

REQUEST FOR PROPOSAL #11- 0481 – BG
Public Golf Course Operations

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 business entities authorized to do business in the State of Florida, for the purpose of granting the right to operate the specified County Golf Course Facilities including operations, management and maintenance of public golf course services at two locations: Manatee and Buffalo Creek Public Golf Courses.

To ensure that all prospective proposers have sufficient information and understanding of the County's needs, a **Non- Mandatory SITE VISIT AND INFORMATION CONFERENCE** will be held on **February 17, 2011, starting at 9:00 AM**, or soon thereafter, in the Clubhouse at the **Buffalo Creek Golf Course** 8100 69th Street East, Palmetto, FL 34221, to be followed by a site visit to the Manatee County Golf Course. All proposers are encouraged to attend this information conference.

DEADLINE FOR CLARIFICATION REQUESTS: February 25, 2011 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 4:00 PM on March 4, 2011**, at 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.17 carefully to avoid violation and possible sanctions.

FOR INFORMATION CONTACT:

Melissa Assha, Contract and Buyer Manager, PHONE (941)749-3056, FAX (941)749-3034
Manatee County, Financial Management Department, Purchasing Division

REQUEST FOR PROPOSAL #11- 0481- BG
Public Golf Course Operations

SECTION A: INFORMATION TO PROPOSERS

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

A.01 OPENING LOCATION

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.

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. 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 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 agent. The issuance of a written addendum by the Purchasing Official's Office 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. 3042 to determine if addenda were issued and to make such addenda a part of the proposal.

DEADLINE FOR CLARIFICATION REQUESTS

February 25, 2011 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 signed Original (please mark the original) and Five (5) copies of your proposal shall be submitted in one sealed package, clearly marked on the outside **"Sealed Proposal #11- 0481 - BG"** 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, email 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 must 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 PROPOSAL

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

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 (1) (b). **No review of the proposal documents shall be conducted at the public opening of the 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 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 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 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 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 presumes 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 Proposals.

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 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.

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 DRUG FREE WORKPLACE

Drug Free Workplace Program: Manatee County has adopted a policy requiring Contractors to maintain a Drug Free Workplace (Resolution R-93-22). Proposers are asked to review the attached 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. **Proposer to complete Attachment "B"**

A.17 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 Law Chapter 2-26.

A.18 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 it will affirmatively ensure that in any contract entered into pursuant to this advertisement, women or 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.19 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.

SECTION B: FORM OF PROPOSAL

This section identifies specific evaluation factors which are to be given written responses. The contents of each proposal shall be **separated** and **arranged with tabs** in the same order as listed in Sections B.01 through B.07, identifying the response to each specific item.

The information that Proposers provide shall be used to determine whether the Proposer has the ability to perform the Scope of Services as stated in this Request for Proposal in a way which 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

Proposals may be presented by a single business entity, a joint venture, or partnership.

Prior to any consideration of the responses to the criteria in this Request For Proposals, Proposers are to document in their Proposals they have the following experience:

Proposers shall have at least Five (5) Years of proven experience in operating and maintaining a “Major” Golf Course and obtained and concurrently held the required licenses under appropriate State and local laws related to that activity.

Proposers must have never lost any business license for cause, had a food service establishment closed or suspended due to health reasons, or must have never been found to have failed to pay all taxes due. To validate experience, expertise and capabilities, Proposers shall provide the following:

- A. The state, city or county where the Contracted Major Golf Courses are located.
- B. Name of the entity that issued the contracts.
- C. Name of the Major Golf Courses as shown on the executed contract.
- D. Owner’s contact including person responsible for the administration of the contract with that person’s contact information including telephone and email information.

After Manatee County staff validates the Minimum Qualifications have been met, those Proposals found to be in compliance will be considered.

B.02 ADMINISTRATIVE SUBMITTAL

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

B.03 INFORMATION TO BE SUBMITTED REGARDING YOUR BUSINESS ENTITY

Tabs are required to identify each item defined in this Section

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.

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.

B.03.3. Provide a list, with **references, of your business entity's golf course operations experience**. Specify which key personnel were responsible for the contracted services. References given must specify employees in senior level management positions with knowledge of the operations to confirm the claimed details. Include the name of the entity the work was completed for, a description of the services provided, the dates of service and the name(s) and telephone number(s) of the contact persons. This list shall be for both Governmental and Private clients for the past five (5) years.

B.03 INFORMATION TO BE SUBMITTED REGARDING YOUR BUSINESS ENTITY

Tabs are required to identify each item defined in this Section

B.03.4. 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 key role in providing services. Describe their respective areas of expertise. .

For each identified person, list:

- Full Name
- Professional credentials; Title;
- Area of expertise, individual’s roles and duties in providing services
- Office address
- Email address
- Telephone number
- Personalized resumes which identify the qualifications, training and experience of each key personnel.

B.03.5. **Specify the office location of the business entity** explained in response to item B.03, 2 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) they will work from and how they will provide management or service or supply support from the locations that they will work from.

B.03.6 Disclose **any ownership interest in other entities** involved in “golf course” services which may be a potential participant in this Request For Proposals. This ownership disclosure shall be included, whether such ownership occurs by the proposer through a parent, subsidiary or holding company or any other form of business entity. Submit entity names and the percent of ownership for each.

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 revenue maximizing activities, employment, subcontracting, and support services contracting as economic stimulus that your entity may generate that would directly benefit Manatee County.

B.03 INFORMATION TO BE SUBMITTED REGARDING YOUR BUSINESS ENTITY

Tabs are required to identify each item defined in this Section

B.03.8 Provide authorization for a Manatee County auditor and/or financial analysts to have access to your financial records at the primary location of the business entity explained in response to item B.03, 6, or such other location as may be agreed, for the purposes of verifying your financial representations, review and assessment of the historical and current financial capacity of your business entity, and its expected ability to meet ongoing financial obligations to the County and golf course operations and maintenance, as proposed in this proposal to Manatee County. The County’s audit and /or financial analyst agents will report their findings in a summary report to the Manatee County Purchasing Official, which will be placed in the proposal files for subsequent use and review.

B.04 INFORMATION TO BE SUBMITTED REGARDING PROPOSED OPERATION OF THE MANATEE PUBLIC GOLF COURSES

Tabs are required to identify each item defined in this Section

NOTE:

While the County will not prohibit a Proposer’s **Sub-Leasing** a portion of the facility to a third party, such sub-leases must be able to meet, at a minimum, the following criteria:

- The term of any sub-lease cannot exceed the term, or any remaining portion thereof, of the Proposer’s license agreement.
- Proposer will be required in any license agreement to obtain pre-approval of the sub-lease from the County prior to execution of such agreement and to provide copies of all executed sub-leases to the County’s contract manager.
- All sub-leases shall state in their text that Manatee County is a third-party beneficiary to such sub-lease, with the right to assert legal standing in any court action to enforce any term or condition of the main license agreement or any sub-lease entered pursuant to that agreement.
- All sub-leases must contain language confirming the sub-lessee knows, and is required to comply with, all of the terms and conditions of the license agreement, as they would otherwise apply to the Proposer, including but not limited to insurance requirements and the authority of the County to examine and audit books and records.

B.04 INFORMATION TO BE SUBMITTED REGARDING PROPOSED OPERATION OF THE MANATEE PUBLIC GOLF COURSES

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

- B.04.1 Submit a **manning level statement** for these sites and proposed services, detailing how many total employees work for your firm at any one time, including temporary, seasonal and part-time employees. List the ratios of full-time employees to part-time, temporary and seasonal employees.

The County encourages potential management companies to interview and give preference to existing Manatee County staff who may be displaced by the management and maintenance agreement. The County further encourages the successful Proposer to actively recruit qualified personnel that are residents of Manatee County.

The County will reserve the right to set minimum requirements concerning criminal records of employees which may work with children.

- B.04.2. Submit a list of any **Sub-Leases** you intend to enter or maintain. If proposing to assume current County sub-leases for provision of existing services, explain the transition anticipated.
- B.04.3. Identify any operational areas you intend to use **subcontractors**. Identify the services and roles that each subcontractor would assume in providing services.

Current Services.

- B.04.4 Explain how existing services or events popular with local residents would be continued such as:
- Hook-A-Kid-On-Golf
 - First Tee program
 - Teaching of golf lessons
 - Men's and Women's associations, juniors, seniors, and other golfer groups
 - custom golf club manufacture, golf club re-gripping, and gold club repair

B.04 INFORMATION TO BE SUBMITTED REGARDING PROPOSED OPERATION OF THE MANATEE PUBLIC GOLF COURSES

Tabs are required to identify each item defined in this Section

B.04.5 Traditional Character to be Maintained.

Proposers should factor in to their proposals the desire by the County to maintain the current golf course facility's "feel" as traditional, non-chain franchise, and community oriented in character. To this end, while the County will examine license-based operations, such proposals shall discuss the licensee's willingness and legal ability to alter standard franchise designs, construction, layout, lighting and signage.

B.04.6 Customer Service Commitment

Submit a statement of customer service commitment with demonstration of your business entities experience in successfully implementing an effective customer service program. List prior customer service models that you have had direct responsibility for managing and examples of how customer satisfaction feedback was obtained by survey for those specific programs that you managed.

B.04.7 Community Involvement Commitment

Submit a plan and commitment to creating added value and benefits to the surrounding community and to golf course visitors. Detail proposed partnerships with Manatee County to provide special events, educational programs, and community service activities. Detail your commitment to modifying the hours of operation to service events or the expertise of staff to assist with such activities.

B.04.8 Environmental Sustainability

Detail what services, products, methods or actions that you propose to use in the operation of the license that will maximize the ecology friendly or "green" impact of your business entity when operating the licenses.

B.04.9 Marketing and Advertising

Detail your proposed marketing and advertising plans, including methodologies, media to be used, and schedules. The costs of the proposed marketing and advertising are to be shown separately in the projected budget.

**B.04 INFORMATION TO BE SUBMITTED REGARDING PROPOSED OPERATION
OF THE MANATEE PUBLIC GOLF COURSES**

Tabs are required to identify each item defined in this Section

- B.04.10 Submit an **Hours of Operational Plan** describing the standard hours of operation plus expected seasonal variances explicitly describing the commencement and duration of such variances.
- B.04.11 Submit a list of **equipment to be provided by your firm** exclusively at your firm's expense for this contract undertaking. Provide a statement detailing the source from where the equipment will be made available (i.e. existing inventory, new purchase(s), transfer from other firm or service locations, etc.). The County will be open to discussing acquisition of required equipment from the County where relevant.
- B.04.12 Detail the **time required from the date of execution of the agreement to the commencement of service** at each golf course facility.
- B.04.13 Provide a **detailed phased explanation of the steps that you propose to take to accomplish the tasks from the start of the work stated in Section E, Scope of Services**, inclusive of the interaction of any separate service firm for the operation of any service offered.
- B.04.14 Include with your assumptions a written statement of when you expect the County to provide specific work or others not related to your direct effort and specify when these items would be required. This narrative is to be supplemented with a proposed schedule which gives your proposed duration of each of the key activities any such changes that are currently in progress.
- B.04.15 Submit a detailed **Quality Assurance statement** to demonstrate the level of quality that is being proposed will either meet or exceed current quality standards in terms of food and beverage, customer service, cleanliness, safety and atmosphere.

B.04 INFORMATION TO BE SUBMITTED REGARDING PROPOSED OPERATION OF THE MANATEE PUBLIC GOLF COURSES

 Tabs are required to identify each item defined in this Section

B.04.16 Submit your firm’s **assumptions regarding the budgetary projections** on the volume of sales to be generated in the first year for the following categories of service given as response to section B.05 Five Year Budget (list specific responses to the individual items):

- 1) Vending machines
- 2) Sundry items including any rental items which must be detailed in the operational plan
- 3) Golf rounds
- 4) Driving range
- 5) Cart rentals
- 6) Golf lessons
- 4) Restaurant operations

B.05 INFORMATION TO BE SUBMITTED FIVE YEAR BUDGET

 Tabs are required to identify each item defined in this Section

B.05.1 Submit a Five **Year Projected Budget** with projected sales, revenue to Manatee County, expenses, and net income.

 Include a detailed description of the proposed services to be provided. The services and products offered should meet or exceed the needs of the golf course users, and be compatible and complimentary to the County’s mission for our patrons.

B.05.2 Describe your firm’s plan or proposal, if any, for **capital improvements** or renovations to the facilities. Note Exhibit B which lists future County desired Capital Improvements.

B.05.3 Include a price schedule for a representative sample of the products and services proposed. Provide a statement of your pricing policy to provide golfers and visitors to the public golf course with quality golf experience, service and products at reasonable prices considering the competition of comparable markets for similar products and services.

B.05 INFORMATION TO BE SUBMITTED FIVE YEAR BUDGET

 Tabs are required to identify each item defined in this Section

B.05.4 Budget Details shall include:

 Collection of all related County fees for golf, motorized carts, golf clubs, and driving range, plus all record-keeping associated with these fees.

 Maintenance of buildings, grounds, equipment, and the golf courses to mutually agreed upon specifications and standards.

 Note: The County seeks to have approval of materials for maintaining the golf course. This includes but is not limited to fertilizers, chemicals, topdressing sand, bunker sand replenishment, mulch, annual flowers, golf course supplies, flags, cups, poles, bunker rakes, directional ropes and signs, seed and sod as needed.

 All pro shop functions (sale of hard and soft goods).

 Assumption of operations or onsite oversight of all food service third party vendor functions (sale of food and beverages).

 Marketing costs with an estimate of the annual cost for such a program.

 Personnel and payroll functions

 Management of tee sheet

 Management of #1 tee to maximize the number of rounds

 Implement an automated tee time reservation program.

This information should represent the application of sound business principles which provide for continuity of operations, unanticipated expenses, steady cash flow and financial responsibility.

B.06 REVENUE TO THE COUNTY PROPOSED FOR OPERATION OF THE PUBLIC GOLF COURSES

 Tabs are required to identify each item defined in this Section

Regarding all sales records, expense costs, and business transactions related to this agreement, the following shall be a condition of the contract:

- Books and Records for this facility must be separately kept, and income and expenses cannot be co-mingled with other enterprises.
- All Books and Records shall be open for the County Auditor to inspect at any time.

- B.O6.1 Propose a schedule of revenue to the County.
 The revenue should include profit sharing with the County based upon annual sales.
- B.06.2 Propose an initial term of the contract and renewal options.
- B.06.3 Detail any proposed Capital Investment in each of the Golf Course Facilities with proposed timelines for the investment and graphic illustrations.
- B.06.4 Present and explain any additional conditions proposed.

B.07 SUPPLEMENTAL INFORMATION:

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

SECTION C: SELECTION

C.01 EVALUATION FACTORS

Evaluation factors are price and demonstrated ability of the proposer(s) to efficiently perform the Scope of Services as generally outlined in Section E of this Request For Proposals. The County will be seeking to identify the proposal(s) which provide the **Highest and Best** solution to operate and maintain public golf courses including operations, management, and maintenance services at two locations: Manatee and Buffalo Creek Public Golf Courses as determined from the responses to this Request For Proposals and subsequent investigation.

C.02 RELATIVE IMPORTANCE OF EVALUATION FACTORS

While overall revenue to the County will be a significant factor in the County's assessment of proposals, it is conceivable that the proposer with the Highest quoted revenue to the County may not be selected for negotiation of an agreement if competing proposals are deemed to provide better overall terms and benefits for the County.

C.03 PRELIMINARY RANKING

A Selection Committee shall determine from the responses to this Request For Proposals and subsequent investigation as necessary, the proposer(s) most susceptible of being selected for award.

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 Selection 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.

SECTION C: SELECTION

C.05 SELECTION FOR NEGOTIATION

The proposer, whose ability and proposal is determined to be the **Highest and Best** proposal that is most advantageous to the County, taking into consideration the Evaluation Factors set forth in this Request For Proposals, shall be selected to negotiate an agreement for the County determined Scope of Services.

While overall revenue to the County will be a significant factor in the County’s assessment of proposals, it is conceivable that the proposer with the highest quoted revenue to the County may not be selected for negotiation of an agreement if competing proposals are deemed to provide better overall terms and benefits for the County.

The selection of a proposer for negotiation shall not be construed as vesting any contractual or other rights of any nature in the proposer.

C.06 AWARD

Award is subject to the successful negotiation of an agreement covering both services and revenue to the County, and the vote of the Board of County Commissioners to approve and authorize execution of an agreement document.

-

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, 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 shall be required to negotiate an agreement, in a form and with provisions acceptable to Manatee County.

The Board of County Commissioners will be presented the negotiated agreement as a best offer for consideration of award. The Manatee County Board of County Commissioners shall determine whether to (a) accept the recommended award and approve the execution of an agreement, (b) reject the recommended award and direct further negotiations, or (c) reject the recommended award and direct the termination of negotiations.

SECTION E: SCOPE OF SERVICES

E.01 BACKGROUND INFORMATION

Manatee County expects that this Request for Proposals will result in an award of a limited license to operate, manage, and maintain County Golf Courses located at Buffalo Creek Golf Course, 8100 69th Street East, Palmetto, Florida 34222 and Manatee Golf Course, located at 6415 53rd Avenue West, Bradenton, Florida 34210, (as depicted in Exhibit A.) in Manatee County.

The Golf Courses are generally described as follows:

Buffalo Creek Golf Course, 8100 69th Street East, Palmetto, FL opened in 1988. It is a spacious, challenging golf course designed by Ron Garl. Situated in a very natural environment (there are no homes bordering the course) is the setting for a fine course measuring 7,000 yards from the back tees. Undulating Bermuda greens, large waste areas, par threes over water, with an ever present breeze.

In FY 2010, Buffalo Creek Golf Course played 45,868 rounds of golf, 49,006 rounds in FY 2009 and, 54,623 rounds in FY 2008. It is a par 72 course. Facilities also include:

- Putting Green
- Grass Driving Range with Target Greens
- Chipping Green
- 18 Hole Golf Course

Additional maintenance related information includes that there are approximately –

- 2.5 acres of greens cut to .14-.18
- 5.5 acres of tees cut to .25
- 33 acres of fairways cut to .35
- 120 acres of roughs
- 15 acres of driving range cut to .35
- 1 acre of Driving Range Tee cut to .35
- 1.5 acre of clubhouse turf cut to .35
- 30 bunkers
- 17 acres of lakes separate lakes that are currently maintained by a third party vendor
- More than 500 sprinkler Toro 670 & 855 heads on 13 stations using reclaimed water from an onsite lake and that operates at 135lbs. pressure and is supplied at 1200gpm.
- Turf variety used is Tifd.419

E.01 BACKGROUND INFORMATION

Manatee Golf Course, 6415 53rd Avenue West, Bradenton, Fl

Manatee County Golf Course opened on January 14, 1977. It is considered to be one of the area's best public golf courses and is located on the west side of the County's largest City, Bradenton, which is near the beaches of the Gulf of Mexico. The course is situated equidistance from the beaches and Interstate 75. This County facility was recently rated as a Four Star course by Golf Digest for its outstanding championship layout, course conditions and customer service.

The course meanders through natural wetlands, well placed water hazards with no forced carries. There are many well placed fairways and greenside bunkers. The back tees measure 6355 yards with a course rating of 70.6 and slope of 123.

In FY 2010, Manatee County Golf Course played 50,445 rounds of golf, 57,953 rounds in FY 2009 and, 60,896 rounds in FY 2008. It is a Par 72 course. Facilities also include:

- Putting Green
- Grass Driving Range with Target Greens
- Chipping Green
- 18 Hole Golf Course

Additional maintenance related information includes that there are approximately –

- 3 acres of greens and collars cut to .14-.18
- 4.5 acres of tees cut to .25
- 33 acres of fairways cut to .35
- 50 acres of roughs
- 10 acres of driving range cut to .35
- 1 acre of Driving Range Tee cut to .35
- 1.5 acre of clubhouse turf cut to .35
- 39 bunkers
- 8 acres of lakes that are currently maintained by a third party vendor
- More than 400+ sprinkler Toro 670 & 855 heads on 13 stations using reclaimed water from the water plant, supplied through a 12' line supplied at 1500gpm.
- Turf variety used is Tifd.419

E.02 SCOPE OF SERVICES

The following generally describes the "Scope of Services" that will be the successful proposer's responsibility.

The County is seeking a capable and professional golf management company to assume responsibility for the following operations and maintenance of the aforementioned County golf courses or propose revisions to same to improve revenue flow and customer service:

- A. Collection of all related County fees for golf, motorized carts, club rental, and driving range, plus all record-keeping associated with these fees.
- B. Maintain buildings, grounds, equipment, and the golf courses to mutually agreed upon specifications and standards.
- C. All pro shop functions (sale of hard and soft goods).
- D. Onsite oversight of all food service third party vendor functions (sale of food and beverages).
- E. Provide, subject to County approval, materials for maintaining the golf course. This includes but is not limited to fertilizers, chemicals, topdressing sand, bunker sand replenishment, mulch, annual flowers, golf course supplies, irrigation equipment and supplies, flags, cups, poles, bunker rakes, directional ropes and signs, seed and sod as needed.
- F. In addition to Proposer's own marketing plan, advise the County on and implement creative ways to effectively and economically market the golf courses. Proposer to provide an estimate of the annual cost for such a supplemental program.
- G. Personnel and payroll functions including hiring, training, supervising, disciplining, and discharging employees; and paying the wages, Workers' Compensation, Social Security, payroll taxes, benefits, or other employment-related compensation for any and all employees necessary for the operation of the golf courses is solely the responsibility of the successful Proposer.
- H. Management of tee sheet and #1 tee to maximize the number of rounds.
- I. Implement an automated tee time reservation program.
- J. Assist in the development and implementation of capital improvements plans.

E.02 SCOPE OF SERVICES (continued)

The following generally describes the "Scope of Services" that will be the successful proposer's responsibility.

- K. Provide excellent service to all customers that continually exceed expectations along with a written customer services protocol plan.
- L. Scheduling and coordination of tournaments and outings, including follow-up with customers.
- M. Advertising, scheduling, and teaching of golf lessons including Hook-A-Kid-On-Golf First Tee programs and any other popular programs.
- N. Provide input, suggestions, and advice from knowledge and past experience to County staff on golf course issues.
- O. Work with Men's and Women's associations, juniors, seniors, and other golfer groups to enhance their enjoyment of the facilities.
- P. Enforce County policies and ordinances as they relate to the operation of the golf courses.
- Q. Prepare and submit daily, monthly, quarterly, and annual reports as required.
- R. Provide custom golf club manufacture, golf club re-gripping, and gold club repair.
- S. Provide all other golf related services not covered above.
- T. Maintain the County provided equipment and systems, including irrigation, to the manufactures standards over the term of the contract at its' sole expense

E.03 OPERATIONS PLAN

In your written proposal the Proposer shall state, with sufficient detail, how each of the following services and functions will be implemented:

1. **Maintenance** of the golf courses. The proposal must include a description of your recommendations for the maintenance of the golf courses by season of the year for greens, tees, fairways, roughs, hazards, trees, landscape features, buildings, cart paths, roads, and parking areas, irrigation system, utility systems, and related equipment and non-play areas.
2. **Managing Play** Your approach to managing play on the courses including tee time reservations, starting, and marshalling, etc.
3. **Management of group or league play.**
4. **Retail operations.**
5. **Food Licenses.** License contract with Sunrise-Sunset ends July 20, 2014.
6. **Golf cart services.** Lease of carts (162 carts) with Yamaha ends December 31, 2013.
7. **Golf lessons.**
8. **Staffing** of the golf courses. The proposal must include recommended numbers of staff by job type (management, supervision, labor, and specialized or skilled personnel), by function (pro shop, course maintenance, etc.) and by season, including estimated costs for payroll and benefits.
9. **Marketing Plan**, provide a annual marketing plan including email(how many members), newspaper ads, Customer Loyalty incentive programs, or other effective methods of attracting customers.
10. **Business Plan**, Provide a business plan for operations, management and maintenance of the golf courses and all facilities. The financial/revenue should be broken down by revenue categories and season/monthly. Details should include projected costs for proposed operational improvements including, but not limited to, Capital Improvements.

E.03 OPERATIONS PLAN (continued)

11. Facility Responsibilities:

- A. Provide a full description of your plan for the maintenance of all facilities including facial, structure, maintenance, electric, plumbing, break-in, vandalism.
- B. Provide a full description of your plan for the electric/water usage.
- C. Provide a full description of your plan for the Janitorial services for all bathrooms.

11. Point of Sale and Automated Tee Time Reservation System:

- A. List in detail the POS System and tee time system that you will supply.

Note: the existing POS System “User’s Friend” is no longer meeting the County’s needs.

E.04 Manatee County Responsibilities

The County will perform unscheduled frequent on-site reviews of the maintenance, operations, and guest service programs. Monthly meetings will be scheduled with the successful Proposer to review performance of services.

The County will authorize the service provider to use all County owned golf facilities including the golf courses, cart barn, maintenance building, and clubhouses.

Greens fees and fees for guest services (carts, pull carts, lessons, driving range, etc.), and all changes thereto, must be pre-approved by the County.

E.05 ADDITIONAL INFORMATION

All proposers are informed that the golf courses are governed by Florida Statutes, Florida Department of Business and Professional Regulation, and a Division of Florida Department of Environmental Protection and Manatee County Ordinances. All proposers shall take these regulations into account in formulating their proposals including, if any, all annual inspections, license requirements and renewals etc.

E.06 Key Terms

The County will require the following concepts to be part of the negotiated agreement:

Termination for Public Convenience: In addition to other termination clauses, specific text shall be included to allow Manatee County to terminate the agreement for public convenience. The composition of the text shall take into consideration any fixed equipment or facility enhancements as Capital Investment made by the Licensee as of the date of the termination.

Disclosure of Ownership and any change to ownership in excess of 10% of the rights of the Licensee during the term of the contract.

Written and fully Executed Amendments required. No change to the terms of the agreement shall be enforceable or effected unless the change has been presented in writing, considered by the County, and a written addendum to the agreement executed by both parties has been completed.

Prohibition of any assignment, pledging, transferring or encumbrance of any interest that is the responsibility of, or income due to the Licensee in performance of this agreement. Termination of this contract by Manatee County shall be automatic and irrevocable upon such action by the Licensee.

PROPOSAL SIGNATURE FORM
RFP #11- 0481 – BG

Firm Name

Mailing Address:

Email

() _____
Telephone Number

City, State, Zip Code

The undersigned attests to his or her authority to submit this proposal and to bind the firm herein named to perform the services offered in a two party agreement. If the firm is selected by the County the undersigned certifies that he/she will negotiate in good faith to establish **limited contract rights** to operate manage, and maintain specified County Facilities and to provide the selected services as may determined by the County which are detailed in this RFP #11-0481-BG.

Signature

Witness Signature

Date: _____

Date: _____

Name and Title of Above Signer

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

Exhibit A -1 Buffalo Creek Golf Course



Exhibit A -2 Manatee Golf Course

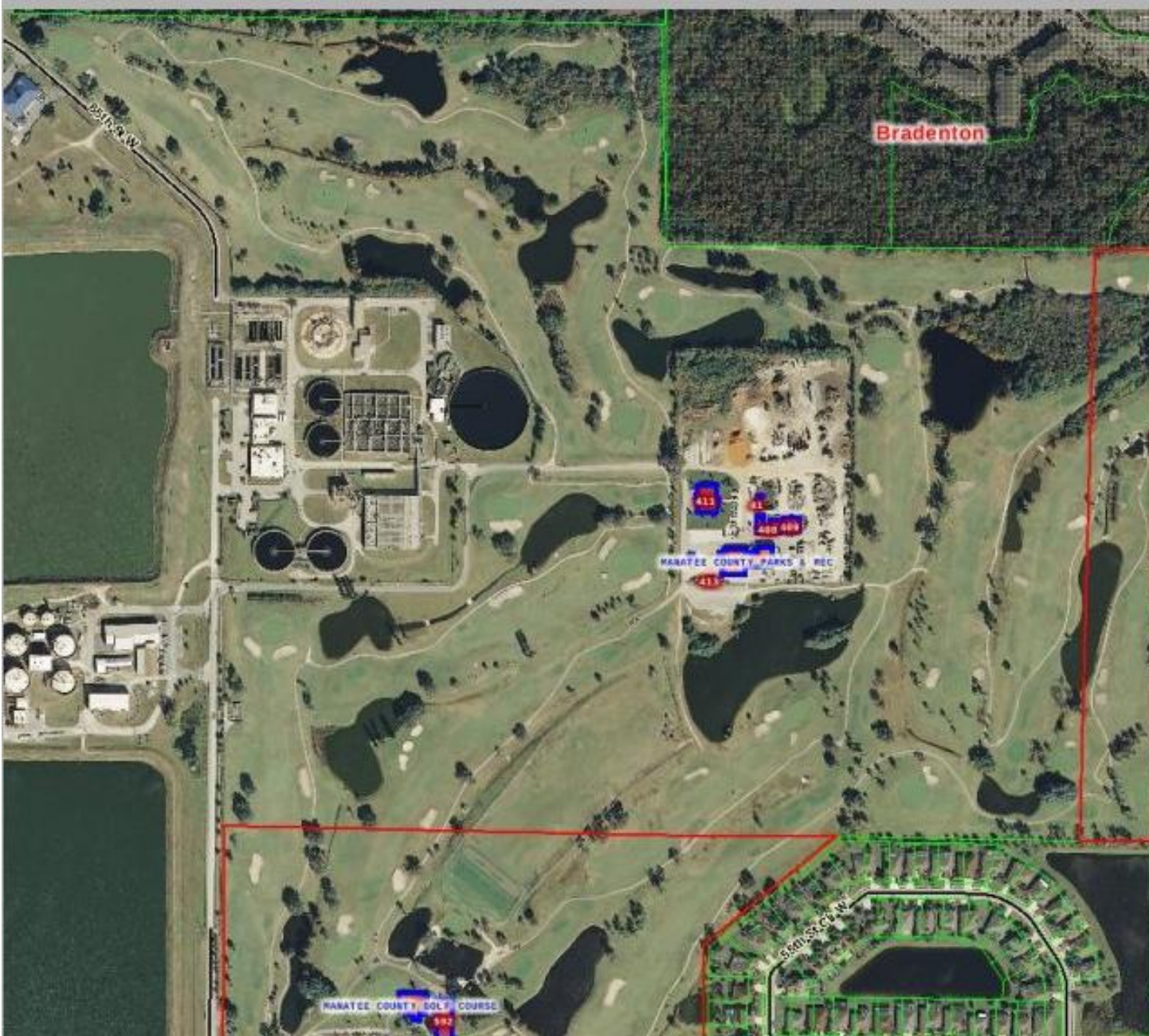


Exhibit B Future Capital Improvements

MANATEE COUNTY & BUFFALO CREEK GOLF COURSES

FUTURE CAPITAL IMPROVEMENTS

(NOT FUNDED AT THIS TIME)

1. 2011/2012 “No Till” greens reconstruction to Champion with Celebration collars, Manatee
2. 2012/2013 “No Till” greens reconstruction to Champion with Celebration collars, Buffalo Creek
3. 2011/12/13 rebuild tee surfaces, Manatee
4. 2015/16 Renovate Buffalo Creek pump station
5. Tree planting, on going as funding permits
6. 2012 Tee relocation (all), number eight, Manatee
7. 2015 Parking lot resurface, Buffalo Creek
8. 2011/12 Enlarge putting green, Manatee
9. Automated Tee Time Reservation System

ATTACHMENT "A"

Drug Free Work Place Certification

SWORN STATEMENT PURSUANT TO SECTION 6-101(7)(B),
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 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

ATTACHMENT A (Cont'd.)

(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 subsection 3-101(7)(B); 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 subsection 3-101(7)(B).

[Signature]

STATE OF FLORIDA
COUNTY OF _____

Sworn to and subscribed before me this ___ day of _____, 200___ 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.

Attachment "B"

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 an 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 B (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.