

## **REQUEST FOR PROPOSALS #05-110**

**NOTICE IS HEREBY GIVEN** that the City of Lake Wales is accepting sealed proposals for:

### **CERTIFIED ARBORIST**

**At 2:00 P.M., EDT, on January, 13, 2006**, in the Commission Chambers located in the Municipal Administration Building, 201 Central Ave W., Lake Wales, Florida, proposals will be submitted for evaluation.

**An original and six (6)** copies of all proposals, including all executed documents and needed attachments, shall be placed in a sealed envelope, marked “**SEALED PROPOSAL FOR CERTIFIED ARBORIST: # 05-110**”, and delivered prior to the proposal acceptance deadline, **2:00 P.M. EDT on January 13, 2006**. All costs of preparation and presentation associated with the RFP are the responsibility of the bidder.

#### **Responding to the Request for Proposals**

All persons and firms wishing to submit proposals are required to submit a City of Lake Wales Vendor Application, W-9 Form and a current Public Entity Crimes statement with their proposal, unless these items are already on file with the City. These forms may be downloaded from website [www.cityoflakewales.com](http://www.cityoflakewales.com) (select city departments, purchasing) or by contacting Bonnie Hodge, Purchasing Agent, (863) 678-4182, ext. 264.

Proposals may be hand delivered, mailed, or delivered via courier service to the following address. Faxed or e-mailed proposals will not be accepted.

#### DELIVERY ADDRESS

City of Lake Wales  
Finance Department  
Attn: Bonnie Hodge, Purchasing Agent  
201 Central Ave. W  
Lake Wales, Florida 33853-4013

#### MAILING ADDRESS

City of Lake Wales  
Finance Department  
Attn: Bonnie Hodge, Purchasing Agent  
P. O. Box 1320  
Lake Wales, Florida 33859-1320

#### **General Information and Requirements**

1. In accordance with Chapter 119, Florida Statutes, all proposals received, and all materials contained therein, once opened are **public record**, and subject to disclosure to any person, organization, or firm, including other firms responding to this request for proposals.
2. In accordance with section 287.133, Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid or proposal on a contract to provide any goods or services to a public entity and 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 section 287.017-for CATEGORY TWO for a period of 36 months from the date of begin placed on the convicted vendor list.
3. The City reserves the right to accept or reject any or all proposals, or part thereof, to waive any informalities or technicalities, or to award contracts in the best interest of the City. In all instances, the City's decision shall be final.
4. The City of Lake Wales is exempt from taxes imposed by the State and Federal Government. Proposals shall not include any taxes or fees.
5. Prospective firms must submit proposals strictly in accordance with the specifications outlined in the RFP. Each variance, if any, to the specifications shall be specifically stated in the proposal.

6. Prospective firms warrant by virtue of submission of proposals that all prices, terms, and conditions stated shall be honored for a period of ninety (90) days after the opening of proposals. **Any** changes shall result in automatic disqualification of the vendor.
7. The original proposal shall be signed, in blue ink, by a corporate officer, partner, or proprietor.
8. The City reserves the right to reject any or all items if in the City's judgment the item does not meet the needs of the City, or for any reason it deems suitable.
9. Prospective firms are hereby warned not to contact any City employee, official, board member, or Commissioner on matters relating to this Request for Proposals, except as indicated herein. Any attempt to do so, or engaging in lobbying or any other activity interfering with the evaluation process may result in immediate disqualification of the vendor from **any** City business.
10. Prospective firms hereby warrant by virtue of submission of proposals that any and all terms, conditions, and requirements as stated in this document are valid, enforceable, and binding upon the selected vendor.

### **Specific Information and Requirements**

All proposals must contain the following in order to be considered:

1. The Bidder's name, home office address, address of the office providing the services under the contract and telephone number for each.
2. General Description of the bidder; include size, number of employees, primary business, other business or services, type of organization (franchise, corporation, partnership, etc) and other descriptive material.
3. Indication of personnel who will be assigned to the contract including their qualifications, certifications and affiliations.
4. List of public sector clients for which the individual who would be assigned to us or who has provided similar services. Also provide the name, address, and telephone number of a person(s) who can be contacted for reference.
5. A description of the Bidder's understanding of the work to be performed
6. Relationship to the City of Lake Wales, if any.
7. A statement of the insurance coverage carried by the bidder.

### **Scope of Work**

The City of Lake Wales requires services of a qualified arborist to perform various services on an as-needed basis as a consultant working with City staff.

### **Qualifications**

The Arborist shall be certified by the International Society of Abroriculture.

### **Requirements**

The Arborist shall be aware of the existence of any overhead utility lines and shall take all necessary precautions when working in the vicinity of utility lines.

**BID CONTENTS FORM**

**Project:** Certified Arborist

**Project Number:** 05-110

**Name of Bidder:** \_\_\_\_\_

Bids shall contain the following information or documents, attached together or otherwise bound, and in the following order:

1. Bid Contents Form (Form Provided)
2. Bid and Addendum Acknowledgement (Form Provided)
3. Statement of Contractor Qualifications
4. List of Proposed Subcontractors
5. Statements of Subcontractor Qualifications
6. Typed List of References and Previous Projects
7. Collusion Affidavit for the Primary Bidder (Form Provided)
8. Collusion Affidavit for Subcontractors (Form Provided)
9. Public Entity Crimes Statement (Form Provided)
10. Vendor Application (Obtain Form from Purchasing Agent if not already on file)
11. Offeror and Insurance Agent Statement (Form Provided)
12. Bid Proposal (Form Provided)
13. Copies of Qualification and Licensure Evidence Documents
14. Other Information the Bidder Attaches to the Bid: **List those items below, in the order they are attached to the bid:**

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15. Other Information or Materials Included in the Bid Package: **List items below included with the bid submittal but not attached to this packet:**

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**Name of Bidder:** \_\_\_\_\_

## BID AND ADDENDUM ACKNOWLEDGMENT

### Receipt of Addenda Acknowledgement

Bidder shall acknowledge below the receipt of any and all Addenda, if any, to the Plans and Specifications, listing the Addenda by number and date.

Addendum No.: \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Addendum No.: \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Addendum No.: \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Addendum No.: \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Addendum No.: \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

### Bid Acknowledgement

This acknowledgment shall be signed, in blue ink, by a corporate officer, partner, or proprietor:

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a bid for the same construction, service, or material and is in all respects fair and without collusion or fraud. I agree to abide by all conditions of this bid and certify that I have read and understand the bidding documents in their entirety. I have completed and submitted all bid submittals and I am authorized to sign this bid for the Bidder.

\_\_\_\_\_  
Authorized Signature Date

Name of Authorized Person: \_\_\_\_\_

Title / Position of Authorized Person: \_\_\_\_\_

Name of Bidder: \_\_\_\_\_

**NON-COLLUSION AFFIDAVIT OF PRIME BIDDER**

State of \_\_\_\_\_ )

ss.

County of \_\_\_\_\_ )

\_\_\_\_\_, being first duly sworn, deposes and says that:

- (1) He is \_\_\_\_\_ of \_\_\_\_\_  
\_\_\_\_\_, the Bidder that has submitted the attached bid;
- (2) He is fully informed respecting the preparation and contents of the attached Bid and all pertinent circumstances respecting such Bid;
- (3) Such bid is genuine and is not a collusive or sham Bid;
- (4) 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 Contract for which the attached Bid has been submitted or to refrain from bidding in connection with such 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 of 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 secure through collusion, conspiracy, connivance or unlawful agreement any advantage against the City of Lake Wales or any person interested in the proposed Contract; and
- (5) 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.

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

Sworn to and subscribed before me

this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Personally known \_\_\_\_\_

OR Produced identification \_\_\_\_\_

\_\_\_\_\_  
(Type of identification)

\_\_\_\_\_  
Notary Public - State of \_\_\_\_\_

My commission expires \_\_\_\_\_

**Name of Bidder:** \_\_\_\_\_

**NON-COLLUSION AFFIDAVIT OF SUBCONTRACTOR**

State of \_\_\_\_\_ )

ss.

County of \_\_\_\_\_ )

\_\_\_\_\_, being first duly sworn, deposes and says that:

- (1) He is \_\_\_\_\_ of \_\_\_\_\_  
\_\_\_\_\_, hereinafter referred to as the Subcontractor;
- (2) He is fully informed respecting the preparation and contents of Subcontractor's Proposal submitted by the Subcontractor to \_\_\_\_\_ for certain work in connection with **Item 05-110** pertaining to the **Certified Arborist project** in Lake Wales, Florida;
- (3) Such Subcontractor's Proposal is genuine and is not a collusive or sham Proposal;
- (4) Neither the Subcontractor 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 proposal in connection with such Contract, or has in any manner, directly or indirectly, sought by unlawful agreement or connivance with any other Bidder, firm or person to fix the price or prices in said Subcontractor's Proposal or secure through collusion, conspiracy, connivance or unlawful agreement any advantage against the City of Lake Wales or any person interested in the proposed Contract; and
- (5) The price or prices quoted in the Subcontractor's Proposal 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.

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

Sworn to and subscribed before me

this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Personally known \_\_\_\_\_

OR Produced identification \_\_\_\_\_

\_\_\_\_\_  
(Type of identification)

\_\_\_\_\_  
Notary Public - State of \_\_\_\_\_

My commission expires \_\_\_\_\_

**Name of Bidder:** \_\_\_\_\_

**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 to CITY OF LAKE WALES

by \_\_\_\_\_  
[print individual's name and title]

for \_\_\_\_\_  
[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 or any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

3. I understand that "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, 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(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" included those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate.

The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value 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.

**Name of Bidder:** \_\_\_\_\_

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.

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 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. [attached is 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.

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

Sworn to and subscribed before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Personally known \_\_\_\_\_

OR Produced identification \_\_\_\_\_

\_\_\_\_\_  
(Type of identification)

\_\_\_\_\_  
Notary Public - State of \_\_\_\_\_

My commission expires \_\_\_\_\_

**Name of Bidder:** \_\_\_\_\_



## OFFEROR AND INSURANCE AGENT STATEMENT

Items checked are required to be provided if award is made to your firm. Bidder's Insurance Agent shall mark a "Yes" or "No" as to availability of insurance, and then execute the Offeror and Insurance Agent Statement as indicated below. Failure to provide coverage as required shall subject Bid to be rejected.

If you answer "No" to any of these coverages or questions, provide written explanation on a separate sheet.

<u>Coverage Required</u>	<u>Limits</u>	<u>Coverage Available?</u>	
		<u>Yes</u>	<u>No</u>
Workers' Compensation	Statutory Limits of State of Florida	_____	_____
Is Admitted In Florida		_____	_____
Employers' Liability	\$100,000	_____	_____
General Liability	\$100,000 / \$1,000,000	_____	_____
M&C / CGL	Single Limit Bodily	_____	_____
Automobile Liability	\$500,000	_____	_____
Single Limit Bodily Owned, Hired, and Non-Owned Injury and Property		_____	_____
City named as additional insured on all Auto and General Liability Policies:		_____	_____
30-day cancellation noticed required:		_____	_____

### Offeror and Insurance Agent Statement

We understand the Insurance Requirements of these specifications and will comply in full if awarded this contract:

\_\_\_\_\_  
Name of Offeror

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of Insurance Agent

\_\_\_\_\_  
Signature

**Name of Bidder:** \_\_\_\_\_

**THE CITY OF LAKE WALES – LAKE WALES, FLORIDA  
BID PROPOSAL**

Submitted On: \_\_\_\_\_

Proposal of: \_\_\_\_\_

To the City of Lake Wales (hereinafter "City"):

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 that herein is mentioned has any interest in this Proposal or in the Contract to be entered into; that this Proposal is made without any connection with any other person, company or parties making a Bid or Proposal; and 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 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 work and Contractual 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 proposes and agrees, if this Proposal is accepted, to contract with the City in the form of Contract specified, to furnish all necessary materials, equipment, machinery, tools, apparatus, means of transportation and labor necessary to complete the work known particularly as:

Name of Project: **Certified Arborist**

**Bid# 05-110**

In full and complete accordance with the shown, noted, described and reasonably intended requirements of the Plans and Specifications and Contract Documents to the full and entire satisfaction of the City with a definite understanding that no money will be allowed for extra work except as set forth in the attached General Conditions and Contract Documents, for the sum of (type or print amount, in words, in space below):

The Bidder further proposes and agrees to commence work under this Contract on or before a date to be specified in the written Notice to Proceed and to complete all the work in its entirety within the agreed number of calendar days thereafter. Bidder further agrees to pay the City as liquidated damages the sum of Two Hundred and Fifty Dollars (\$250.00) for each calendar day thereafter until the project is fully complete, ready to use, and accepted by the City.

Respectfully submitted,

\_\_\_\_\_  
Name of Firm

\_\_\_\_\_  
Address (Post Office Box, Street, City, State and Zip Code)

\_\_\_\_\_  
State of Incorporation

\_\_\_\_\_  
Signature of Authorized Corporate Officer, Partner, or Proprietor

\_\_\_\_\_  
Title

**Name of Bidder:** \_\_\_\_\_