

**REQUEST FOR PROPOSAL #12-1032BG
PROFESSIONAL SERVICES
FOR
TRANSPORTATION ENGINEERING**

Manatee County, a political subdivision of the State of Florida (hereinafter "Manatee County" or the "County") will receive proposals from individuals, corporations, partnerships, and other legal entities authorized to do business in the State of Florida, for the purpose to provide PROFESSIONAL SERVICES for TRANSPORTATION ENGINEERING in accordance with Florida Statute Chapter 287, Section 055 The Consultants Competitive Negotiation Act and as described in this Request For Proposal.

DEADLINE FOR CLARIFICATION REQUESTS: May 10, 2012 at 5:00 PM shall be the deadline to submit all inquiries, suggestions, or requests concerning interpretation, clarification or additional information pertaining to this Request For Proposals to the Manatee County Purchasing Office. This deadline has been established to maintain fair treatment for all potential bidders or proposers, while ensuring an expeditious transition to a final agreement.

TIME AND DATE DUE: Proposals will be received until **May 18, 2012 at 1:00 P.M.** which time they will be **publicly opened**. All interested parties are invited to attend this opening.

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Important Note: A prohibition of Lobbying is in place. Please review paragraph A.16 carefully to avoid violation and possible sanctions

FOR INFORMATION CONTACT:

Blair C. Getz, Purchasing Division Contracts Negotiator at (941) 749-3053

AUTHORIZED FOR RELEASE: DWV

SECTION A: INFORMATION TO PROPOSERS

PROPOSERS MUST COMPLY WITH THE FOLLOWING INSTRUCTIONS TO BE CONSIDERED FOR SELECTION:

A.01 OPENING LOCATION

These proposals will be publicly opened at Manatee County Purchasing, 1112 Manatee Avenue West, 8th Floor, Suite 803, Bradenton, Florida 34205, in the presence of County officials at the time and date stated on the cover sheet. All proposers or their representatives are invited to attend.

A.02 PROPOSAL INFORMATION AND PROPOSAL DOCUMENTS

Bids and Proposals on <http://www.mymanatee.org>

Bid or Proposal documents and the Notices of Source Selection related to those Bids or Proposals are available for download in a portable document format (.PDF) file on the Manatee County web page on the Purchasing tab under "Bids and Proposals". You may view and print these files using Adobe Acrobat software. You may download a free copy of this software (Adobe) from the County's web page if you do not have it.

Manatee County collaborates with the Manatee Chamber of Commerce on distributing solicitations using the RFP Tool web page on the Chambers website: <http://www.Manateechamber.com> to post Bid and Proposal documents in a portable document format (.PDF) file. This step is in addition to the posting on Manatee County Government web pages.

Manatee County may also use an internet service provider to distribute Bids and Proposals. The website for this service is <http://www.DemandStar.com>. Participation in the DemandStar system is not a requirement for doing business with Manatee County

Note: The County posts the **Notice of Source Selection** seven (7) calendar days prior to COMMENCING NEGOTIATIONS with the selected firms.

IT IS THE RESPONSIBILITY OF EACH PROPOSER, PRIOR TO SUBMITTING THEIR PROPOSAL, TO CONTACT THE MANATEE COUNTY PURCHASING OFFICE (see contact information on page one of this document) TO DETERMINE IF ADDENDA WERE ISSUED AND TO MAKE SUCH ADDENDA A PART OF THEIR PROPOSAL.

A.03 REQUIREMENTS FOR FORMAT AND DELIVERY OF PROPOSALS

Any proposals received after the stated time and date will not be considered. It shall be the sole responsibility of the proposer to have their proposal delivered to the Manatee County Purchasing office for receipt on or before the stated time and date. If a proposal is sent by U.S. Mail, the proposer shall be responsible for its timely delivery to the Purchasing Office. Proposals delayed by mail shall not be considered, shall not be opened at the public opening, and arrangements shall be made for their return at the proposer's request and expense.

Proposals must be submitted in the format specified in Section B hereof. Additional support information may be included. The contents of the proposal shall be separated and arranged with tabs in the same order as listed in the subsections within Section B identifying the response to each specific item, thereby facilitating expedient review of all responses.

A.04 CLARIFICATION & ADDENDA

Each proposer shall examine all Request For Proposal documents and shall judge all matters relating to the adequacy and accuracy of such documents. Any inquiries, suggestions or requests concerning interpretation, clarification or additional information pertaining to the Request For Proposal shall be made in writing through the Manatee County Purchasing Office. The County shall not be responsible for oral interpretations given by any County employee, representative, or agents. The issuance of a written addendum by the Purchasing Official's Division is the only official method whereby interpretation, clarification or additional information can be given.

Addenda shall be posted on <http://www.mymanatee.org>

It shall be the responsibility of each proposer, prior to submitting their proposal, to contact the Manatee County Purchasing Office at 941-748-4501, Ext. 3053 to determine if addenda were issued and to acknowledge Addendum(s) where indicated on the Proposal Signature Form.

DEADLINE FOR CLARIFICATION REQUESTS

May 10, 2012 at 5:00 PM shall be the deadline to submit all inquiries, suggestions, or requests concerning interpretation, clarification or additional information pertaining to this Request For Proposals to the Manatee County Purchasing Office.

This deadline has been established to maintain fair treatment for all potential bidders or proposers, while ensuring an expeditious transition to a final agreement.

A.05 SEALED & MARKED

One (1) signed Original (marked Original) and FIVE (5) copies (marked Copy) of your proposal shall be submitted in one sealed package, clearly marked on the outside "**Sealed Proposal #12-1032BG/Professional Services for Transportation Engineering**" and addressed to:

Manatee County Purchasing Division
1112 Manatee Avenue West, Suite 803
Bradenton, FL 34205

A.06 LEGAL NAME

Proposals shall clearly indicate the legal name, address and telephone number of the proposer (company, firm, and partnership, individual). Proposals shall be signed above the typed or printed name and title of the signer. The signer shall have the authority to bind the proposer to the submitted proposal.

A.07 PROPOSAL EXPENSES

All expenses for making proposals to the County are to be borne by the proposer.

A.08 EXAMINATION OF OFFER

The examination of the proposal and the proposer generally requires a period of not less than ninety (90) calendar days from the date of the opening of the proposals.

A.09 DISCLOSURE

Upon receipt of all inquiries and responses to inquiries related to this request For Proposal become "Public Records" and are subject to public disclosure thirty (30) days after the proposal opening or if an Notice of Intent to Award decision is made earlier than this time as provided by Florida Statute 119.071 (1) (b). **No review of the proposal documents shall be conducted at the public opening of the proposals.** If the County rejects all proposals and concurrently notices its intent to reissue the solicitation, initial proposals are exempt until the County provides notice of its intended decision, or 30 days after opening of the new proposals.

Manatee County will make public at the opening, the names of the business entities that submitted an offer and any amount presented as offers without any verification of the mathematics, if any, or the completeness of the offer.

A.10 ERRORS OR OMISSIONS

Once a proposal is submitted, the County shall not accept any request by any proposer to correct errors or omissions in the proposal.

A.11 RESERVED RIGHTS

The County reserves the right to accept or reject any and/or all proposals, to waive irregularities and technicalities, and to request resubmission. Any sole response received by the first submission date may or may not be rejected by the County, depending on available competition and timely needs of the County. The County reserves the right to award the contract to a responsible proposer submitting a responsive proposal, with a resulting negotiated agreement which is most advantageous and in the best interests of the County. The County shall be the sole judge of the proposal, and the resulting negotiated agreement that is in its best interest and its decision shall be final. Also, the County reserves the right to make such investigation as it deems necessary to determine the ability of any proposer to perform the work or service requested. Information the County deems necessary to make this determination shall be provided by the proposer. Such information may include, but shall not be limited to: current financial statements prepared by an independent CPA; verification of availability of equipment and personnel; and past performance records.

A.12 APPLICABLE LAWS

Proposer must be authorized to transact business in the State of Florida. All applicable laws and regulations of the State of Florida and ordinances and regulations of Manatee County will apply to any resulting agreement. Any involvement with any Manatee County procurement shall be in accordance with Manatee County Code of Laws Chapter 2-26, as amended. Procedures and deadlines concerning protests related to this Request For Proposals shall be those which are set forth in §2-26-61 of the County Code.

A.13 CODE OF ETHICS

With respect to this proposal, if any Proposer violates, directly or indirectly, the ethics provisions of the Manatee County Purchasing Code and/or Florida criminal or civil laws related to public procurement, including but not limited to Florida Statutes Chapter 112, Part II, Code of Ethics for Public Officers and Employees, such Proposer will be disqualified from eligibility to perform the work described in this Request for Proposal, and may also be disqualified from furnishing future goods or services to, and from submitting any future bids or proposals to supply goods or services to, Manatee County.

By submitting a proposal, the Proposer represents to the County that all statements made and materials submitted are truthful, with no relevant facts withheld. If a Proposer is determined to have been untruthful in its proposal or any related presentation, such Proposer will be disqualified from eligibility to perform the work described in this Request for Proposal, and may also be disqualified from furnishing future goods or services to, and from submitting any future bids or proposals to supply goods or services to, Manatee County.

A.14 COLLUSION

By offering a submission to this Request For Proposal the proposer certifies the proposer has not divulged to, discussed or compared his proposal with other proposers and has not colluded with any other proposer or parties to this proposal whatsoever. Also, the proposer certifies, and in the case of a joint proposal, each party thereto certifies, as to their own organization that in connection with this proposal:

1. Data submitted has been arrived at independently, without consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such data, with any other proposer or with any competitor;
2. Data for this proposal has not been knowingly disclosed by the proposer prior to the scheduled opening directly or indirectly to any competitor;
3. No attempt has been made or will be made by the proposer to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition;
4. The only person or persons interested in this proposal as principal or principals is/are named therein and that no person other than therein mentioned has any interest in this proposal or in the contract to be entered into; and
5. No person or agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees.

A.15 PUBLIC ENTITY CRIMES

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 proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposals on leases or 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 Section 287.017 for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

SECTION A.15: PUBLIC ENTITY CRIMES - continued

In addition, Manatee Code of Laws Chapter 2-26 Article V prohibits the award of County contracts to any person or entity who/which has, within the past 5 years, been convicted of, or admitted to in court or sworn to under oath, a public entity crime or of any environmental law that, in the reasonable opinion of the purchasing official, establishes reasonable grounds to believe the person or business entity will not conduct business in a reasonable manner. To ensure compliance with the foregoing, the Code requires all persons or entities desiring to contract with the County to execute and file with the Purchasing Official an affidavit, executed under the pain and penalties of perjury, confirming that person, entity, and any person(s) affiliated with the entity, does not have such a record and is therefore eligible to seek and be awarded business with the County. **Proposer is to complete Attachment "A"**

A.16 LOBBYING

After the issuance of any Request For Proposals, prospective proposers or any agent, representative or person acting at the request of such proposer shall not contact, communicate with or discuss any matter relating in any way to the Request For Proposals with any officer, agent or employee of Manatee County other than the Purchasing Official or as directed in the Request For Proposals. This prohibition begins with the issuance of any Request For Proposals and ends upon an award of the final contract, when all solicitations have been rejected, or when the request has been canceled. Violators of this prohibition shall be subject to sanctions as provided in the Manatee County Code of Laws Chapter 2-26.

A.17 EQUAL EMPLOYMENT OPPORTUNITY

In accordance with the provisions of Title VI of the Civil Rights Act of 1964 and Title 15, part 8 of the code of Federal regulations, Manatee County hereby notifies all prospective Proposers that it will affirmatively ensure minority business enterprises will be afforded full opportunity to participate in response to this advertisement and will not be discriminated against on the grounds of race, color or national origin in consideration for an award.

A.18 AMERICANS WITH DISABILITIES ACT

The Board of County Commissioners of Manatee County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the County's functions including one's access to, participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation for the **public meetings** specified herein (i.e. Information Conference or Proposal Opening), should contact the person named on the first page of this document at least twenty four (24) hours in advance of the activity to request accommodations.

END OF SECTION A

SECTION B: FORM OF PROPOSAL

This section identifies specific information which must be contained within each Proposal. The contents of each proposal shall be **separated** and **arranged with tabs** in the same order as listed in Sections B.01 through B.04, identifying the response to each specific item.

The information that Proposers provide shall be used to determine those the Proposers with perceived ability to perform the Scope of Services as stated in this Request for Proposal which may overall best meet the needs of Manatee County. A review with those Proposers reasonably susceptible of being selected for award may be conducted for the purposes of clarification of both ability and benefit to Manatee County. See Section C. Selection.

B.01 MINIMUM QUALIFICATIONS:

The Proposer must present qualifications as follows prior to further consideration of their proposal:

To qualify for any consideration, Proposer must be certified to practice engineering in accordance with Florida Statute 471 and have proven professional experience in the areas of transportation engineering.

If the proposer is relying on any acquisition or merger for meeting the minimum qualifications requirement, the proposer shall clearly disclose such acquisition or merger. The proposer shall clearly explain how the acquisition or merger meets the minimum qualification requirements, including a description of each firm's experience.

Proposals may be submitted by one (1) or more sole proprietorship; corporation, partnership or a joint venture, the entity(s) submitting the proposal shall provide copies of and be properly registered, certified, and licensed as required by the State of Florida.

Joint Venture Firms must provide an affidavit on the firm's letterhead, signed, witnessed and notarized attesting to the formulation of a joint venture and provide either proof of incorporation or a copy of the formal agreement between all joint venture parties, indicating their respective roles, responsibilities and levels of participation for the project.

B.02 ADMINISTRATIVE SUBMITTAL

- a. Proposal Signature Form.
- b. Public Contracting and Environmental Crimes Cert. (Attachment A).

After Manatee County staff validates the qualifications given, those proposers who meet the minimum qualifications stated will be considered.

B.03 INFORMATION TO BE SUBMITTED REGARDING YOUR BUSINESS ENTITY

Tabular information is required to identify each item defined in this Section

To validate the qualifying service, provide the Florida City or County, the date of the engagement, a government contact who was responsible for the administration of that contract and contact information including telephone and email information.

- B.03.1. Provide a description of the proposer's **background and size**. Provide a general statement of qualifications that includes your firm's professional credentials, the legal status of your organization, and experience in providing the service enumerated in this Request For Proposal.

Describe any **changes in the mode of conducting business** your firm has made in the past five (5) years, including any mergers, acquisitions, consolidations, downsizing or bankruptcy proceedings or filings. Disclose any such changes that are currently in progress. Identify the location of the primary office that will provide these services to the County.

- B.03.2. Provide an **explanation of the business entity which you represent**. Specify the business entity which would be bound by a contract, should your firm be selected: company or corporation; subcontractor roles; and if a joint venture, include the specific experience that the joint venture partners have working together on similar projects.

If the proposer is a joint venture, or partnership, the details of the responsibilities for provision of the required services must be clearly disclosed.

Provide a narrative on how you anticipate the partnerships to manage the work and any prior experience that the individual entities may have had in working together on other projects. Disclose the lead firm of a joint venture.

SECTION B.03: INFORMATION TO BE SUBMITTED REGARDING YOUR BUSINESS ENTITY - continued

- B.03.3 Identify each **principal of the firm and other “key personnel”** who will be professionally associated with the County. Do not include personnel that will not have a role in this project. Describe their respective areas of expertise. Include personalized resumes which identify the qualifications, training and experience of each key personnel. Identify each individual on your team and provide the following information:
- Name
 - Professional credentials
 - Title
 - Telephone number
 - Office address
 - Email address
 - Brief description of the individual's role and duties for Manatee County
 - Individual resume
- B.03.4 Submit an **organizational chart** of your firm, stating the names of the firm's management and supervisory personnel to be assigned to this contract undertaking. Provide a resume for each of your key personnel. Identify the primary office location of each person listed in the organizational chart.
- B.03.5 Submit a list of **subcontractors and sub-consultants** that may be used with the same level of detail as item B.03.3 above
- B.03.6. **Specify the office and the location of the business entity explained in response to item B.03.2 above which is to be the primary location of the principal and key personnel.** List the key personnel at that location. For the remaining key personnel detail at what location(s) from which they will work and how they will provide management services or supply support from those locations.
- B.03.7. Submit a narrative **explaining the direct economic benefit to Manatee County to be realized by selecting your firm.** During the term of this engagement detail the employment, subcontracting, and support services contracting as economic stimulus that your entity may generate that would directly benefit Manatee County.

If your business entity has limited experience, such as a joint venture created for this project, provide a narrative on how you anticipate the new partnerships to manage the work and any prior experience that the individual entities may have had in working together on other projects. If submitting projects as support, include the level of detail requested in item B.03.3 above.

SECTION B.03: INFORMATION TO BE SUBMITTED REGARDING YOUR BUSINESS ENTITY - continued

- B.03.8. Using the response to B.03.3 in which you identified "Key Personnel", provide a list, with references, of Transportation Engineering Services **that each individual has performed since 2007**. References given must specify employees in senior level management positions with knowledge of the project to confirm the claimed details. Include the name of the entity for which the work was completed, a description of the project, the dates of service, the telephone number(s) and email addresses of the identified contact persons.
- B.03.9. Disclose any **private client engagements that your business entity has undertaken as a transportation engineering service** from 2007 to the current date. Provide the private client's name, the date of the engagement, and the description of the services your business entity provided.
- B.03.10. Provide a list of at least **five (5) references** with knowledge of your firm's contract performance with local government. References shall be employees in senior level management positions at the governmental entity. Include the name of the entity, a description of the contract project, the dates of service and the name(s) and telephone number(s) of the contact persons.
- B.03.11. Submit a **project management plan** for processing tasks requiring Transportation engineering. The plan shall include the scheduling of all major project milestones in a time line fashion, tracking and reporting procedures for identified milestones and development strategy that defines the deliverables to be supplied.
- B.03.12. Provide a list of the **contracts your firm has obtained** within the past three (3) years, indicating the type of services provided and the locations. Provide a list of the contracts your firm has held and then lost in the past three (3) years and state the reason for the loss and the location.
- B.03.13. Provide a list of the pertinent transportation projects performed over the past five (5) years by your firm. Provide for the projects listed the following information, a) were the projects designed within budget, b) did the construction phase of the projects designed by your firm meet budget and c) was the construction schedule met ?, if the answer is no to any of the above state cost overruns and/or damage claims with reasons for the increases.
- B.03.14. Provide a list of the pertinent transportation permitting activities, operation and maintenance assistance and applicable transportation reports or study activities performed by your firm over the past five (5) years and identify the primary office and key personnel that performed the work.

SECTION B.03: INFORMATION TO BE SUBMITTED REGARDING YOUR BUSINESS ENTITY – continued

B.03.15 Present evidence of experience in working with grant or other intergovernmental funding timetables and requirements. Explain ability to provide County with assistance in grant and other intergovernmental funding matters. Describe projects(s) and services provided.

B.04 ADDITIONAL INFORMATION TO BE SUBMITTED

Submit any additional information which would assist the County in the evaluation of your proposal.

NOTE: The County reserves the right to make such investigation and solicit additional information or submittals as it deems necessary to determine the ability of any Proposer to perform the Scope of Services stated in this Request For Proposal.

END OF SECTION B

SECTION C: SELECTION

C.01 EVALUATION FACTORS

Evaluation factors are the perceived ability of the Proposer to perform the Scope of Services as stated in this Request for Proposal in the most timely and efficient manner. Evaluation factors shall determine the proposal which will overall best meet the needs of Manatee County as determined from the responses to this Request for Proposal and subsequent investigation by the County.

C.02 RELATIVE IMPORTANCE OF EVALUATION FACTORS

No weight has been assigned to the Evaluation Factors stated above.

C.03 PRELIMINARY RANKING

An Evaluation Committee shall determine from the responses to this Request for Proposal and subsequent investigation as necessary, the Proposer(s) most Qualified to be selected to negotiate an agreement.

C.04 IN-PERSON REVIEW OF PROPOSERS AND PROPOSALS

In-person reviews may be conducted with responsible proposers who are deemed reasonably susceptible of being selected for award, for the purposes of assuring full understanding of (a) conformance to the solicitation requirements, (b) the abilities of the proposer, and (c) the proposal submitted.

Proposers shall be available for presentations to and interviews with the Evaluation Committee, upon notification from the Purchasing Office. The date(s) and time(s) of any such presentations / interviews shall be determined solely by the County, and maybe closed to the public in the discretion of the Purchasing Official, and to the extent permitted by law.

C.05 SELECTION FOR NEGOTIATION

The evaluation committee will make a recommendation to the County Administrator as to the proposer(s) the County should enter negotiations with. The County Administrator will act upon that recommendation and, if accepted, the successful Proposer(s) will be invited to enter negotiations led by the Purchasing Division.

C.06 AWARD

Award of an agreement is subject to the successful negotiations and the approval of either the County Administrator or the Board of County Commissioners (as provided for in the current Purchasing Code and Procurement Procedures).

END SECTION C

SECTION D: NEGOTIATION OF THE AGREEMENT

D.01 GENERAL

The following general terms and conditions apply to the proposal submitted for consideration and the subsequent negotiations:

- a. The proposal(s) will serve as a basis for negotiating an agreement, but not compel adherence to its terms or conditions.
- b. Upon submission, all proposals become the property of the County which has the right to use any or all ideas presented in any proposal submitted in response to this Request for Proposal whether or not the proposal is accepted.
- c. All products and papers produced in the course of this engagement become the property of the County upon termination or completion of the engagement.

D.02 AGREEMENT

The selected Proposer(s) shall be required to negotiate an agreement, in a form and with provisions acceptable to Manatee County.

Negotiated Agreements may or may not include all elements of this RFP or the resulting successful proposal where alternative terms or conditions become more desirable to the County, and the parties agree to such terms.

The parties will negotiate the term of the agreement, and the circumstances in which it may be renewed, assigned or terminated.

The parties will negotiate matters of insurance, liability, record-keeping, auditing, and all other relevant contractual matters.

END SECTION D

SECTION E: SCOPE OF SERVICES

E.01 PURPOSE

The purpose of this Request For Proposal is to solicit proposals from qualified individuals, corporations, partnerships and other legal entities for selection of an engineering firm to provide professional services for transportation engineering County-wide on an as required basis.

E.02 REQUIREMENTS

The Consultant shall perform, on an as required basis, all of the services necessary for projects that require engineering services for design and specification, services during bidding, services during construction, record drawings, and permits for construction of various transportation projects incorporated into the Manatee County Capital Improvement Plan (CIP). It is projected that work will include a variety of tasks, special projects and feasibility studies associated with transportation services. Engineering service specialties shall include but are not limited to civil, structural, and electrical/instrumentation, environmental and industrial. Other service specialties shall include but are not limited to biological and ecological evaluations, geological and hydro-geological investigations, mapping and surveying, landscape architecture and property acquisition.

As projects are identified, the County will issue Work Assignments to the Consultant to perform the requested services in accordance with the terms and conditions of a negotiated consulting agreement, to be awarded pursuant to this RFP. Projects may be assigned individually or in groups.

E.03 SERVICES TO BE PROVIDED BY CONSULTANT

a Engineering Services:

The Consultant shall:

- 1) Provide engineering services that include, but are not limited to:
 - a) Civil
 - b) Environmental
 - c) Industrial
 - d) Electrical/Instrumentation
 - e) Hydro-geological
 - f) Structural

SECTION E.03 SERVICES TO BE PROVIDED BY CONSULTANT- continued

- g) Value Engineering
 - h) Biological
 - i) Land acquisition services
 - j) Report preparation
- 2) Provide other professional services, as required that include, but are not limited to:
- a) Landscape Architecture
 - b) Surveying and Mapping
 - c) Geographic Information Systems
 - d) Quality Control
 - e) Ecological Assessments
 - f) Permitting
 - g) CADD Services
 - h) Environmental monitoring of permit requirements
 - i) Grant/loan/other intergovernmental funding assistance
- 3) Provide other engineering consulting services as may be required to support County projects but not limited to:
- a. Consultation, Investigations and Reports.
 - b. Design Services.
 - c. Construction Services.
 - d. Additional Services.
- 4) Specific tasks related to the aforementioned general work classifications:

SECTION E.03 SERVICES TO BE PROVIDED BY CONSULTANT- continued

- a) Preliminary and Feasibility Investigations, Cost Studies and Economic Comparisons.
- b) Environmental, Social and Alternate Transportation System Studies.
- c) Biological Consultations, Bio-Assays, Ecological Impact Evaluations, and Related Environmental Services.
- d) Project Development and Environmental (PD&E) Studies.
- e) Public Involvement Programs.
- f) Highway Design - Roadway (Includes Drainage Design).
- g) Highway - Bridges.
- h) Bridge Inspection.
- i) Traffic Operations Studies.
- j) Plans Review, Constructability Review, QA/QC.
- k) Highway Lighting Design.
- l) Traffic Operations Design.
- m) Design Surveys
- n) Soil Exploration, Material Testing and Foundation.
- o) Construction Engineering Inspection.
- p) Engineering Contract Administration and Management.
- q) Right-of-Way Surveying and Mapping.
- r) Land Acquisition/Land Acquisition Services.
- s) Transportation Planning.
- t) Landscape Architecture.

SECTION E.03 SERVICES TO BE PROVIDED BY CONSULTANT- continued

- u) Utility Design.
- v) Aerial Photography and Mapping.

Basic engineering services on projects, where both design and representation of the County during construction are required, are accomplished in distinct and sequential phases, as follows:

1. **Conceptual Phase (Studies and Reports)**

(10) copies of the Design Memorandum (or Report) together with the necessary single line diagrams, maps, sketches and other descriptive information.

Prior to commencement of the Preliminary Design Phase for a project, the Consultant may be required to submit to the County for approval, a Design Memorandum (or Report) which shall include, but not be limited to, the following information:

- a) Recommendations regarding the advisability of undertaking the project.
- b) Design parameters and criteria.
- c) Engineering constraints and limitations.
- d) Traffic studies.
- e) Soil exploration, material testing and foundation evaluations.
- f) Alternatives evaluation (concept design)
- g) Bridge inspection.
- h) Storm water modeling/conceptual drainage design.
- i) Preapplication meetings with regulatory agencies.
- j) Investigations and analyses of probable construction, right-of-way and engineering costs.
- k) Projected scheduling.
- l) Evaluation of utility impacts.

SECTION E.03 SERVICES TO BE PROVIDED BY CONSULTANT- continued

- m) Funding sources and applications for revenues to funding agencies.
- n) Project selection studies.
- o) CADD support services.
- p) Assist the County in the preparation of proceedings and conducting public workshops and hearings.

Based on the needs of a particular project, the Consultant shall serve as the County's professional engineering representative for projects designed under this Scope of Services.

2. **Preliminary Design Phase (0-30% Complete)**

Based on the approved Design Memorandum (or Report), Consultant shall establish the general size and scope of the project, and its location on the site. The Preliminary Design Services may include, but not be limited to, the following tasks:

- a) Design Survey, right-of-way surveys, easements.
- b) Soil exploration, material testing and foundation evaluations.
- c) Aerial Photography and Mapping.
- d) Coordination with utility companies.
- e) Definition of utility locations.
- f) Possible environmental impacts and mitigation alternatives.
- g) Coordination with the approving and regulatory agencies.
- h) Preliminary cross sections.
- i) Evaluate maintenance of traffic requirements.
- j) Preliminary designs for bridges and potential conflicts.

SECTION E.03 SERVICES TO BE PROVIDED BY CONSULTANT- continued

- k) "Best Management Practices" alternatives evaluation.
- l) Preparation of technical specifications.
- m) Preliminary designs for special crossings and identity of potential conflicts.
- n) Preparation of plan and profile sheets.
- o) Definition of existing right-of-way and easements.
- p) Acquisition of right-of-way and easements.
- q) Public education and information programs.
- r) Landscape architecture concept plans.
- s) Pavement design.
- t) Design criteria.
- u) Typical section(s).

Deliverables:

- 4 sets of preliminary plans and details.
- 2 copies of the geotechnical report.
- 2 copies of the design calculations.
- 2 copies of correspondence with regulatory agencies.
- 2 copies of correspondence with power company.
- 2 copies of correspondence with utility companies.
- 2 copies of environmental monitoring plan proposals.

SECTION E.03 SERVICES TO BE PROVIDED BY CONSULTANT- continued**3. Intermediate Design Phase (30-75% Complete)**

Following County review and concurrence of Preliminary Design Phase deliverables, the Consultant shall, based on input from the County and regulatory agencies, continue preparation of the bid plans, technical specifications and estimates for bidding and construction.

The Consultant shall include in the bid documents, the measurement and payment section and schedule of bid items specifically for the project, including an opinion of probable costs. All right-of-way and easement requirements shall be finalized.

Design services shall include, but not be limited to, the following tasks:

- a) Completed drainage design, including storm water collection, conveyance, retention, detention, treatment and outfall facilities design.
- b) Drainage map.
- c) Permit applications, as required.
- d) Completed mitigation plan.
- e) Completed roadway design including typical section sheets, alignment sheets, plan/profile sheets and cross sections.
- f) Preliminary technical specifications.
- g) Completed right-of-way and easement mapping.
- h) Preliminary utility relocation plan.
- i) Preliminary maintenance of traffic, traffic control plans and construction phasing plans.
- j) Preliminary signing and pavement marking sheets.
- k) Preliminary signalization.
- l) Conduct public workshops or hearings.

SECTION E.03 SERVICES TO BE PROVIDED BY CONSULTANT- continued

- m) Preliminary bridge plans.
- n) Preliminary landscape architecture plans.
- o) Acquisition of right-of-way and easements.

Deliverables

- 4 sets of intermediate design phase plans and details
- 4 copies of draft technical specifications.
- 4 copies of probable construction costs
- 4 copies of permit applications.
- 2 copies of design calculations.
- 2 copies of correspondence with regulatory agencies.
- 2 copies of correspondence with power company.
- 2 copies of correspondence with utility companies.
- 2 copies of any pertinent reports prepared in this phase.

4. Final Design Phase (75-100% Complete):

Following review and acceptance of 75% deliverables, the Consultant shall finalize the bid documents (plans, technical specifications, estimate and front-end documents) for bidding and construction based on input from County and regulatory agencies. Permit applications and supporting documentation shall be prepared and submitted prior to the 100% completion stage. The Consultant shall finalize the coordination efforts with the utility companies and regulatory agencies in this phase.

The Consultant shall complete the measurement and payment section and schedule of bid items specifically for the project, and update and revise the probable construction cost estimate. All construction details, bridges and other construction requirements shall be finalized and readied to let for construction bidding by the County.

SECTION E.03 SERVICES TO BE PROVIDED BY CONSULTANT- continued

The final design phase shall include, but not be limited to, the following tasks:

- a) Final roadway and bridge plans.
- b) Final drainage design and plans.
- c) Final utility relocation plans.
- d) Final construction phasing and traffic control plans.
- e) Final signing and pavement marking plans.
- f) Final signalization plans.
- g) Final landscape/irrigation plans.
- h) Final technical specifications.
- i) Field utility requirements.
- j) Field testing requirements.
- k) Bid assistance.
- l) Final set of bid documents.

Deliverables

All required regulatory permits.

7 sets of final plans including bridges

7 copies of final technical specifications and front end documents.

2 copies of the geotechnical report.

2 copies of the final design calculations.

2 copies of correspondence with regulatory agencies.

2 copies of correspondence with the power company.

2 copies of correspondence with utility companies.

SECTION E.03 SERVICES TO BE PROVIDED BY CONSULTANT- continued

2 copies of mitigation maintenance plans and requirements.

2 copies of environmental monitoring plans with quality centered/quality assurance procedures.

2 copies of the updated and revised probable construction cost estimate.

Clear title to any and all land acquired by the Consultant.

5. **Construction Phase:**

The Consultant shall provide the following services during construction:

- a) Participate in pre-bid conferences and assist in the preparation of addenda as necessary.
- b) Assist in securing bids, tabulation and analyses of bid results, and furnishing recommendations on the award of construction contracts.
- c) Participate in pre-construction conferences after award of construction contracts.
- d) Check detailed construction drawings and shop drawings submitted by the Contractor or Contractors for compliance with design concepts and approve if in conformance with the design of the project and information provided in the technical specifications.
- e) Review maintenance and operating instructions, schedules, guarantees and certificates of inspection provided by the Contractor as required by the contract documents. Provide a copy of all approved submittals to the County.
- f) Provide the County or notification of defects or deficiencies of work by the contractor which does not conform to the contract documents. Prepare a written notice describing any apparent non-conforming permanent work, make recommendations to the County, and request the Contractor to carry out the acceptable corrective measures, if authorized to do so by the County.

SECTION E.03 SERVICES TO BE PROVIDED BY CONSULTANT- continued

- g) Issue instructions from the County to the contractor announcing necessary interpretations and clarifications of contract documents. Review requirements by contractor or County and prepare required change orders.
- h) Make a final inspection and report on completion of the project, including recommendations concerning final payments to contractors and release of retained percentages, if any. Prepare certification of construction completion for County acceptance.
- i) Should the County require more extensive representation at the project site during constructing, the Consultant may be required to furnish resident project services. Project representation may require one or more full-time or part-time project representatives, depending upon the requirements of the project. The extent of resident project services will be clearly defined in the engineering Work Assignment.

The project representative shall observe the work of the contractor, prepare daily observation reports, identify the location of work installed that significantly differ from the location shown on the plans, communicate with the Consultant, Contractor and the County staff and shall work under the direction of the Consultant's construction engineer.

- j) Review the contractor's applications for progress payments and recommend issuance of such payments by the County. Such recommendations of payment will constitute a representation to the County that work has progressed to the point indicated and that, to the best knowledge, information and belief of the Consultant, the quality of the work is in substantial accordance with the contract documents.
- k) Respond to project representative complaints and maintain a record of complaints and action taken. Coordinate with County personnel, as required.
- l) Prepare and furnish to the County a final set of reproducible certified record drawings from data provided by the contract and the project representative. Any and all information gathered by the Consultant shall be field verified and a set of certified record drawings shall be submitted to the County.

SECTION E.03 SERVICES TO BE PROVIDED BY CONSULTANT- continued

The Consultant shall be responsible for supplying the County certified record drawings to all state agencies.

In coordination with the County, provide contractor with interpretations and clarifications of the contract documents, as required.

6. **Additional Services:**

- a) Conduct frequent project site visits and prepare punch list of items to be corrected or completed at substantial and final completion stages of the work.
- b) Conduct project site visit 45 to 60 days prior to the end of the one year warranty period and prepare a punch list of items under warranty provided by the construction contract to be corrected by the warranty expiration date.
- c) Prepare special change orders requested by the County.
- d) Provide engineering services to County in cases of acts or omissions of contractor or any other persons at the project site or otherwise performing any of the work of the project.
- e) Provide engineering services in situations where construction means, methods, techniques, sequences or procedures selected by the contractor are remiss, or for any safety precautions and programs incidental to the work of contractors or for any failure of the contractor to comply with any laws, ordinances, rules or regulations applicable to the construction work or for any failure of the contractor to perform the construction work in accordance with the contract documents.
- f) Provide professional services made necessary by the default of the contractor or by major defects in the work of the contractor in the performance of the construction contract.
- g) Provide additional services as required, after the termination of the construction phase.

SECTION E.03 SERVICES TO BE PROVIDED BY CONSULTANT- continued

- h) Provide additional services in connection with the project not otherwise provided in the agreement.
- i) Serve as expert witness for County in any litigation or other proceeding involving the project.
- j) Review and recommend approval of contractor's maintenance of traffic plans.
- k) Assume responsibility for the adequacy of design prepared by others under contract to the Consultant.

END SECTION E

SECTION F

MANATEE COUNTY LOCAL PREFERENCE LAW AND VENDOR REGISTRATION**F.01 Vendor Registration**

All vendors are encouraged to register with Manatee County using the on-line "Vendor Registration" web page on www.mymanatee.org.

Enclosed is a copy of the current Manatee County law that details the County's Local Preference and definition of a Local Business.

If you assert that your firm meets the stated definition of a Local Business, we ask that in addition to registering on the County's Web page, you fill out the attached "**Affidavit As To Local Business Form**" that is the **last page** in this section of the proposal, have the completed document notarized, and mail the original to the following address: Manatee County Administration Center, 1112 Manatee Avenue West, Suite 803, Bradenton, FL 34205.

Your cooperation in registering your business with Manatee County will enhance our opportunities to identify sources for goods and services, plus identify Local Businesses. This information is used for soliciting quotations up to \$250,000.00 and for competitive solicitations of larger purchases.

You will note that Manatee County collaborates with the Manatee Chamber of Commerce, posting bids on www.manateechamber.com as well as using the same vendor categories for registration. Our staff can assist you with your registration as needed. Our office hours are 8:00 A.M. to 5:00 P.M., Monday through Friday on regular business days. Please call (941) 749-3014 if you wish to have a purchasing staff member assist you.

Quick steps to on line registration: **www.mymanatee.org**

A link to "Purchasing" is listed under the "Quick Links" on page one of this County Web Site. On the left hand side of the Purchasing Web page, click on "Vendor Registration."

This will bring up the Vendor Registration form for on-line input. Please note that the definition of a "Local Business" changed on March 17, 2009. The Web page will be updated to include the current Law which has been provided in this section of the **proposal**.

Thank you for reviewing this information and considering registering your business with Manatee County. Registration is not mandatory; however, by taking the time to register, you are helping the County to provide timely notifications of quotation, bid, and proposal opportunities to your business.

MANATEE COUNTY LOCAL PREFERENCE LAW AND VENDOR REGISTRATION

F.02 Section 2-26-6. Local preference, tie bids, local business defined.

(a) Whenever a responsible local business bidder and a responsible non-local business bidder are found, upon the opening of bids, to have both submitted the lowest responsive bid, the bid of the local bidder shall be awarded the contract. Should more than one responsible local business bidder match the responsible non-local business bidder's lowest responsive bid, or should no responsible local business bidder match the lowest responsive bid but two or more responsible non-local business bidders submit lowest responsive bids for equal amounts, then the award of the contract shall be determined by a chance drawing, coin toss, or similar tie-breaking method conducted by the purchasing office and open to the public. Any bidders seeking to be recognized as local businesses for purposes of this local business preference provision may be required by the terms of the bid announcement to certify they meet the definition of local business set forth in this section, and to register as a local business with the county in the manner prescribed by the county to facilitate the county's ability to track the award of contracts to local businesses and to allow the county to provide future notifications to its local businesses concerning other bidding opportunities.

(b) Nothing herein shall be deemed to prohibit the inclusion of requirements with respect to operating and maintaining a local place of business in any invitation for bids when the bidder's location materially affects the provisions of the services or supplies that are required by the invitation.

(c) Local business is defined as a business legally authorized to engage in the sale of the goods and/or services to be procured, and which certifies within its bid that for at least six (6) months prior to the announcement of the solicitation of bids it has maintained a physical place of business in Manatee, Desoto, Hardee, Hillsborough, Pinellas or Sarasota County with at least one full-time employees at that location.

(d) Each solicitation for bids made by the county shall contain terms expressly describing the local business preference policies of the county, and shall provide that by electing to submit a bid pursuant to a request for bids, all bidders are deemed to understand and agree to those policies.

(e) For all contracts for professional engineering, or other professional services governed by Florida Statute § 287.055, the Consultants' Competitive Negotiation Act, the county shall include the local business status of a firm among the factors considered when selecting which firms are "most highly qualified." In determining which firm is the "most qualified" for purposes of negotiating a satisfactory contract, preference shall be given to a local business where all other relevant factors are equal.

(f) Local preference shall not apply to the following categories of contracts:

1. Goods or services provided under a cooperative purchasing agreement or similar "piggyback" contract;
2. Contracts for professional services subject to Florida Statute § 287.055, the Consultants' Competitive Negotiation Act, except as provided for in subsection (e) above;

F.02 Section 2-26-6. Local preference continued

- (f) Local preference shall not apply to the following categories of contracts continued)
3. Purchases or contracts which are funded, in whole or in part, by a governmental or other funding entity, where the terms and conditions of receipt of the funds prohibit the preference;
 4. Purchases or contracts made pursuant to a non-competitive award process, unless otherwise provided by this section;
 5. Any bid announcement which specifically provides that the general local preference policies set forth in this section are suspended due to the unique nature of the goods or services sought, the existence of an emergency as found by either the county commission or county administrator, or where such suspension is, in the opinion of the county attorney, required by law.
- (g) To qualify for local preference under this section, **a local business must certify to the County that it:**
1. Has not within the five years prior to the bid announcement admitted guilt or been found guilty by any court or state or federal regulatory enforcement agency of violation of any criminal law, or a law or administrative regulation regarding fraud;
 2. Is not currently subject to an unresolved citation or notice of violation of any Manatee County Code provision, except citations or notices which are the subject of a current legal appeal, as of the date of the bid announcement;
 3. Is not delinquent in the payment of any fines, liens, assessments, fees or taxes to any governmental unit or taxing authority within Manatee County, except any such sums which are the subject of a current legal appeal.

Ref: Ordinance 09-21 and 09-23 **PASSED AND DULY ADOPTED** in open session, with a quorum present and voting, on the 17th day of March, 2009.

MANATEE COUNTY GOVERNMENT AFFIDAVIT AS TO LOCAL BUSINESS

(Complete and Initial Items B-F)

Authorized Representative

I, [name] _____, am the [title] _____
and the duly authorized representative of: [name of business] _____

_____, and that I possess direct personal knowledge to make informed responses to these certifications and the legal authority to make this Affidavit on behalf of myself and the business for which I am acting; and by electing to submit a **proposal** pursuant to this **Request For Proposals**, shall be deemed to understand and agree to the local business preference policies of Manatee County; and that I have the direct knowledge to state that this firm complies with all of the following conditions to be considered to be a Local Business as required by the Manatee County Code of Law, Section 2-26-6.

A. Place of Business: I certify that the above business is legally authorized to engage in the sale of goods and/or services and has a physical place of business in Manatee, DeSoto, Hardee, Hillsborough, Pinellas or Sarasota County with at least one (1) fulltime employee at that location. The physical address of the location which meets the above criteria is: _____ [Initial]_____

B. Business History: I certify that business operations began at the above physical address with at least one fulltime employee on [date] _____ [Initial]_____

C. Criminal Violations: I certify that within the past five years of the date of this **proposal** announcement, this business has not admitted guilt nor been found guilty by any court or local, state or federal regulatory enforcement agency of violation of any criminal law or administrative regulation regarding fraud. [Initial]_____

D. Citations or Code Violations: I certify that this business is not currently subject to any unresolved citation or notice of violation of any Manatee County Code provision, with the exception of citations or notices which are the subject of a legal current appeal within the date of this **proposal** announcement. [Initial]_____

E. Fees and Taxes: I certify that within this business is not delinquent in the payment of fines, liens, assessments, fees or taxes to any governmental unit or taxing authority within Manatee County, with the exception of those which are the subject of a legal current appeal. [Initial]_____

Each of the above certifications is required to meet the qualification of "Local Business" under Manatee County Code of Law, 2-26-6.

Signature of Affiant _____
STATE _____ OF _____ FLORIDA
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this ____ day of ____, 20__, by (name of person making statement).

(Notary Seal) Signature of Notary: _____

Name of Notary (Typed or Printed) _____

Personally Known ____ OR Produced Identification ____ Type of Identification Produced _____

Submit executed copy to Manatee County Purchasing, Suite 803, 1112 Manatee Avenue W., Bradenton, FL 34205

PROPOSAL SIGNATURE FORM

PROFESSIONAL SERVICES FOR TRANSPORTATION ENGINEERING RFP #12-1032BG

Firm Name

Mailing Address:

Email:

() _____

Telephone Number

City, State, Zip Code

The undersigned certifies that he/ his has the authority to submit the proposal and the statements in the proposal are true and correct. If the firm is selected by the County the undersigned certifies that he/she will negotiate in good faith to establish an agreement to provide Architectural/ Engineering Services for Manatee County, according to the requirements of this RFP #12-1032BG.

Signature

Date: _____

Name and Title of Above Signer

Name and Title of Firm's Representative for Manatee County

Email for Firm's Representative for Manatee County

Telephone Number of Firm's Representative for Manatee County

Acknowledgement of Addendums

Addendum# _____ Dated _____

Addendum# _____ Dated _____

Addendum# _____ Dated _____

Addendum# _____ Dated _____

Addendum# _____ Dated _____

Addendum# _____ Dated _____

Attachment "A"

PUBLIC CONTRACTING AND ENVIRONMENTAL CRIMES CERTIFICATION

SWORN STATEMENT PURSUANT TO ARTICLE 6, MANATEE COUNTY PURCHASING CODE

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

This sworn statement is submitted to the Manatee County Board of County Commissioners 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: _____

I understand that no person or entity shall be awarded or receive a county contract for public improvements, procurement of goods or services (including professional services) or a county lease, franchise, concession or management agreement, or shall receive a grant of county monies unless such person or entity has submitted a written certification to the County that it has not:

- (1) been convicted of bribery or attempting to bribe a public officer or employee of Manatee County, the State of Florida, or any other public entity, including, but not limited to the Government of the United States, any state, or any local government authority in the United States, in that officer's or employee's official capacity; or
- (2) been convicted of an agreement or collusion among bidders or prospective bidders in restraint of freedom of competition, by agreement to bid a fixed price, or otherwise; or
- (3) been convicted of a violation of an environmental law that, in the sole opinion of the County's Purchasing Director, reflects negatively upon the ability of the person or entity to conduct business in a responsible manner; or
- (4) made an admission of guilt of such conduct described in items (1), (2) or (3) above, which is a matter of record, but has not been prosecuted for such conduct, or has made an admission of guilt of such conduct, which is a matter of record, pursuant to formal prosecution. An admission of guilt shall be construed to include a plea of nolo contendere; or
- (5) where an officer, official, agent or employee of a business entity has been convicted of or has admitted guilt to any of the crimes set forth above on behalf of such and entity and pursuant to the direction or authorization of an official thereof (including the person committing the offense, if he is an official of the business entity), the business shall be chargeable with the conduct herein above set forth. A business entity shall be chargeable with the conduct of an affiliated entity, whether wholly owned, partially owned, or one which has common ownership or a common Board of Directors. For purposes of this Form, business entities are affiliated if, directly or indirectly, one business entity controls or has the power to control another business entity, or if an individual or group of individuals controls or has the power to control both entities. Indicia of control shall include, without limitation, interlocking management or ownership, identity of interests among family members, shared organization of a business entity following the ineligibility of a business entity under this Article, or using substantially the same management, ownership or principles as the ineligible entity.

Attachment "A" (Cont'd.)

Any person or entity who claims that this Article is inapplicable to him/her/it because a conviction or judgment has been reversed by a court of competent jurisdiction, shall prove the same with documentation satisfactory to the County's Purchasing Director. Upon presentation of such satisfactory proof, the person or entity shall be allowed to contract with the County.

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR MANATEE COUNTY IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT ANY CONTRACT OR BUSINESS TRANSACTION SHALL PROVIDE FOR SUSPENSION OF PAYMENTS, OR TERMINATION, OR BOTH, IF THE CONTRACTING OFFICER OR THE COUNTY ADMINISTRATOR DETERMINES THAT **SUCH PERSON OR ENTITY HAS MADE FALSE CERTIFICATION.**

[Signature]

STATE OF FLORIDA
COUNTY OF _____

Sworn to and subscribed before me this ____ day of _____, 20__ by _____

Personally known _____ OR Produced identification _____
[Type of identification]

Notary Public Signature My commission expires _____

[Print, type or stamp Commissioned name of Notary Public]

Signatory Requirement - In the case of a business entity other than a partnership or a corporation, this affidavit shall be executed by an authorized agent of the entity. In the case of a partnership, this affidavit shall be executed by the general partner(s). In the case of a corporation, this affidavit shall be executed by the corporate president.