

**REQUEST FOR PROPOSAL #10-1183FL**  
**Community Care for the Elderly (CCE)**  
**Respite Services**

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 of providing Respite Services to provide relief or rest from the constant/continued supervision, companionship, therapeutic and/or personal care of a functionally impaired older person for a specified period of time.

TIME AND DATE DUE: Proposals will be received until 4:00 p.m., Tuesday, March 30, 2010 at which time they will be **publicly opened**. All interested parties are invited to attend this opening.

CONTENTS OF THIS REQUEST FOR PROPOSAL:

Section A: Information to Proposers	pages 2 - 7
Section B: Form of Proposal	pages 8 - 10
Section C: Selection	page 11
Section D: Negotiation of the Agreement	page 12
Section E: Scope of Services	pages 13 - 19
Section F: Local Preference	pages 20 - 22
Proposal Signature Form	page 23
Appendix I	page 24
Appendix II	pages 25 - 26
Appendix III	pages 27 - 28
Appendix IV	pages 29 - 30
Manatee County Resolution R-93-22	Attachment A
Drug Free Work Place Certification	Attachment B
Environmental Crimes Certification	Attachment C

**Important note:**     **A prohibition of Lobbying has been enacted. Please review paragraph A.18 carefully to avoid violation and possible sanctions.**

FOR INFORMATION CONTACT:  
Frank G. Lambertson, Contract Negotiator  
PHONE (941) 749-3042 / FAX (941) 749-3034  
Manatee County  
Financial Management Department  
Purchasing Division

AUTHORIZED FOR RELEASE: \_\_\_\_\_



REQUEST FOR PROPOSAL #10-1183FL  
Community Care for the Elderly – Respite Services

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.

Proposals become “Public Records” ten (10) days after the proposal opening or if an award decision is made earlier than this time as provided by Florida Statute 110.071. **No announcement of pricing or review of the proposal documents shall be conducted at the public opening of the proposals.**

A.02 PROPOSAL INFORMATION AND PROPOSAL DOCUMENTS

**Bids and Proposals** on <http://www.myanatee.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. A link to that service <http://www.DemandStar.com>, is provided on this website under the Tab “DemandStar”. 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 calendar days prior to the effective date of the award.

IT IS THE RESPONSIBILITY OF EACH VENDOR, PRIOR TO SUBMITTING THEIR BID or 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 BID or PROPOSAL.

A.03 PROPOSAL FORM DELIVERY REQUIREMENTS

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.

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 others. The issuance of a written addendum is the only official method whereby interpretation, clarification or additional information can be given.

It shall be the responsibility of each proposer, prior to submitting their proposal, to contact the Manatee County Purchasing Office (see contact information on page 1) to determine if addenda were issued and to make such addenda a part of the proposal.

Friday, March 12, 2010 at 5:00 p.m. shall be the deadline for clarification requests, inquiries, suggestions or interpretations and/or additional information pertaining to this Request for Proposals. This deadline has been established to maintain fair treatment for all potential bidders or proposers.

A.05 SEALED & MARKED

**Five (5) signed copies** of your proposal shall be submitted in one sealed package, clearly marked on the outside "**Sealed Proposal #10-1183FL**" and addressed to:

Manatee County Purchasing  
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, 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

**Bids or proposals become “Public Records” ten (10) days after the proposal opening or if an award decision is made earlier than this time as provided by Florida Statute 119.071.** No announcement or review of the proposal documents shall be conducted at the public opening of the proposals.

A.10 ERRORS OR OMISSIONS

Once the proposal is submitted, the County shall not accept any request by any proposer to correct errors or omissions in the proposal. No changes shall be allowed until a selection is made and contract negotiations actually begin.

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 2-26, as amended. Any actual or prospective proposer who is aggrieved in connection with the solicitation or award of a contract may protest to the Board of County Commissioners of Manatee County as required in Chapter 2-26-61 of the Manatee County Code of Laws.

A protest with respect to this Request For Proposal shall be submitted in writing prior to the scheduled opening date of this proposal, unless the aggrieved person did not know and could not have been reasonably expected to have knowledge of the facts giving rise to such protest prior to the scheduled opening date of this proposal. The protest shall be submitted within seven calendar days after such aggrieved person knows or could have reasonably been expected to know of the facts giving rise thereto.

A.13 CODE OF ETHICS

With respect to this proposal, if any proposer violates or is a party to a violation of the Code of Ethics of Manatee County per Manatee County Code of Laws, Article III, Ethics in Public Contracting, and/or the state of Florida per Florida Statutes, Chapter 112, Part III, Code of Ethics for Public Officers and Employees, such proposer may be disqualified from performing the work described in this proposal or from furnishing the goods or services for which the proposal is submitted and shall be further disqualified from submitting any future proposals for work or for goods or services for Manatee County.

The County anticipates that all statements made and materials submitted in a proposal will be truthful. If a proposer is determined to be untruthful in its proposal or any related presentation, such proposer may be disqualified from further consideration regarding this Request For Proposal.

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:

- a. any prices and/or data submitted have been arrived at independently, without consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices and/or cost data, with any other proposer or with any competitor;
- b. any prices and/or cost data quoted for this proposal have not been knowingly disclosed by the proposer prior to the scheduled opening directly or indirectly to any competitor;

- c. 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;
- d. 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
- e. 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 PROPOSAL FORMS

Proposals must be submitted in the format specified in Section B of the Request For Proposal. The contents of each 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 to facilitate an expedient review of all responses.

A.16 PUBLIC CONTRACTING AND ENVIRONMENTAL 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 (as of 1/01/2005 is \$25,000) for a period of 36 months from the date of being placed on the convicted vendor list.

In addition, the Manatee County Code of Law prohibits the award of any contract 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 an 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 responsible manner. To ensure compliance with the foregoing, The Code requires all persons or entities desiring to contract with the County to execute and files 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. In the case of a business entity other than a partnership or a corporation, such affidavit shall be executed by an authorized agent of the entity. In the case of a partnership, such affidavit shall be executed by the general partner(s). A confirming

Public Contracting and Environmental Crimes certification affidavit is attached for this purpose.

A.17 DRUG FREE WORK PLACE

Manatee County Board of County Commissioners adopted a policy regarding maintaining a Drug Free Workplace, Resolution R-93-22. Proposers are asked to review the attached copy of the Resolution and provide either a certification of compliance with the program outlined in this Resolution or describe your firm's policy or program as it relates to maintaining a drug free workplace. This response will be considered with the other criteria described herein.

A.18 LOBBYING

After the issuance of any Request For Proposals or Invitations For Bids, prospective bidders, proposers or any agent, representative or person acting at the request of such bidder or proposer shall not contact, communicate with or discuss any matter relating in any way to the Request For Proposals or Invitation For Bids with any officer, agent or employee of Manatee County other than the Purchasing Official or as directed in the Request For Proposals or Invitation For Bids. This prohibition begins with the issuance of any Request For Proposals or Invitation For Bids, and ends upon execution of the final contract or when the invitation or request has been canceled. Violators of this prohibition shall be subject to sanctions as provided in the Manatee County Procurement Code.

A.19 EQUAL EMPLOYMENT OPPORTUNITY

Manatee County, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 and the Regulations of the Department of Commerce (15 CFR, Part 8) issued pursuant to such Act, hereby notifies all prospective proposers that they will affirmatively ensure that in any contract entered into pursuant to this advertisement, 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, creed, sex, age or national origin in consideration for an award.

A.20 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.

## SECTION B: FORM OF PROPOSAL

This section identifies specific information which must be included with each response. Each proposal shall be arranged with tabs identifying the response to each specific item. Proposals must contain:

### B.01 MINIMUM QUALIFICATIONS

**Proposer** must be a professional service agencies, companies, corporations, partnerships, individuals, organizations and/or other legal entities organized under the laws of the State of Florida to provide Respite Services to provide relief or rest from the constant/continued supervision, companionship, therapeutic and/or personal care of a functionally impaired older person for a specified period of time.

### B.02 ADMINISTRATIVE SUBMITTAL

- a. Proposal Signature Form.
- b. Drug Free Work Place Certification (Attachment B).
- c. Public Contracting and Environmental Crimes Certification (Attachment C).

### B.03 INFORMATION TO BE SUBMITTED

- a. Cost - Provide unit cost for a three year period, number of staff and cost analysis. (Use attached forms Appendix I, II, III, and IV)
- b. Implementation Plan - Include steps and time frame proposer will follow to have the office fully operational so as to deliver one hundred sixty eight units of service weekly for approximately twenty one clients beginning July 1, 2010. Describe screening, hiring procedures and time frames required for meeting Department of Elderly Affairs (DOEA) submission deadlines to the Florida Department of Law Enforcement (FDLE) and Department of Children and Family Services (DCF) Abuse Registry for all personnel who are employed.
- c. Scheduling System - Describe in detail the system that will be used to ensure delivery of the approximately one hundred sixty eight (**168**) units of CCE Respite Services weekly to twenty one (**21**) clients.
- d. Personnel and Table of Organization - Include the number of personnel by job titles. Provide job descriptions and organizational chart for the office. Identify staff member designated as the Respite Care Representative and a telephone contact person.



**B.03** INFORMATION TO BE SUBMITTED (continued)

- e. Licensure: Certification and/or Registration - Please attach copies of all licenses, certification or registration.
- f. Resumes of Management and Administrative Personnel - Please attach copies of all resumes.
- g. Data Recording Procedures - Describe procedures for implementing changes in care plans, documenting service delivery in client files, reporting and billing for units of service and unduplicated count on the monthly billing report, worker activity reports, service provision logs, performance evaluation of employees, and include samples of forms which will be used.
- h. Financial Capability - Include documentation for fulfilling availability of cash reserves.
- i. Training Program - Include content outline, hours scheduled, dates for training, and instructor qualifications for pre-service and in-service training.
- j. Telephone Service - Describe how toll-free phone service will be provided for all geographic areas of Manatee County as required.
- k. Organizational Experience - Provide a brief history of your organization and its activities. Describe the organization's experience in providing CCE Respite Service as outlined in this Request For Proposal, including similar services delivered under other contracts with governmental or non-profit entities. Give contract amount(s) and dates of service. Provide the names of two (2) references who can address the quality of delivered service(s). References will be contacted to verify quality of delivered services.
- l. Specify the office and its' location of the business entity which is to be the primary location of the principal and key and key personnel. List the key personnel at that location. For the remaining key personnel detail at what locations(s) they will work from and how they will provide management or technical support from the locations that they will work from.
- m. 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.

- n. Have any contracts for Respite Services held by your organization ever been canceled or terminated before the end of the contract? If yes, please explain.
- o. Submit any other 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.

## SECTION C: SELECTION

### C.01 EVALUATION FACTORS

Evaluation factors are price and perceived ability of the Proposers to perform the Scope of Services as stated in this Request for Proposal in the most timely and efficient manner, and the proposal(s) 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

A Selection Committee may determine from the response to this Request for Proposal and subsequent investigation as necessary, the Proposers most susceptible of being selected for award.

### C.04 REVIEW OF PROPOSERS AND PROPOSALS

Review shall be conducted with responsible Proposers who may be reasonably susceptible of being selected for award, for the purposes of clarification to assure full understanding of and conformance to the solicitation requirements, the abilities of the Proposer, and the proposal submitted.

Firms responding to this Request for Proposal shall be available for presentation/interviews, to the Selection Committee and/or Board of County Commissioners upon notification from the Purchasing Office at a time and date determined by the County.

### C.05 SELECTION FOR NEGOTIATION

The Proposers whose ability and proposal is determined to be the most advantageous to the County, taking into consideration the evaluation factors set forth in this Request for Proposal, shall be recommended to the Board of County Commissioners for authorization to negotiate an agreement for the stated Scope of Services.

### C.06 AWARD

Award of an agreement is subject to the successful negotiations and approval by the Purchasing Official to execute the agreement.

## 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 will serve as a basis for negotiating an agreement.
- 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 Proposers shall be required to negotiate a formal agreement, in a form acceptable to Manatee County.

The Manatee County Board of County Commissioners will be presented the negotiated agreement as the best and final offer for consideration of award and execution. The Board of County Commissioners shall determine if award of the agreement is to be: considered; rejected and direct further negotiations; rejected and terminate negotiations; or accepted, authorizing the chairman to execute the agreement.

SECTION E: SCOPE OF SERVICES

The Scope of Service is contingent upon the availability of funds from the West Central Florida Area Agency on Aging, Inc. The Board of County Commissioners of Manatee County, as County Lead Agency for the Community Care for the Elderly (CCE) calls for the provision of Respite Service for relief or rest from the constant/continued supervision, companionship, therapeutic and/or personal care of a functionally impaired older person for a specified period of time.

1. To relieve the primary caregiver (relative or non-relative) of the stress and demands associated with the daily care of the functionally impaired person.
2. To prevent or reduce inappropriate institutionalization of an impaired elderly person when the caregiver is away and other support is not readily available.
3. To provide temporary relief and help improve or maintain the physical and mental health of the caregiver, thereby fostering a healthful living environment for both the client and caregiver.
4. To provide care and maintenance with minimal disruption in the client's life style when the regular caregiver is out of the home.

Beginning July 1, 2010, Proposer shall have demonstrated the capacity to deliver, at a minimum, the following number of units for the Respite Service.

RESPITE UNITS PER WEEK OF SERVICE: **168**

Service is to be delivered from July 1, 2010 to June 30, 2011 with a provision for an extension of the Proposal for two (2) additional twelve (12) month periods. This extension is at the discretion of the Board of County Commissioners and availability of funds, as determined by the County and the West Central Florida Area Agency on Aging, Inc.

The County incurs certain costs for transferring clients from a current contractor to a new contractor. These transfer costs are calculated as shown below and will be factored into the evaluation criteria for selection of responsive Proposers. The following is the cost to transfer Community Care for the Elderly Respite clients to a new provider:

(CCE) RESPITE SERVICE:

- 1) Total Active Cases (Client Files): **21**
- 2) Total Units of Respite Service: **728** per month
- 3) Total Transfer Cost: **\$459.06**  
(Administrative Cost of **\$21.86** Multiplied by the Number of Active Client Files)

PROVIDER REQUIREMENTS AND RESPONSIBILITIES:

- a. Respite Service is the accomplishment of rest or relief of the primary caregiver performed by a trained Respite Care Worker. Respite care will not be substituted for the care usually provided by a registered nurse, licensed practical nurse or therapist.
- b. Each Proposer must submit written policies and procedures for Respite Care Workers which address:
  1. Emergency procedures to be followed in the event something happens to the client when the Respite Care Worker is in the home.
  2. Reporting changes in the client's condition or behavior to the Respite Care Supervisor, who will in turn contact the County Case Manager.
  3. Not engaging in Respite Care activities not specified in the Care Plan.
  4. Not accepting gifts from clients.
  5. Not lending nor borrowing money or articles from clients.
  6. Not performing services requiring a registered or practical nurse or therapist or home health aid.
  7. Not giving the client the Respite Care Worker's home telephone number or address.
  8. Not administering medications.
  9. Allowing the Respite Care Workers to remind the client to take the medication at a specific time.
  10. Changing bed linens (when client is not in bed) or changing clothing when such services are essential to the client's health and comfort.
  11. Respite Care Workers completing written reports after each visit describing observation, general condition of the client, tasks completed and hours worked.
- c. Each Proposer must submit written procedures for the following:
  1. Development of a computerized Daily Service Provision Log indicating activities performed by the Respite Care Worker during the home visit and the number of hours spent performing the services.

## PROVIDER REQUIREMENTS AND RESPONSIBILITIES (Continued)

2. Establishment of a Respite Care Activities Plan outlining tasks/activities to be performed for the client per instructions listed on the Care Plan.
3. Ensuring that adequate records are maintained to record and evaluate Respite Service for responsible fiscal management and to provide timely and accurate data, for inclusion into the Client Information Registration and Tracking System (CIRTS) by the County's Community Care for the Elderly (CCE) Lead Agency; and reports in accordance with the Department of Elder Affairs requirements.

## STAFFING REQUIREMENTS

- a. Respite Care Supervisor: A qualified health or social service professional on staff to supervise and provide pre-service and in-service training to workers providing Respite Service. The Respite Care Supervisor shall make home visits which include observation of service delivery to evaluate the Respite Care worker's performance and skills at least quarterly. The Respite Supervisor will assess whether activities in the care plan are being carried out properly, review reports and records, have telephone and personal conferences and assist in performance evaluations of Respite Care staff.
- b. Major Functions:
  1. Provides supervision, support and assistance to Respite Care workers in the provision of direct services.
  2. Assists in the recruitment, screening and training of Respite Care workers.
  3. Assists in planning and development of an organized program of pre-service and in-service training for Respite Care workers.
  4. Interprets to the Respite Care worker their roles and responsibilities within the total program and the clients they will serve.
  5. Makes case assignments in accordance with the Respite Care worker's skills and explains the service needs of the client being served.
  6. Maintains frequent contact with the Respite Care worker to explain changes in the Care Plan when they occur.
  7. Arranges for case conferences and collaborative consultation as needed or requested.
  8. Periodically evaluates the performance of each Respite Care worker.

## STAFFING REQUIREMENTS (Continued)

9. Ensures accurate completion of all records and reports by Respite Care workers and maintains program statistical data and records as required by the County.

### c. Respite Care Staff Qualifications:

1. Be in good physical and mental health.
2. Be mature, patient and use good judgement.
3. Have an interest in, and concern for, people.
4. Have a warm and pleasant personality.
5. Have an understanding of aging and functionally impaired persons.
6. Have an awareness of their own limitations when encountering an emergency beyond their capabilities and accept responsibility to report emergencies to the Respite Care Supervisor.
7. Have the ability to deal with minor emergencies, to work under stress when a crisis occurs, to know when and where to seek help.
8. Have the ability to comply with written emergency and disaster plans.
9. Have the ability to accept and work under supervision as a member of the Respite Care staff.
10. Have the ability to communicate by phone, in writing or in person with client, caregiver, family or persons.
11. Have the ability to appraise the client's situation and report significant observations.
12. Have the ability to read, comprehend and follow simple instructions. Must be able to write, to fill out weekly reports and to maintain simple statistical reports related to the service, as required.
13. Possess understanding of and respect for confidentiality.
14. Possess a comprehensive knowledge of the work area and community resources.
15. Have a valid Florida Driver License, automobile insurance and reliable means of transportation.



## STAFFING REQUIREMENTS (Continued)

16. Education should be sufficient to follow written and verbal instructions and the ability to complete required reports.

## TRAINING REQUIREMENTS

- a. Pre-Service: Prior to working with clients, Respite Care staff must be trained in those supportive services which are required to make the client comfortable. Each Respite Care staff member will receive a minimum of thirty (30) class hours of pre-service training administered by a health or social service professional with specific experience in providing such training. A course outline must be submitted with the Request For Proposal covering, at a minimum, the following topics:
  1. Health problems and care of aged persons.
  2. Basic respite care procedures.
  3. First aid and handling of emergencies.
  4. Food, nutrition, meal preparation, and household management.
  5. Overview of Alzheimer's Disease and other related dementias.
  6. Dealing with behaviors characteristic of Alzheimer's Disease and other related dementias.
  7. Record keeping and reporting requirements.
  8. If Respite Care workers have received prior equivalent pre-service training, within the last three years, it can be substituted for parts or all of the required training at the discretion of the provider. The personnel file of the Respite Care worker must include documentation of the allowable prior training.
- b. In-Service: Staff providing Respite Service will be scheduled regularly for in-service training to augment or refresh the Respite Care worker's knowledge in any of the above listed areas for a minimum of four hours per contract year. Content and duration will be documented in the agency and staff personnel records.

## SPECIAL CONDITIONS:

- a. Proposers responding to this Request For Proposal for Respite Service must be appropriately licensed or registered with the Agency for Health Care Administration, Office of Licensure and Certification as applicable and required within the State of Florida. A copy of the appropriate license or Sitter/Companion registration must be submitted with the response to this Proposal.
- b. All records checks, required by the Department of Elder Affairs (DOEA), through the Florida Department of Law Enforcement (FDLE) and the State Department of Children and Family (DCF) Abuse Registry must be submitted in accordance with written guidelines for workers performing Respite Services Community Care for the Elderly (CCE).

SPECIAL CONDITIONS (Continued)

- c. Proposer must be able to begin Respite Service to clients within seven calendar days after telephone notification and authorization has been made by the Case Manager. Respite Service shall be provided Monday through Saturday. Respite Service shall be provided on Sunday if requested by the Case Manager.
- d. Units of Respite Service actually provided during the previous week will be reported via telephone by 1:00 PM on the following Tuesday to the Fiscal Section of the County's Community Care for the Elderly (CCE) Program.
- e. Entry level wage, for persons employed under this CCE Respite Care program to provide services, shall be equal to non CCE funded staff employed by the Proposer in the same position.
- f. Proposer shall follow incident reporting procedures set forth in DCF Regulation 0-10-1, "Unusual Incident Reporting and Follow-Up".
- g. Proposer, at its own cost and expense, shall maintain Worker's Compensation/Employers Liability as mandated by Statute, General Liability, Business Auto Liability, Professional Liability and Bonds for all employees required to handle client's money.
- h. The Proposers must submit with their Proposal, the job description of staff providing Respite Service to ensure that staff involved have duties clearly described in their respective job descriptions. Education and training must be appropriate for the level of responsibilities.
- i. Proposer shall not charge Respite Care workers for any expenses incurred in order for the proposer to meet OSHA requirements or any cost associated with obtaining FDLE Background or DCF Abuse Registry Checks.
- j. The Provider shall comply with all requirements of the Health Insurance Portability and Accountability Act (HIPPA) of 1996 by agreeing to not use or disclose protected health information for any purpose other than what is allowable by contract to provide services to clients.

LIAISON:

The Proposer shall be fully responsible for carrying out all functions assigned to it by the County under the terms of the Proposal, Contract and Agreement. All activities and decisions of the Proposer shall be subject to review and approval by the County's Contract Manager.

## PERFORMANCE ACCEPTANCE PROCEDURES:

During the entire duration of the Agreement, the County Contract Manager shall monitor the performance of the Proposer in terms of delivery of services, quality of services delivered, meeting scheduled time frames for implementation of services, and reviewing pre-service and in-service training requirements. The Proposer shall cooperate with and assist the County's Contract Manager or designee in the delivery of services monitoring review. When deficiencies are indicated, the Proposer shall take immediate action to correct the deficiencies.

## DEFINITIONS

1. County: Manatee County Government, Departments and Divisions.
2. Proposer: The entity retained by the County to perform (CCE) Respite Services.
3. County Contract CCE Respite Manager: The County's staff member or designee with overall responsibility and authority to monitor the Respite Services provided by the Proposer in accordance with the Proposal, Contract and Agreement.
4. Proposer's Project Manager: The Proposer's staff member with the overall responsibility and authority to make decisions on behalf of the Proposer regarding the services provided to the County in accordance with the Proposal, Contract and Agreement.
5. DOEA: Department of Elder Affairs.
6. WCFAAA: West Central Florida Area Agency on Aging, Inc.
7. CCE Respite Service: Relief or rest for the primary caregiver from constant/continued supervision, companionship, therapeutic and/ or personal care of the functionally impaired older person for a specified period of time.
8. FDLE: Florida Department of Law Enforcement.
9. DCF: State Department of Children and Family Services.

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](http://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](http://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](http://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 architecture, 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;
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;

F.02    **Section 2-26-6. Local preference, (CONTINUED)**

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

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 17<sup>th</sup> day of March, 2009.

**PROPOSAL SIGNATURE FORM**  
RFP #10-1183FL

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

Mailing Address:  
\_\_\_\_\_

( ) \_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
City, State, Zip Code

The undersigned attests to his (her, their) authority to submit this proposal and to bind the firm herein named to perform as per agreement. 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 CCE Respite Services according to the requirements of this RFP #10-1183FL.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness Signature

Date: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Name and Title of Above Signer

\_\_\_\_\_  
Name and Title of Above Signer

\_\_\_\_\_

\_\_\_\_\_  
Address of any branch office  
proposed to service Manatee County other than above

\_\_\_\_\_  
Name and Title of Firm's Representative for Manatee County

\_\_\_\_\_  
Telephone Number of Firm's Representative for Manatee County

## APPENDIX I

### PROPOSAL SUMMARY AND COST ANALYSIS

#### I. PROPOSAL SUMMARY

A. Name of Organization:

B. Respite Service (CCE)

1. Unit cost (7/1/10 - 6/30/11) \$
2. Unit Cost (7/1/11 - 6/30/12) \$
3. Unit Cost (7/1/12 - 6/30/13) \$
4. Number of immediate staff (FTE) assigned to Respite Service on July 1, 2010.



APPENDIX II  
Page 1

II. COST ANALYSIS

Provide an analysis of the unit cost for the Respite Service. Utilize the format shown below and prepare an analysis for:

A. Services 7/1/10 - 6/30/11

Show each position title, wage (hourly or annually), number of people in each position, and percent of time assigned to CCE Respite Service.

<u>POSITION</u>	<u>WAGE</u>	<u># PEOPLE</u>	<u>% ASSIGNED TO CCE</u>	<u>TOTAL \$</u>
-----------------	-------------	-----------------	------------------------------	-----------------

FICA's @ \_\_\_\_\_ X \_\_\_\_\_ =

- Health Insurance:
- Retirement
- Other

Personnel Subtotal \$

Company Name:

APPENDIX II  
Page 2

B. ADMINISTRATIVE COSTS:

1.	Office Supplies (show formula)	\$
2.	Consulting Services (show formula)	\$
3.	Telephone (show formula)	\$
4.	Postage (show formula)	\$
5.	Rent (show formula)	\$
6.	Equipment (show formula)	\$
7.	Printing (show formula)	\$
8.	Travel (show formula)	\$
9.	Legal/Accounting Fees (show formula)	\$
10.	Other (explain and show formula)	\$
	Subtotal Administrative Cost	\$

C. TOTAL ALL COSTS \$

D. COST PER UNIT:  
(Total all costs divided by estimated units per year) \$

Company Name:

APPENDIX III  
Page 1

II. COST ANALYSIS

Provide an analysis of the unit cost for the Respite Services. Utilize the format shown below and prepare an analysis for:

A. Services 7/1/11 - 6/30/12

Show each position title, wage (hourly or annually), number of people in each position, and percent of time assigned to CCE Respite Service.

<u>POSITION</u>	<u>WAGE</u>	<u># PEOPLE</u>	<u>% ASSIGNED TO CCE</u>	<u>TOTAL \$</u>
-----------------	-------------	-----------------	------------------------------	-----------------

FICA's @ \_\_\_\_\_ X \_\_\_\_\_ =

- Health Insurance:
- Retirement
- Other

Personnel Subtotal \$

Company Name:

APPENDIX III  
Page 2

B. ADMINISTRATIVE COSTS:

1.	Office Supplies (show formula)	\$
2.	Consulting Services (show formula)	\$
3.	Telephone (show formula)	\$
4.	Postage (show formula)	\$
5.	Rent (show formula)	\$
6.	Equipment (show formula)	\$
7.	Printing (show formula)	\$
8.	Travel (show formula)	\$
9.	Legal/Accounting Fees (show formula)	\$
10.	Other (explain and show formula)	\$
	Subtotal Administrative Cost	\$

C. TOTAL ALL COSTS \$

D. COST PER UNIT:  
(Total all costs divided by estimated units per year) \$

Company Name:

APPENDIX IV  
Page 1

II. COST ANALYSIS

Provide an analysis of the unit cost for the Respite Services. Utilize the format shown below and prepare an analysis for:

A. Services 7/1/12 - 6/30/13

Show each position title, wage (hourly or annually), number of people in each position, and percent of time assigned to CCE Respite Service.

<u>POSITION</u>	<u>WAGE</u>	<u># PEOPLE</u>	<u>% ASSIGNED TO CCE</u>	<u>TOTAL \$</u>
-----------------	-------------	-----------------	------------------------------	-----------------

FICA's @ \_\_\_\_\_ X \_\_\_\_\_ =

- Health Insurance:
- Retirement
- Other

Personnel Subtotal \$

Company Name:

APPENDIX IV  
Page 2

B. ADMINISTRATIVE COSTS:

1.	Office Supplies (show formula)	\$
2.	Consulting Services (show formula)	\$
3.	Telephone (show formula)	\$
4.	Postage (show formula)	\$
5.	Rent (show formula)	\$
6.	Equipment (show formula)	\$
7.	Printing (show formula)	\$
8.	Travel (show formula)	\$
9.	Legal/Accounting Fees (show formula)	\$
10.	Other (explain and show formula)	\$
	Subtotal Administrative Cost	\$
C.	TOTAL ALL COSTS	\$
D.	COST PER UNIT: (Total all costs divided by estimated units per year)	\$

Company Name:

**ATTACHMENT "A"**

**RESOLUTION R-93-22**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, IMPLEMENTING ¶3-101(7)3(1) OF THE MANATEE COUNTY PROCUREMENT CODE (ORDINANCE 84-02 AS AMENDED) TO ESTABLISH MINIMUM REQUIREMENTS FOR BIDDERS WITH RESPECT TO MAINTAINING A DRUG FREEWORKPLACE; REQUIRING WRITTEN CERTIFICATION TO THE COUNTY OF COMPLIANCE WITH THE REQUIREMENTS ESTABLISHED HEREIN; AND PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Manatee County recognizes that substance abuse is a complex societal problem that continues to threaten the welfare of the residents and community; and

**WHEREAS**, the Board of County Commissioners considers substance abuse on the job to be an unsafe and counter-productive work practice; and

**WHEREAS**, consistent with its policy to promote a safe work environment and encourage personal health for all citizens of Manatee County, the Commission finds it necessary to combat substance abuse in the workplace by promoting education and awareness; and

**WHEREAS**, consistent with the Drug Free Workplace Act (§112.0455, Florida Statutes) and policies applicable to Manatee County employees pursuant to Resolution R-93-10, the Board of County Commissioners of Manatee County has determined that it is necessary and in the best interest of the County to adopt the drug free workplace requirements for persons or entities contracting with Manatee County; and

**WHEREAS**, ¶3-101(7)B of the Manatee County procurement Code (Ordinance 84-02, as amended) authorizes the adoption of requirements for maintaining a drug free workplace applicable to persons or entities bidding on contracts with Manatee County.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Manatee County, Florida, as follows:

1. **Certification Required:** No person or entity submitting a bid pursuant to ¶3-101 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, unless such person or entity has submitted a written certification to the county that it will provide a drug free workplace by:

- a. providing a written statement to each employee notifying such employee that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance as defined in §893.02(4), Florida statutes, as the same may be amended from time to time, in the person's or entity's workplace is prohibited specifying the actions that will be taken against employees for violation of such prohibition. Such written statement shall inform employees about:
  - (i) the dangers of drug abuse in the workplace;
  - (ii) the person's or entity's policy of maintaining a drug free environment at all its workplaces, including but not limited to all locations where employees perform any task relating to any portion of such contract, business transaction or grant;
  - (iii) any available drug counseling, rehabilitation, and employee assistance programs; and
  - (iv) the penalties that may be imposed upon employees for drug abuse violations.
- b. Requiring the employee to sign a copy of such written statement to acknowledge his or her receipt of same and advice as to the specifics of such policy. Such person or entity shall retain the statements signed by its employees. Such person or entity shall also post in a prominent place at all of its workplaces a written statement of its policy containing the foregoing elements (i) through (iv).
- c. Notifying the employee in the statement required by subsection 1. that as a condition of employment the employee will:
  - (i) abide by the terms of the statement; and
  - (ii) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such a conviction.



- d. At all times pertinent to the performance of any contract with Manatee County, notify the county within ten (10) days after receiving notice under subsection c. from an employee or otherwise receiving actual notice of such conviction.
  - e. Imposing appropriate personnel action against such employee up to and including termination; or requiring such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency.
  - f. Making a good faith effort to continue to maintain a drug free workplace through implementation of sections a. through e. of this subsection.
2. **Severability.** If any part, section, subsection, or other portion of this Resolution, or any application thereof to any person or circumstances declared to be void, unconstitutional, or invalid for any reason, such part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this Resolution, and all applications thereof not having been declared void, unconstitutional or invalid, shall remain in full force and effect.
3. **Effective Date.** This Resolution shall take effect ninety (90) days after adoption by the Board of County Commissioners.

**ADOPTED** in open session by a majority of the duly elected Board of County Commissioners of Manatee County, Florida, this 2nd day of February, 1993.

**ORIGINAL DOCUMENT SIGNED BY BOARD OF COUNTY COMMISSIONERS CHAIRMAN MS. LARI ANN HARRIS ON FEBRUARY 2, 1993 AND IS ON FILE AT MANATEE COUNTY CLERK'S OFFICE.**

<R93-22>

## ATTACHMENT "B"

### Drug Free Work Place Certification

SWORN STATEMENT PURSUANT TO RESOLUTION R-93-22, ON DRUG FREE WORK PLACES

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:

\_\_\_\_\_ for \_\_\_\_\_  
[print individual's name and title] [print name of entity submitting sworn statement]

whose business address is: \_\_\_\_\_

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

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 will provide a drug free work place by:

(1) providing a written statement to each employee notifying such employee that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance as defined by §893.02(4), Florida Statutes, as the same may be amended from time to time, in the person's or entity's work place is prohibited specifying the actions that will be taken against employees for violation of such prohibition. Such written statement shall inform employees about:

- (i) the dangers of drug abuse in the work place;
- (ii) the person's or entity's policy of maintaining a drug free environment at all its work places, including but not limited to all locations where employees perform any task relating to any portion of such contract, business transaction or grant;
- (iii) any available drug counseling, rehabilitation, and employee assistance programs; and
- (iv) the penalties that may be imposed upon employees for drug abuse violations.

(2) Requiring the employee to sign a copy of such written statement to acknowledge his or her receipt of same and advice as to the specifics of such policy. Such person or entity shall retain the statements signed by its employees. Such person or entity shall also post in a prominent place at all of its work places a written statement of its policy containing the foregoing elements (i) through (iv).

(3) Notifying the employee in the statement required by subsection (1) that as a condition of employment the employee will:

- (i) abide by the terms of the statement; and
- (ii) notify the employer of any criminal drug statute conviction for a violation occurring in the work place no later than five (5) days after such a conviction.

(4) Notifying the County within ten (10) days after receiving notice under subsection (3) from an employee or otherwise receiving actual notice of such conviction.

(5) Imposing appropriate personnel action against such employee up to and including termination; or requiring such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

(6) Making a good faith effort to continue to maintain a drug free work place through implementation of sections (1) through (5) stated above.

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:

- (1) Such person or entity has made false certification.
- (2) Such person or entity violates such certification by failing to carry out the requirements of sections (1), (2), (3), (4), (5), or (6) or Resolution R-01-36 Section 4, E (1) (a) or
- (3) Such a number of employees of such person or entity have been convicted of violations occurring in the work place as to indicate that such person or entity has failed to make a good faith effort to provide a drug free work place as required by Resolution R-01-36 Section 4, E (1) (a).

\_\_\_\_\_  
[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]

**ATTACHMENT "C"**

**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 "C"**

Any person or entity who claims that this Article is inapplicable to him/her/it because a conviction or judgement 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.