based on the current R-1-A (Single Family Residential) zoning for the properties and shall be subject to the City of Delray Beach approval process. For additional information, visit <https://www.delraybeachfl.gov/>, Planning and Zoning Department, Land Development Regulations, Section 4.4.3.

E. Construction Documents and Permits

The CRA will provide Construction Documents and Construction Permits for each property.

F. Palm Beach County Impact Fees

Development of the property will be subject to Palm Beach County Impact Fees. Please contact Impact Fee Coordinator for PBC, Willie Swope @ 561-233-5025 for specific information regarding impact fees applicable to the proposed development, or go to www.co.palm-beach.fl.us/pzb/impactfees/ to download relevant information.

G. Home Buyer Qualification Requirements

The Not-for-Profit partner will be responsible to qualify prospective home buyers. The target population for this workforce / affordable housing development is the Low to High-Moderate income range (51% to 140% of Palm Beach County Area Median Income). See City of Delray Beach Land Use Regulations Article 4.7 for additional information:

<https://www.delraybeachfl.gov/home/showdocument?id=660>

H. CRA Provided Funding & Subsidies

The following costs will be paid for by the CRA and not incurred by the non-profit developer or the homeowner:

1. Architectural & Engineering Services
2. Development and Construction Permit Fees, including Impact Fees
3. Construction Financing
4. Roadway, Alley, and Sidewalk Construction through the City's Streetscape Improvement project

The CRA intends to make subsidies available to assist the homebuyer with the cost to purchase the home. After the RFP award, the CRA will work with the Successful Proposer to determine the subsidy amount.

I. Other Provisions

CRA funding listed in Section I will not be available to developers that are required to provide Workforce Housing to fulfill a governmental requirement related to any other project.

SUBMITTAL REQUIREMENTS AND EVALUATION CRITERIA

The following describes certain information that the CRA will require for the Proposal. Failure to provide any of the information or failure to provide the information in the required format may be cause for rejection of the Proposal at the sole and absolute discretion of the CRA.

The Proposer shall submit **one (1) original (unbound) and eight (8) copies** of the Proposal, and an electronic PDF file of the full response, which describes the project and the proposer's qualifications in the following format with each section tabbed for ease of review.

The CRA reserves the right to validate any and all information submitted by the proposers. At its sole and absolute discretion, the CRA may disqualify any proposer if the CRA determines that their submittal does not sufficiently document experience and qualifications, or may at its discretion require that additional information be provided by the proposer(s).

Proposals must include the following:

SECTION 1 - INTRODUCTION:

Please include a general introduction statement identifying the party(ies) responding to this RFP and its understanding and commitment to the project.

SECTION 2 – PROPOSERS INFORMATION, QUALIFICATIONS, AND EXPERIENCE:

The Proposer must submit information that describes the Proposer's organizational structure, its members, qualifications including key personnel and general contractors, and financial strength. At a minimum the following information is required in the submission for this Section.

- a. Description of the legal organizational structure of the Proposer (and its parent entity, if it is a subsidiary). If the Proposer intends to create a separate entity solely for the purpose of developing the proposed project, then each partner or stockholder or member should describe their respective legal organizational structure. Identify all individuals who will participate in the proposed project and experience with affordable/workforce housing construction, income qualifying homebuyers and marketing/public outreach. Only individuals that will be actively involved and engaged in the development of the site can be listed as key personnel.
- b. Identification of the Proposer's principals, partners, officers, or co-venturers, including names, addresses, telephone and fax numbers and federal business identification numbers. The submittal must include:

- c. A copy of the not-for-profit determination letter, or a copy of the application for 501(c)(3), tax exempt status submitted to the Internal Revenue Service. Failure to provide this information shall deem the Proposal non-responsive.
- d. A complete list of the Entity's Board of Directors including names, addresses and phone numbers and the name of the Entity's Executive Director. If the Entity is affiliated with another entity, please provide a statement representing the nature of the affiliation along with the other entity's name, address, phone number, and a listing of the Board of Directors.
- e. A minimum of three (3) professional references.
- f. The proposer must make available for inspection at his or her place of business, a current (audited, if available) financial statement of the proposing entity which includes a balance sheet, a three-year statement of past income, and a projected one-year income statement for the current fiscal year for the proposer (and its parent entity if it is a subsidiary). If the proposing entity is to be created specifically for the intended project or if the proposing entity is less than three years old, then each partner or stockholder must submit its own financial statement as described above. Tax returns may be substituted for financial statements. Information regarding any legal or administrative actions, past or pending, that might impact the capacity of the proposer (or its principals or affiliates) to complete the project must be disclosed.
- g. Disclosure of any bankruptcies and legal actions by any of the above or related entities during the past ten (10) years must be made with the RFP.

SECTION 3 – OFFERING PRICE & DEVELOPMENT COSTS:

The Proposer must state the offering price for the ten (10) properties referenced in Section C. The offering price should state the terms of payment, the anticipated closing date, and any conditions, contingencies, and additional requirements that affect the purchase.

The Proposer must submit a total project cost analysis stating, by category, the major elements of the project and development fees. The major cost items shall include, at a minimum, land costs and construction costs. See Exhibit A for Construction Bidding documents that shall be the basis for the project cost analysis. Exhibit B is the spreadsheet that shall be used to document project construction costs.

The Proposer must provide their methodology to advertise and identify potential home buyers, evaluate the income qualifications of prospective buyers, and process the sale of the property to the prospective buyer.

SECTION 4 – PROJECT SCHEDULE:

The Proposer must submit a Construction Schedule for the completion of the houses in ONE phase with construction beginning in 2019.

SECTION 5 – SAMPLE PROJECTS:

- a. Provide a detailed description of at least three (3) completed development projects within in the last ten (10) years that are similar in size and scope to what is proposed for this project. Please provide physical address for each sample project.
- b. Provide pictures, architectural rendering or plans, site plans, or other documents to thoroughly describe the project as built.
- c. Provide total project costs, the financing structure, timeline from design to completion, and other elements related to financing and completing the project.

Note: Please note that in assessing the qualifications of the Proposer(s) the CRA may visit each project site submitted.

SECTION 6 – ADDITIONAL CONSIDERATIONS:

Identify any additional or unique resources, capabilities, or assets which the Proposer believes is beneficial to consider in reviewing the Proposer qualifications.

EVALUATION CRITERIA & SELECTION PROCEDURE

Sealed proposals may be filed with the CRA at 20 N. Swinton Avenue, Delray Beach, Florida, 33444 until **2:00 pm Thursday, May 23, 2019**. CRA staff will open the proposals after that time and review them for compliance with submission requirements. The CRA will establish a Selection Committee to review and rank all qualified proposals in accordance with the selection criteria listed below. The CRA Board will select the top ranking proposal no later than the June 11, 2019 CRA Board Meeting, unless otherwise stated.

The CRA reserves the right to negotiate such terms and conditions with the Successful Proposer as it deems in the public interest at its sole and absolute discretion. In the event a contract is not negotiated to the CRA's satisfaction, the CRA may abandon such negotiations, and at its sole and absolute discretion may commence negotiations with the next ranked proposer. All proposers should be familiar with the requirements of Florida Statutes Chapter 163.380 to which this solicitation is subject.

Any and all decisions by the CRA to modify the schedule described herein, requests for additional information, reject insufficient or unclear proposals, formulate an objective point system for review, rate and rank proposals, negotiate agreements, abandon negotiations, approve agreements, etc., shall be at the CRA's sole and absolute discretion and no protests whatsoever shall be considered by the CRA. Submittal of a reply to this solicitation on the part of any and all proposers constitutes acceptance of this policy.

Proposals will be evaluated by a Selection Committee that will evaluate and rank Proposals based on the criteria listed below.

Item	Criteria	Evaluation Criteria
1.	Qualifications & Experience 40 Points	<ul style="list-style-type: none"> • Experience of the Proposer and contractor(s) to construct of affordable / workforce single-family homes
2.	Financial Capacity 15 Points	<ul style="list-style-type: none"> • Financial capacity of Proposer and contractor(s) to complete the project and all associated tasks including marketing
3.	Cost Structure 20 Points	<ul style="list-style-type: none"> • Affordability of the homes • Development fee and related costs • Project Schedule
4.	Homebuyer Qualification 25 points	<ul style="list-style-type: none"> • Experience with income qualifying home buyers and processing sales • Experience with advertising and community outreach

GENERAL TERMS AND CONDITIONS

A. Bid Bond

The Proposer must submit with his proposal a Bid Bond represented by a Cashier's Check or money order in favor of the Delray Beach CRA in the amount of \$2,500.00. The initial bid bond will be returned within ninety (90) days from the date of delivery to any Proposer who has not been selected to negotiate a contract with the CRA during that period. For the successful proposer, the bid bond will be applied to subsequent contractual deposit requirements. Withdrawal from the RFP process after submission of a proposal will result in a forfeiture of the bid deposit.

B. Future Deposit

The contract for purchase between the CRA and the Successful Proposer will require a deposit at the time of execution. The Successful Proposer must provide a deposit equal to ten percent (10%) of the combined proposed purchase price for all of the parcels included in this RFP. The CRA, in its sole discretion, reserves the right to waive this requirement if such waiver is found to be in the best interest of the CRA. If the Successful Proposer cannot provide a deposit, the Successful Proposer should indicate the reasons for its inability to provide a deposit and request a waiver of this requirement.

C. Buy-Back Provision

The CRA may require a buy-back and/or reversionary provision to be negotiated as part of the final contract in the event the purchaser fails to complete its obligations for the commencement of the project within an agreed upon time.

D. Site Visits

Any interested party may visit the properties at any time.

E. Cone of Silence/No Lobbying

As to any matter relating to this RFP, any Proposer, team member, or anyone representing a proposer is advised that they are prohibited from contacting or lobbying the CRA Chair, any CRA Commissioner, CRA staff, or any other person working on behalf of the CRA on any matter related to or involved with this RFP. For purposes of clarification, a team's representatives shall include, but not be limited to, the proposer's employees, partners, attorneys, officers, directors, consultants, lobbyists, or any actual or potential subcontractor or consultant of the proposer and the proposer's team. There will be an opportunity for inquiries to be made of CRA staff during the scheduled Pre-Submission meeting. All inquiries must be in writing and directed to the CRA (McCullough@mydelraybeach.com). Any violation of this condition may result in rejection and/or disqualification of the proposer. This "Cone of Silence/No Lobbying" is in effect from the date of

publication of the RFP and shall terminate at the time the CRA Board selects a proposal, rejects all proposals, or otherwise takes action which ends the solicitation process.

F. Questions

Questions and inquiries concerning the proposal and specifications of the solicitation shall be submitted in writing and directed to the Delray Beach Community Redevelopment Agency, 20 N. Swinton Avenue, Delray Beach, FL 33444 (or McCullough@mydelraybeach.com) for receipt no later than ten (10) calendar days prior to the date set for receiving proposals (May 13, 2019 @ 5:00 p.m.). Oral explanations, information and instructions shall not be considered binding on the CRA. All Proposer are encouraged to independently verify the accuracy of any information provided. Neither the CRA nor any of its agents or employees shall be responsible for the accuracy of any oral information provided to any proposer.

DISCLOSURE AND DISCLAIMERS

This RFP is being issued by the CRA. As more fully set forth in this RFP, any action taken by the CRA in response to proposals made pursuant to this RFP, or in making any award or failure or refusal to make any award pursuant to such proposals, or in any cancellation of award, or in any withdrawal or cancellation of this RFP, either before or after issuance of an award, shall be without any liability or obligation on the part of the CRA.

In its sole discretion, the CRA may withdraw this RFP either before or after receiving proposals, may accept or reject proposals, and may accept proposals which deviate from this RFP. In its sole discretion, the CRA may determine the qualifications and acceptability of any party or parties submitting proposals in response to this RFP (each such party being hereinafter a "Proposer").

Following submission of a proposal, the Proposer agrees to promptly deliver such further details, information and assurances including, but not limited to, financial and disclosure data, relating to the proposal and/or the Proposer, including the Proposer's affiliates, officers, directors, shareholders, partners and employees, as requested by the CRA.

The information contained herein is provided solely for the convenience of Proposers. It is the responsibility of a Proposer to assure itself that information contained herein is accurate and complete. Neither the CRA, nor its representatives, provide any assurances as to the accuracy of any information in this proposal. Any reliance on the contents of this RFP, or on any communications with CRA representatives shall be at each Proposer's own risk. Proposers should rely exclusively on their own investigations, interpretations and analyses in connection with this matter. This RFP is being provided by the CRA without any warranty or representations, express or implied, as to its content, accuracy or completeness, and no Proposer or other party shall have recourse to the CRA if any information herein contained shall be inaccurate or incomplete. No warranty or representation is made by the CRA that any proposal conforming to these requirements will be selected for consideration, negotiation or approval.

The CRA shall have no obligation or liability with respect to this RFP, or the selection and award process contemplated hereunder. The CRA does not warrant or represent that any award or recommendation will be made as a result of the issuance of this RFP. All costs incurred by a Proposer in preparing and responding to this RFP are the sole responsibility of the Proposer. Any recipient of this RFP who responds hereto fully acknowledges all the provisions of this Disclosure and Disclaimer and agrees to be bound by the terms hereof. Any proposal submitted pursuant to this RFP is at the sole risk and responsibility of the party submitting such proposal.

This RFP is made subject to correction of errors, omissions, or withdrawal without notice. Information contained in the RFP is for guidance only and each recipient hereof is cautioned and advised to independently verify all of such information. In the event of any differences between this Disclosure and Disclaimer and the balance of the RFP, the provisions of this Disclosure and Disclaimer shall govern.

The CRA reserves the right to select the proposal which, in the opinion and sole discretion of the CRA, will be in the best interest and/or most advantageous to the CRA. The CRA reserves the right to waive any irregularities and technicalities and may, at its discretion, request re-submittal of proposals. All expenses in preparing the proposal and any re-submittals shall be borne by the Proposer.

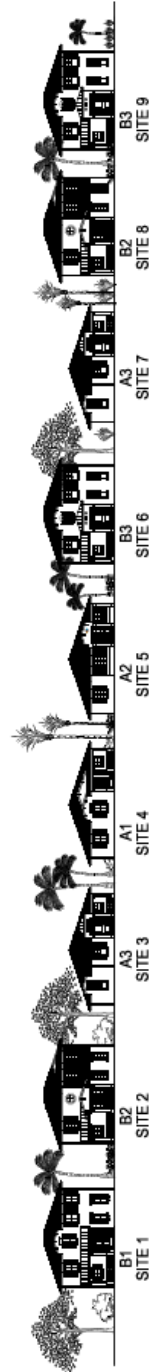
The CRA and the Proposer will be bound only if and when a proposal, as it may be modified, is approved and accepted by the CRA, and the applicable agreements pertaining thereto are approved, executed and delivered by the Proposer to the CRA, and then only pursuant to the terms of the agreements executed by the Proposer and the CRA. All or any responses to this RFP may be accepted or rejected by the CRA for any reason, or for no reason, without any resultant liability to the CRA.

The CRA is governed by the Sunshine Law and the Public Records Law of the State of Florida and all proposals and supporting data shall be subject to disclosure as required by such laws. All proposals shall be submitted in sealed bid form and shall remain confidential to the extent permitted by the Public Record Law until the date and time selected for opening responses.

SITE PLAN



OVERALL SITE PLAN
DATE: 11-20-24



OVERALL SITE ELEVATIONS
DATE: 11-20-24

AFFIDAVITS, PERFORMANCE AND PAYMENT BONDS FORMAT, LETTER OF CREDIT FORMAT

AFFIDAVITS

The forms listed below must be completed by an official having legal authorization to contractually bind the company or firm. Each signature represents a binding commitment upon the Bidder to provide the goods and/or services offered to the CRA if the Bidder is determined to be the lowest responsive and responsible Bidder.

- a. Bid Submittal Signature Page
- b. Conflict of Interest Disclosure Form
- c. Scrutinized Companies Certification Pursuant to Florida Statutes § 287.135
- d. Notification of Public Entity Crimes Law
- e. Notification of Public Records Law
- f. Drug-Free Work Place
- g. Non-Collusion Affidavit

PROPOSAL SUBMITTAL SIGNATURE PAGE

By signing this Proposal, the Proposer certifies that it satisfies all legal requirements as an entity to do business with the CRA.

Proposer's Name: _____

Street Address: _____

Mailing Address (if different from Street Address):

Telephone Number(s): _____

Fax Number(s): _____

Email Address: _____

Federal Employer Identification Number: _____

Signature:

(Signature of authorized agent)

Print Name: _____

Title: _____

Date: _____

By signing this document, the Proposer agrees to all terms and conditions of this solicitation and the resulting contract/agreement.

THE EXECUTION OF THIS FORM CONSTITUTES THE UNEQUIVOCAL OFFER OF PROPOSER TO BE BOUND BY THE TERMS OF ITS PROPOSAL, FOR NOT LESS THAN 90 DAYS, AND THE PROPOSER'S UNEQUIVOCAL OFFER TO BE BOUND BY THE TERMS AND CONDITIONS SET FORTH IN THIS SOLICITATION. FAILURE TO SIGN THIS SOLICITATION WHERE INDICATED ABOVE, BY AN AUTHORIZED REPRESENTATIVE, SHALL RENDER THE PROPOSAL NON-RESPONSIVE. THE CRA MAY, HOWEVER, IN ITS SOLE DISCRETION, ACCEPT ANY PROPOSAL THAT INCLUDES AN EXECUTED DOCUMENT WHICH UNEQUIVOCALLY BINDS THE PROPOSER TO THE TERMS OF ITS PROPOSAL.

CONFLICT OF INTEREST DISCLOSURE FORM

The award of this contract is subject to the provisions of Chapter 112, *Florida Statutes*. All Bidders must disclose within their Bids: the name of any officer, director, or agent who is also an employee of Delray Beach Community Redevelopment Agency ("CRA").

Furthermore, all Bidders must disclose the name of any CRA employee who owns, directly, or indirectly, an interest of more than five percent (5%) in the Bidder's firm or any of its branches.

The purpose of this disclosure form is to give the CRA the information needed to identify potential conflicts of interest for evaluation team members and other key personnel involved in the award of this contract.

The term "conflict of interest" refers to situations in which financial or other personal considerations may adversely affect, or have the appearance of adversely affecting, an employee's professional judgment in exercising any CRA duty or responsibility in administration, management, instruction, research, or other professional activities.

Please check one of the following statements and attach additional documentation if necessary:

_____ To the best of our knowledge, the undersigned firm has no potential conflict of interest due to any other Cities, Counties, contracts, or property interest for this Bid.

_____ The undersigned firm, by attachment to this form, submits information which may be a potential conflict of interest due to other Cities, Counties, contracts, or property interest for this Bid.

Acknowledged by:

Firm Name

Signature

Name and Title (Print or Type)

Date

**SCRUTINIZED COMPANIES CERTIFICATION PURSUANT TO
FLORIDA STATUTES § 287.135**

I, _____, on behalf of _____,
Print Name and Title Company Name

certify that _____ does not:
Company Name

1. Participate in a boycott of Israel; and
2. Is not on the Scrutinized Companies that Boycott Israel List; and
3. Is not on the Scrutinized Companies with Activities in Sudan List; and
4. Is not on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List; and
5. Has not engaged in business operations in Syria.

Submitting a false certification shall be deemed a material breach of contract. The Delray Beach Community Redevelopment Agency (“DBCRA”) shall provide notice, in writing, to the Contractor of the DBCRA’s determination concerning the false certification. The Contractor shall have ninety (90) days following receipt of the notice to respond in writing and demonstrate that the determination of false certification was made in error. If the Contractor does not demonstrate that the DBCRA’s determination of false certification was made in error then the DBCRA shall have the right to terminate the contract and seek civil remedies pursuant to *Florida Statutes § 287.135*.

Section 287.135, *Florida Statutes*, prohibits the DBCRA from:

- 1) Contracting with companies for goods or services in any amount if at the time of bidding on, submitting a proposal for, or entering into or renewing a contract if the company is on the Scrutinized Companies that Boycott Israel List, created pursuant to Section 215.4725, F.S. or is engaged in a boycott of Israel; and
- 2) Contracting with companies, for goods or services over \$1,000,000.00 that are on either the Scrutinized Companies with activities in the Iran Petroleum Energy Sector List, created pursuant to s. 215.473, or are engaged in business operations in Syria.

As the person authorized to sign on behalf of the Contractor, I hereby certify that the company identified above in the section entitled "Contractor Name" does not participate in any boycott of Israel, is not listed on the Scrutinized Companies that Boycott Israel List, is not listed on either the Scrutinized Companies with activities in the Iran Petroleum Energy Sector List, and is not engaged in business operations in Syria. I understand that pursuant to section 287.135, Florida Statutes, the submission of a false certification may subject the company to civil penalties, attorney's fees, and/or costs. I further understand that any contract with the DBCRA for goods or services may be terminated at the option of the DBCRA if the company is found to have submitted a false certification or has been placed on the Scrutinized Companies with Activities in Sudan list or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List.

COMPANY NAME

SIGNATURE

PRINT NAME

TITLE

Must be executed and returned with attached proposal to be considered.

NOTIFICATION OF PUBLIC ENTITY CRIMES LAW

Pursuant to Section 287.133, *Florida Statutes*, you are hereby notified that a person or affiliate who has been placed on the convicted contractors list following a conviction for a public entity crime 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 or real property to a public entity, may not be awarded or perform work as a contractor, supplier, sub-vendor, 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 [F.S.] for Category Two [\$35,000.00] for a period of thirty-six (36) months from the date of being placed on the convicted contractors list.

Acknowledged by:

Firm Name

Signature

Name and Title (Print or Type)

Date

PUBLIC RECORDS LAW

Notification of Public Records Law Pertaining to Public Contracts and Requests for Contractor Records Pursuant to Chapter 119, Florida Statutes

Pursuant to Chapter 119, *Florida Statutes*, Contractor shall comply with the public records law by keeping and maintaining public records required by the Delray Beach Community Redevelopment Agency (“CRA”) in order to perform the service. Upon request from the CRA custodian of public records, contract shall provide the CRA with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, *Florida Statutes* or as otherwise provided by law. Contractor shall ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract If the Contractor does not transfer the records to the CRA. Contractor upon completion of the contract, shall transfer, at no cost, to the CRA all public records in possession of the Contractor or keep and maintain public records required by the CRA in order to perform the service. If the Contractor transfers all public records to the CRA upon completion of the contract, the Contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Contractor keeps and maintains public records upon completion of the contract, the Contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the CRA, upon request from the CRA custodian of public records, in a format that is compatible with the information technology systems of the CRA.

IF THE AWARDED BIDDER HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE AWARDED BIDDER’S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS, RENEE A. JADUSINGH, ESQ., AT THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY, 20 N. SWINTON AVE., DELRAY BEACH FLORIDA AND MAY BE CONTACTED BY PHONE AT 561-276-8640 OR VIA EMAIL AT JADUSINGHR@MYDELRAYBEACH.COM.

Acknowledged by:

Firm Name

Signature

Name and Title (Print or Type)

Date

DRUG-FREE WORKPLACE

_____ is a drug-free workplace and has
(Company Name)
a substance abuse policy in accordance with and pursuant to Section 440.102, *Florida Statutes*.

Acknowledged by:

Firm Name

Signature

Name and Title (Print or Type)

Date

NON-COLLUSION AFFIDAVIT

STATE OF _____
COUNTY OF _____

Before me, the undersigned authority, personally appeared _____, who, after being by me first duly sworn, deposes and says of his/her personal knowledge that:

a. He / She is _____ of _____, the Bidder that has submitted a Bid to perform work for the following:

ITB No.: _____ Title: _____

b. He / She is fully informed respecting the preparation and contents of the attached Invitation to Bid, and of all pertinent circumstances respecting such Solicitation.

Such Bid is genuine and is not a collusive or sham Bid.

c. Neither the said Bidder nor any of its officers, partners, owners, agents, representatives, employees, or parties in interest, including this affiant, has in any way colluded, conspired, connived, or agreed, directly or indirectly, with any other Bidder, firm, or person to submit a collusive or sham Bid in connection with the Solicitation and contract for which the attached Bid has been submitted or to refrain from proposing in connection with such Solicitation and contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Bidder, firm, or person to fix the price or prices in the attached Bid or any other Bidder, or to fix any overhead, profit, or cost element of the Bid price or the Bid price of any other Bidder, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against the Delray Beach Community Redevelopment Agency or any person interested in the proposed contract.

d. The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

Signature

Subscribed and sworn to (or affirmed) before me this _____ day of _____ 20__, by _____, who is personally known to me or who has produced _____ as identification.

SEAL

Notary Signature _____
Notary Name: _____
Notary Public (State): _____
My Commission No: _____
Expires on: _____