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Office of Financial Management and Budget

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REQUEST FOR PROPOSAL

RFP NO. 17-055R/MB

Palm Beach County Board of County Commissioners
and
Office of Financial Management and Budget
are seeking
Proposals for:

Pre-Qualification for Bond Underwriter Services on an "as needed" basis

Date issued/available for distribution: January 20, 2017

Proposer **shall** submit one (1) unbound original and eight (8) copies of the complete proposal to be received in the Offices of Financial Management and Budget no later than **March 6, 2017, 4:00 p.m. local time. See Section 1.6 of the RFP for Mailing Instructions.**

**ENVELOPE MUST BE IDENTIFIED WITH THE
DEADLINE DATE FOR RECEIPT OF PROPOSALS
AND
THE RFP NUMBER.**

CAUTION

Amendments to this Request for Proposal will be posted on the Palm Beach County Office of Financial Management & Budget website: www.pbcgov.org/ofmb under "Invitations for Bid/Requests for Proposal" as they are issued. It is the sole responsibility of proposers to routinely check this website for any Amendments that may have been issued prior to the Deadline for receipt of proposals.

Palm Beach County shall not be responsible for the completeness of any Request for Proposal package not downloaded from this website or received directly from Palm Beach County Office of Financial Management & Budget.

**N ACCORDANCE WITH THE PROVISIONS OF ADA, THIS DOCUMENT MAY BE
REQUESTED IN AN ALTERNATE FORMAT**

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SECTION 1

GENERAL INFORMATION

1.1 ISSUING OFFICE

This Request for Proposal (RFP) is issued for the County of Palm Beach, hereinafter referred to as "County", by the Office of Financial Management and Budget (OFMB). The Office of Financial Management and Budget is the SOLE point of contact concerning this RFP. All communications regarding this RFP must be done through the Office of Financial Management and Budget. See Section 1.7, Contact Person.

1.2 GENERAL INFORMATION

The County believes it is prudent to plan for negotiated bond sales in order to access the tax-exempt bond market at the lowest possible interest rates. A negotiated bond sale will be considered when: (i) the complexity of the issue requires specialized expertise, (ii) when the County needs greater flexibility scheduling the time of the bond sale, (iii) when market conditions are unusually volatile, and/or (iv) when last minute changes might be required in the structure of the bond issue.

The County currently issues three general types of bonds. General obligation bonds which are backed by the full faith and credit of the County; revenue bonds which are backed by a covenant to budget and appropriate from the County's legally available non-ad valorem revenues; and, revenue bonds which are backed by specific revenues of enterprise operations such as Water and Sewer and Airports Departments. Bonds issued by the County generally range in size from \$25 million to \$250 million per issue and are generally structured with level debt service.

1.3 PURPOSE OF THE PROJECT

Palm Beach County is issuing this Request for Proposals (RFP) to establish a Pre-Qualified Bond Underwriters (P.Q.B.U.) pool of eligible and qualified investment banking firms to serve as senior managers and co-managers for the County's negotiated sale of tax-exempt and taxable municipal bonds and other financing transactions on a non-exclusive and as needed basis. The County's goal in a negotiated bond sale is to select underwriters that have the expertise that will result in a successful sale and obtain the lowest interest cost to the County. The County has a Financing Committee (CFC) that reviews each issue to determine if the County will bid the bonds competitively or if a negotiated sale is in the best interest of the County. The CFC makes a recommendation to the County Administrator who approves the recommendation and submits it to the Board of County Commissioners (BCC) for approval. Once a negotiated sale of bonds has been authorized by the BCC, the CFC and the County's Financial Advisor will recommend an underwriting team from the P.Q.B.U.(s) to the County Administrator for approval by the BCC.

1.4 QUALIFICATION OF RESPONDENTS

All proposers to this RFP shall have demonstrated experience in supplying such services and shall meet all criteria/requirements identified in this RFP.

1.5 TIMETABLE

The anticipated schedule and deadline for the RFP and Contract approval are as follows:

<u>Activity</u>	<u>Date</u>	<u>Time</u>	<u>Location</u>
RFP available for Download from OFMB website	1/20/17	9:00 a.m.	OFMB 301 North Olive Ave. 7 th Floor W.P.B., FL 33401
Deadline for receipt of questions or comments	2/27/17	5:00 p.m.	OFMB 301 North Olive Ave. 7 th Floor W.P.B., FL 33401
Deadline for receipt of proposals	3/6/17	4:00 p.m.	OFMB 301 North Olive Ave. 7 th Floor W.P.B., FL 33401
Selection Committee	3/16/17	10:30 a.m.	Governmental Center 301 North Olive Ave. 11 th Floor Conference Room W.P.B., FL 33401
Posting Date of Notice of Intent to Award	3/23/17		OFMB 301 North Olive Ave. 7 th Floor W.P.B., FL 33401
BCC Award Date	5/2/17		Governmental Center 301 N. Olive Ave. 6th Floor W.P.B., FL 33401

NOTE: County reserves the right to alter the above activities and/or times at the County's sole discretion.

1.6 PROPOSAL SUBMISSION

All proposals must be submitted on 8½ x 11 inch paper. One (1) unbound original and eight (8) copies of the complete proposal must be received in OFMB by March 6, 2017, 4:00 p.m. local time. The original and all copies must be submitted in a sealed envelope or container. The proposer's complete return address must be included on the outer envelope or wrapper enclosing any materials

submitted in response to this RFP. The outer envelope or wrapper should be addressed as follows:

Proposer Name

Address

Phone No.

Palm Beach County
Board of County Commissioners
Office of Financial Management & Budget
301 N. Olive Ave. i^h Floor
West Palm Beach, Florida 33401
RFP No. 17-055R/MB
Attention: Mark Braun

Title: Pre-Qualification for Bond Underwriter Services on an "as needed" basis

Due Date: March 6, 2017 4:00 p.m. local time.

Hand-carried proposals may be delivered to the above address ONLY between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays observed by the County.

Proposers are responsible for informing any commercial delivery services, if used, of all delivery requirements and for insuring that the required address information appears on the outer wrapper or envelope used by such service.

The Price Proposal Page(s) (Appendix A) must be signed by an officer of the company who is legally authorized to enter into a contractual relationship in the name of the proposer ("Authorized Person").

The submission of a signed proposal by a proposer will be considered by the County as constituting a legal offer by the proposer to perform the required services at the proposed price identified therein.

1.7 CONTACT PERSON

The contact person for this RFP is Mark Braun, Debt Manager, at (561) 355-2733, e-mail address: mbraun@pbcgov.org, or fax number (561) 656-7128 in the Office of Financial Management and Budget.

Proposers are advised that from the date of release of this RFP until award of the contract, NO contact with County staff and/or designated Selection Committee members concerning this RFP is permitted, except as authorized by the contact person designated herein.

1.8 CONE OF SILENCE

Proposers are advised that the "Palm Beach County Lobbyist Registration Ordinance" prohibits a proposer or anyone representing the proposer from communicating with any County Commissioner, County Commissioner's staff, or any County Employee authorized to act on behalf of the Board of County Commissioners to award this contract regarding its proposal, i.e., a "Cone of Silence".

The "Cone of Silence" is in effect from the date/time of the deadline for submission of the proposal, and terminates at the time that the Board of County Commissioners, or a County Department authorized to act on their behalf, awards or approves a contract, rejects all proposals, or otherwise takes action which ends the solicitation process.

Proposers may, however, contact any County Commissioner, County Commissioner's Staff, or any County Employee authorized to act on behalf of the Board of County Commissioners to award this contract via written communication, i.e., fax, e-mail, or U.S. Mail.

Violations of the "Cone of Silence" are punishable by a fine of \$250.00 per violation.

1.9 ADDITIONAL INFORMATION/AMENDMENT/SI

Any questions, comments (i.e., additional information or clarifications) must be made, in writing via fax, e-mail or U.S. Mail, no later than February 27, 2017, and to the address listed in the RFP Timetable (Section 1.5) or fax number or e-mail address listed for the Contact Person (Section 1.7) above. The request must contain the proposer's name, address, phone number, facsimile number and e-mail address.

Facsimiles must have a cover sheet which includes, at a minimum, the proposer's name, address, number of pages transmitted, phone number, facsimile number and e-mail address.

Changes to this RFP, when deemed necessary by the County, will be completed only by written Amendment(s) issued prior to the Deadline for receipt of proposals. Proposers should not rely on any representations, statements or explanation other than those made in the RFP or in any Amendment to this RFP. Where there appears to be a conflict between the RFP and any Amendment issued, the last Amendment issued shall prevail.

Amendments to the RFP will be posted on the Palm Beach County Office of Financial Management & Budget website: www.pbcgov.org/ofmb under "Invitations for Bid/Requests for Proposal" as they are issued. It is the sole responsibility of proposers to routinely check this website for any Amendments that may have been issued prior to the Deadline for receipt of proposals. Palm Beach County shall not be responsible for the completeness of any RFP package not downloaded from this website or received directly from the Palm Beach County Office of Financial Management & Budget.

It is the proposer's sole responsibility to assure receipt of all Amendments. The proposer should verify with the designated Contact Person (see Section 1.7) prior to entering a proposal that all Amendments have been received. Proposers are required to acknowledge the receipt of all Amendments as part of their proposal.

SECTION 2 **GENERAL TERMS AND CONDITIONS**

2.1 PROPOSAL GUARANTEE

Proposer guarantees their commitment, compliance, and adherence to all requirements of the RFP by submission of their proposal.

2.2 MODIFIED PROPOSALS

Proposer may submit a modified proposal to replace all or any portion of a previously submitted proposal until the Deadline for receipt of proposals. The County will only consider the latest proposal submitted.

2.3 WITHDRAWAL OF PROPOSALS

A proposal may be withdrawn only by written notification. Letters of withdrawal received after the Deadline for receipt of proposals will not be accepted unless the contract has been awarded to another vendor or no award has been made within ninety (90) days after the Deadline for receipt of proposals. Unless withdrawn, as provided in this subsection, a proposal shall be irrevocable until the time that a contract is awarded.

2.4 LATE PROPOSALS, LATE MODIFIED PROPOSALS

Proposals and/or modifications to proposals received after the Deadline for receipt of proposals specified in the RFP Timetable (Section 1.5) are late and shall not be considered.

2.5 RFP POSTPONEMENT/CANCELLATION

The County may, at its sole and absolute discretion, reject any and all, or parts of any and all, proposals; waive any minor irregularities in this RFP or in the proposals received as a result of this RFP; postpone or cancel, at any time, this RFP process; or re-advertise this RFP.

2.6 COSTS INCURRED BY PROPOSERS

All expenses incurred with the preparation and submission of proposals to the County, or any work performed in connection therewith, shall be borne by the proposer. No payment will be made for proposals received, nor for any other effort required of or made by the proposers, prior to commencement of work as defined by a contract approved by the Board of County Commissioners.

2.7 PROPRIETARY/CONFIDENTIAL INFORMATION

Proposers are hereby notified that all information submitted as part of, or in support of, proposals will be available for public inspection after opening of proposals, in compliance with Chapters 119 and 286, Florida Statutes, popularly known as the "Public Records Law" and the "Government in the Sunshine Law" respectively.

2.8 NEGOTIATIONS

The County may award a contract on the basis of initial proposals received, without discussions. Therefore, each submitted proposal should contain the proposer's best price and technical offer.

2.9 RIGHT TO PROTEST

Any proposer may protest any recommendations for contract award by submitting a written protest to the Director of the Office of Financial Management & Budget within five (5) business days after posting the Notice of Intent to Award in accordance with Chapter 2, Article II, Section 2-55 of the Palm Beach County Code. Protests must be submitted in writing, addressed to the Director of the Office of Financial Management & Budget, via hand delivery, mail or fax to (561) 355-2733.

2.10 SMALL BUSINESS ENTERPRISE

Policy

It is the policy of the Board of County Commissioners of Palm Beach County, Florida, that SBE(s) have the maximum practical opportunity to participate in the competitive process of supplying goods, services and construction to the County. To that end, the Board of County Commissioners adopted a Small Business Ordinance which is codified in Sections 2-80.21 through 2-80.34 (as amended) of the Palm Beach County Code, which sets forth the County's requirements for the SBE program, and is incorporated in this solicitation. Compliance with the requirements contained in this section shall result in a bidder being deemed responsive to SBE requirements. The provisions of the Code are applicable to this solicitation, and shall have precedence over the provisions of this solicitation in the event of a conflict.

Although preferences will not be extended to certified M/WBEs, unless otherwise provided by law, businesses eligible for certification as an M/WBE are encouraged to maintain their certification in order to assist in the tracking of M/WBE availability and awards of contracts to M/WBEs. This information is vital to determining whether race and gender neutral programs assist M/WBE firms or whether race and gender preferences are necessary in order to address any continued discrimination in the market.

SBE Goals

The County has established a minimum goal of 15% SBE participation for all County solicitations, inclusive of all alternates and change orders. This goal is a minimum, and no rounding will be accepted.

It will be the responsibility of the firm submitting a proposal to furnish all the necessary information to the County in order to receive points for SBE participation. Points will not be cumulative. Points shall be assigned based on the level of SBE participation as outlined below:

Table 1 - SBE Point System (Non-CCNA)

Scenario		Points
A	Proposer is a Palm Beach County certified SBE who will be providing 51% of the work with their own workforce.	10 points (or 10% if total evaluation points exceed 100)

NOTE: Final SBE points will be contingent upon a percentage of the total evaluation.

Pursuant to Section 3.1 below, sub consultants and joint ventures are not permitted for this RFP. Therefore, the Schedules related to SBE and M/WBE only apply to Prime firms that meet the SBE or M/WBE requirements.

Points awarded for SBE participation shall not exceed ten percent (10%) of the total amount of possible points awarded.

Proposal Submission Documentation

SBE proposers proposing as prime contractors, are advised that they must complete Schedule 1 listing the work to be performed by their own workforce as well as the work to be performed by any SBE or MWBE subcontractor. Failure to include this information on Schedule 1 will result in the participation by the SBE prime proposers own workforce NOT being counted towards meeting the SBE goal. This requirement applies even if the SBE contractor intends to perform 100% of the work with their own workforce.

Proposers are required to submit with their proposal the appropriate SBE-M/WBE schedules in order to be deemed responsive to the SBE requirements. SBE-M/WBE documentation to be submitted is as follows:

Schedule 1 - List of Proposed SBE and MNVBE Participation

This list shall contain the names of all SBE and MNVBE prime and subcontractors intended to be used in performance of the contract, if awarded. This schedule shall also be used if an SBE prime proposer is utilizing ANY subcontractors.

SBE Certification

Only those firms certified by Palm Beach County at the time of proposal opening shall be counted toward the established SBE goals. Upon receipt of a complete application, **IT TAKES UP TO NINETY (90) DAYS TO BECOME CERTIFIED AS AN SBE WITH PALM BEACH COUNTY.** It is the responsibility of the proposer to confirm the certification of any proposed SBE; therefore, it is recommended that proposers visit the on-line Vendor Directory at www.pbcgov.org/osba to verify SBE certification.

Counting SBE Participation (and MNVBE Participation for Tracking Purposes)

- a. Once a firm is determined to be an eligible SBE according to the Palm Beach County certification procedures, the Prime may count toward its SBE goals only that portion of the total dollar value of a contract performed by the SBE.
- b. The Prime may count toward its SBE goal a portion of the total dollar value of a contract with a joint venture, eligible under the standards for certification, equal to the percentage of the ownership and control of the SBE partner in the joint venture.
- c. The Prime may count toward its SBE goal the entire expenditures for materials and equipment purchased by an SBE subcontractor, provided that the SBE subcontractor has the responsibility for the installation of the purchased materials and equipment.
- d. Prime may count the entire expenditure to an SBE manufacturer (i.e., a supplier/distributor that produces goods from raw materials or substantially alters the goods before resale).
- e. The Prime may count sixty percent (60%) of its expenditure to SBE suppliers/distributors that are not manufacturers.
- f. The Prime may count toward its SBE goal second and third tiered SBE subcontractors; provided that the Prime submits a completed Schedule 2 form for each SBE subcontractor.
- g. The Prime may only count towards its SBE goal the goods and services in which the SBE is certified.

Responsibilities After Contract Award

Schedule 3(A) - Professional Services Activity Report

This form shall be submitted by the prime consultants with each payment application when SBE and/or M/WBE sub-consultants are utilized in the performance of the contract. This form shall contain the names of all SBE and M/WBE sub-consultants, specify the subcontracted dollar amount for each sub consultant and show amount drawn and payments to date issued to sub-consultants. This form is intended to be utilized on all professional services contracts.

Schedule 4 - SBE-M/WBE Payment Certification

A Schedule 4 for each SBE and/or M/WBE sub shall be completed and signed by the proposed SBE and/or M/WBE after receipt of payment from the prime. When applicable, the prime shall submit this form with each application submitted to the county for payment to document payment issued to a sub in the performance of the contract.

All proposers hereby assure that they will meet the SBE participation percentages submitted in their respective proposals with the subcontractors contained on Schedules 1 and 2 and at the dollar values or percentages specified. Proposers agree to provide any additional information requested by the County to substantiate participation.

The successful proposer shall submit an SBE-M/WBE Activity Form (Schedule 3(A)) and SBE-M/WBE Payment Certification Forms (Schedule 4) with each payment application. Failure to provide these forms may result in a delay in processing payment or disapproval of the invoice until they are submitted. The SBE-M/WBE Activity Form is to be filled out by the Prime Contractor and the SBE-M/WBE Payment Certification Forms are to be executed by the SBE or M/WBE firm to verify receipt of payment.

SBE Substitutions

After contract award, the successful proposer will only be permitted to replace a certified SBE subcontractor who is unwilling or unable to perform. Such substitution must be done with other certified SBE's in order to maintain the SBE percentages submitted with the bid. Requests for substitutions must be submitted to the user Department and OSBA.

Work Order SBE Award Criteria

For work order purchases made as a result of this solicitation, the County shall make an award to the Pre-Qualified Contractor(s) who is certified as a small business with Palm Beach County or meets the 15% SBE goal and who is within 10% of the lowest responsive, responsible Pre-Qualified Contractor, providing that the small business is also deemed responsive and responsible to the terms and conditions of the solicitation.

Certification

Only those firms certified as a small business enterprise by Palm Beach County at the time of project opening shall be counted toward the established SBE project goals. Upon receipt of a complete application, **IT TAKES UP TO NINETY (90) DAYS TO BECOME CERTIFIED AS AN SBE WITH PALM BEACH COUNTY.** It is the responsibility of the Pre-Qualified Contractor to confirm the certification of any proposed SBE; therefore, it is recommended that Contractors visit the on-line Vendor Directory at www.pbcgov.org/osba to verify SBE certification.

Decertification

As part of the consideration for award under the SBE Ordinance, any Contractor decertified by Palm Beach County shall be considered non-responsive to the SBE requirements.

2.11 LOCAL PREFERENCE

In accordance with the Palm Beach County Local Preference Ordinance, a preference will be given to (1) proposers having a permanent place of business in Palm Beach County; (2) proposers having a permanent place of business in the Glades that are able to provide the goods or services within the Glades.

- a. Glades Local Preference: Pursuant to the Palm Beach County Local Preference Ordinance, a 5% Glades Local Preference is given when a Glades Business offers to provide the goods or services that will be procured for use in the Glades. If a proposer is eligible to receive a Glades Local Preference, the proposer will receive five (5) points, unless the proposer qualifies to receive SBE points as specified above. A proposer may only receive either the Glades Local Preference points or SBE points, not both, with SBE taking precedence.
- b. Local Preference: Pursuant to the Palm Beach County Local Preference Ordinance, a 5% Local Preference is given to proposers having a permanent place of business in Palm Beach County. If a proposer is eligible to receive a Local Preference, the proposer will receive five (5) points, unless the proposer qualifies to receive SBE points as specified above. A proposer may only receive either Local Preference points or SBE points, not both, with SBE taking precedence.
- c. To receive either a Glades Local Preference or a Local Preference, a proposer must have a permanent place of business in existence prior to the County's issuance of this Request for Proposal. A permanent place of business means that the proposer's headquarters is located in Palm Beach County or in the Glades, as applicable; or, the proposer has a permanent office or other site in Palm Beach County or in the Glades, as applicable, where the proposer will produce a substantial portion of the goods or services to be purchased. A valid Business Tax Receipt issued by the Palm Beach County Tax Collector is

required, unless specifically exempted by law, and will be used to verify that the proposer had a permanent place of business prior to the issuance of this Request for Proposal. Please note that in order to receive a local preference, the name and address on the Business Tax Receipt must be the same name and address that is included on the proposal submitted to Palm Beach County, and that the attached "Certification of Business Location" (Appendix E) and Business Tax Receipt must accompany the proposal at the time of proposal submission. Failure to submit this information will cause the proposer to not receive a preference. Palm Beach County may require a proposer to provide additional information for clarification purposes at any time prior to the award of the contract.

2.12 PALM BEACH COUNTY OFFICE OF THE INSPECTOR GENERAL AUDIT REQUIREMENTS

Pursuant to Palm Beach County Code, Sections 2-421 - 2-440, as amended, Palm Beach County's Office of Inspector General is authorized to review past, present and proposed County contracts, transactions, accounts, and records. The Inspector General's authority includes, but is not limited to, the power to audit, investigate, monitor, and inspect the activities of entities contracting with the County, or anyone acting on their behalf, in order to ensure compliance with contract requirements and to detect corruption and fraud.

2.13 RULES: REGULATIONS: LICENSING REQUIREMENTS

The proposer shall comply with all laws, ordinances and regulations applicable to the services contemplated herein, to include those applicable to conflict of interest and collusion. Proposers are presumed to be familiar with all federal, state and local laws, ordinances, codes and regulations that may in any way affect the services offered, to include Executive Order No. 11246 entitled "Equal Employment Opportunity" as amended by Executive Order No. 11375, and as supplemented by the Department of Labor Regulations (41 CFR, Part 60).

2.14 CRIMINAL HISTORY RECORDS CHECK ORDINANCE

Pursuant to Palm Beach County Code, Sections 2-371- 2-377, the County shall conduct fingerprint based criminal history record checks on all persons not employed by the County who repair, deliver, or provide goods or services for, to, or on behalf of the County. A fingerprint based criminal history record check shall be conducted on all employees and subcontractors of vendors, including repair persons and delivery persons, who are unescorted when entering a facility determined to be critical to the public safety and security of the County. County facilities that require this heightened level of security are identified in Resolution R-2003-1274, as may be amended. The proposer is solely responsible for understanding the financial, schedule, and staffing implications of this Ordinance. Further, the proposer acknowledges that its proposal price includes any and all direct or indirect costs associated with compliance of this Ordinance, except for the applicable FDLE/FBI fees that shall be paid by the County.

2.15 REVIEW OF PROPOSALS

Each proposal will be reviewed to determine if the proposal is responsive to the RFP. Proposals deemed to be non-responsive will be rejected without being evaluated by the Selection Committee. A responsive proposal is one which has been signed, has been submitted by the specified submission time, and has provided the information required to be submitted with the proposal (as stated in Section 3). While poor formatting, poor documentation, and/or incomplete or unclear information may not be cause to reject a proposal without evaluation, such substandard submissions may adversely impact the evaluation of your proposal, especially information relating to establishing financial/business stability. Proposers who fail to comply with all of the required and/or desired elements of this RFP, do so at their own risk.

2.16 EXCEPTIONS TO THE RFP

All exceptions taken must be specific, and the proposer must indicate clearly what alternative is being offered to allow the County a meaningful opportunity to evaluate the proposal. Proposers are cautioned that submitting an alternative proposal does not relieve the proposer from submitting the "Minimum Requirements" as stated in Section 3. The County is under NO obligation to accept any proposed exceptions or alternatives.

2.17 SELECTION PROCESS

All proposals timely received will be reviewed first by the Office of Financial Management & Budget and the County's Financial Advisors to determine if each proposer has submitted the required information and met all Proposal Requirements (as stated in Section 3). Those proposals fulfilling the Proposal Requirements shall be referred to the Selection Committee for review and further consideration.

The Selection Committee will evaluate all responses to this RFP that meet the Proposal Requirements and are deemed responsive. The Selection Committee may evaluate all proposals based solely on the information submitted with the proposal. Accordingly, proposers are urged to ensure that their proposal contains all the necessary information for the Selection Committee to fairly and accurately evaluate each of the criteria listed below in Section 2.18. However, an oral presentation, additional written information, internal staff analysis, proposer presentations, outside consultants, and/or any other information may be required, at any time during the selection process, to help the Committee determine the final ranking of proposers. The Selection Committee may determine, as the result of additional information, that the impact of this information is significant and may be considered in the scoring and/or ranking, at the discretion of the Committee.

The Selection Committee shall meet in public session as necessary to score each proposal by reviewing each proposal against the evaluation criteria listed below, see Section 2.18. Upon completion of the Selection Committee's review and discussion of all the responsive proposals submitted, each Selection Committee Member shall score each proposal and total the scores for each proposal. The proposals shall be assigned

a ranking based upon the totals of each Selection Committee Member's score for each proposal.

After the Selection Committee has developed an overall ranking for each proposer, the committee will then review, discuss, and select the firms that will be included as its "Pre-Qualified Bond Underwriters" (P.Q.B.U.) and make its recommendation(s) for award of the contract(s).

2.18 EVALUATION CRITERIA

1.	Experience/Qualifications Marketing & Distribution/References (See Section 3.1)	Weight %	(<u>30</u> pts)
2.	Resources/Key Personnel and Operations (See Section 3.3)	Weight %	(<u>30</u> pts)
3.	Capitalization/Underwriting/Capacity (See Section 3.2)	Weight <u>1</u>i %	(<u>25</u> pts)
4.	Small Business Enterprise (See Section 2.10)	Weight <u>1</u>Q %	(<u>1Q</u>pts)
5.	Local Preference (See Section 2.11)	Weight <u>5</u> %	(<u>5</u> pts)

2.19 AWARD OF CONTRACT

The award, if any, will be made to the P.Q.B.U.(s) whose proposals are considered to be the most advantageous to the County based on the Selection Committee's opinion after review of every responsive proposal.

Upon review and approval of the Selection Committee's recommendation for P.Q.B.U.(s), the Office of Financial Management & Budget will post the award recommendation at the Office of Financial Management & Budget for a period of five (5) business days for review by interested parties prior to final approval of the award. The apparent successful P.Q.B.U.(s) will be notified of the recommendation for award by mail. Selection for P.Q.B.U. does not become effective until approved by the Board of County Commissioners. Upon appointment as Senior Manager for a particular negotiated sale, a Bond Purchase Agreement (BPA) must be completed and executed by the approved P.Q.B.U. and by the Board of County Commissioners before it becomes valid and effective. If this condition is not met in a timely manner through no fault of the County, the County, at its sole discretion, may elect to cancel the Recommended Award to that proposer.

To obtain current posting of Notices of Intent to Select P.Q.B.U.(s), please visit the County web site at www.pbcgov.org/ofmb (click on Posted Awards).

2.20 DISCLOSURE OF OWNERSHIP INTEREST

Pursuant to a directive by the Board of County Commissioners, the Disclosure of Ownership Interest affidavit (DOIA, Appendix F) must be completed on behalf of any individual or business entity that seeks to do business with the County when applicable. Disclosure does not apply to nonprofit corporations, government agencies, or to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Upon request from the Office of Financial Management & Budget, the recommended awardee shall submit a completed DOIA (Appendix F) within a reasonable time, as requested. If the recommended awardee fails to submit a completed DOIA in a timely manner, the County, at its sole discretion, may elect to cancel the Recommended Award.

2.21 AWARD OF WORK TO PRE-QUALIFIED FIRMS

Once a negotiated bond issue has been approved by the Board of County Commissioners (BCC), the County Financing Committee (CFC) and the Financial Advisors will select an Underwriting Team from the P.Q.B.U.(s) in accordance with PPM # CW-F-078 (ATTACHMENT B to Scope of Work/Services) and make a recommendation to the County Administrator for approval by the BCC. The Underwriting Team will consist of a Senior Manager and an appropriate number of Co-Managers selected from the P.Q.B.U.(s) engaged for each issue taking into consideration the size of the issue, the distribution requirements and/or the other factors pertaining to the offering.

2.22 BOND PURCHASE AGREEMENT

Bond Purchase Agreements will be negotiated with the P.Q.B.U.(s) at the time of each financing. All fees will be contingent upon the issuance of the securities.

The Senior Managing Underwriter, for and on behalf of the Underwriting Team, shall work closely with County staff, its Financial Advisors, and Bond and Disclosure Counsel on each financing. Negotiations with the Financial Advisors and the County's designee relative to the terms of the sale of debt will result in the Underwriting Team's submission of a Bond Purchase Agreement (BPA) for the consideration of the County. The County reserves the right to terminate the engagement of the Underwriting Team at any time prior to acceptance of the BPA without liability to the County.

The Underwriting Team shall submit a cashier's check as a good-faith deposit in the amount of 1% of the principal amount of **each** financing with the BPA. The County reserves the right to increase the 1% to something higher, reduce the 1% to something

lower, or eliminate the 1% based on market conditions and the County Financing Committee's recommendation. Such good-faith deposit shall be retained and applied as full-liquidated damages upon failure of the Underwriting Team to meet the provisions of the BPA. No interest will be paid on the good-faith deposit. If the good-faith deposit is not retained as liquidated damages, it shall be returned, by express delivery, to the Underwriting Team on the day the bonds close and the funds are transferred or as soon thereafter as practicable.

2.23 COMMENCEMENT OF WORK

This RFP does not, by itself, obligate the County. The County's obligation will commence when the contract is approved by the Board of County Commissioners or their designee and upon written notice to the proposer. The County may set a different starting date for the contract. The County will not be responsible for any work done by the P.Q.B.U., even work done in good faith, if it occurs prior to the contract start date set by the County.

2.24 SUCCESSFUL PROPOSER NON-DISCRIMINATION POLICY

Pursuant to Palm Beach County Resolution R-2014-1421, as may be amended, the successful proposer warrants and represents that all of its employees are treated equally during employment without regard to race, color, religion, disability, sex, age, national origin, ancestry, marital status, familial status, sexual orientation, gender identity and expression or genetic information. Per Resolution R-2014-1421, as may be amended, the successful proposer shall perform the following and shall use the "Non-Discrimination Policy" form attached as Appendix / in order to do the same:

1. Submit to the County a copy of its non-discrimination policy, which shall be consistent with the non-discrimination policy of the County as set forth in this Section; **OR**
2. In the event that the successful proposer **does not** have a written non-discrimination policy, the successful proposer shall sign and submit to the County a statement affirming that their unwritten non-discrimination policy is in conformance with the County's non-discrimination policy as provided in Palm Beach County Resolution R-2014-1421, as may be amended.

Upon request from the Purchasing Department, the recommended awardee shall satisfy the requirements set forth in this Section prior to execution of a contract with the County. If the recommended awardee fails to satisfy the requirements set forth herein within a timely manner, the County, at its sole discretion, will cancel the Recommended Award. It is the responsibility of the successful proposer to maintain a written or non-written non-discrimination policy that conforms with the County's policy as set forth in Resolution R-2014-1421, as may be amended, throughout the term of the Contract. Failure to meet this requirement shall be considered default of the Contract.

2.25 DRUG FREE WORKPLACE CERTIFICATION

Proposers should submit, with their proposal, an executed Drug Free Workplace Certification (Appendix E) indicating that the proposer has implemented a Drug Free Workplace Program which meets the requirements of Section 287.087, Florida Statutes.

2.26 AUTHORIZED SIGNATURE

The authorized representative signature required on all offers and the Contract must be made by an officer of the company (if applicable).

SECTION 3 PROPOSAL REQUIREMENTS

PROPOSAL FORMAT AND CONTENT:

Format

Proposals should be typed, double spaced and submitted on 8 1/2" x 11" size paper, using a single method of fastening (e.g., stapled, binder, etc.). Proposals should include only brief and concise narrative. The enclosure of elaborate or unnecessary verbage or promotional material is discouraged.

Table of Contents

Proposals should contain a Table of Contents. The Table of Contents outlines in sequential order, all of the areas of the proposal and it allows for clarity and ease of review of the proposal.

Letter of Transmittal

Proposals should contain a Letter of Transmittal addressed to Mark Braun, Debt Manager, and should, at a minimum, contain the following:

- a. Identification of Proposer, including name address and telephone number.
- b. Proposed working relationship between proposer and subcontractors, if applicable.
- c. Name, title, address, telephone/fax number and e-mail address of contact person during period of proposal evaluation.
- d. Signed by a person authorized to bind proposer to the terms of the proposal.

Technical Proposal

Proposals shall contain all of the documents listed below, each fully completed, signed, and notarized as required. Failure of a proposer to provide the required information is considered sufficient cause to deem the proposal non-responsive.

Notwithstanding these submittal requirements, the County reserves the right, at its sole discretion, to waive any minor irregularity relating to the proposal. Upon request, it shall be the responsibility of the proposer to address the determined minor irregularity within a time frame specified by the County (normally within two working days of request). Failure of a proposer to provide the required information within the specified time frame is considered sufficient cause to deem the proposal non-responsive.

Each of the following requirements should be addressed in separate sections of the proposal.

3.1 EXPERIENCE /QUALIFICATIONS /MARKETING & DISTRIBUTION/ REFERENCES INFORMATION

In order to be considered for selection, firms must have and show proof of a minimum of three (3) consecutive years experience conducting similar work and services as outlined in the Scope of Work/Services. Limit the response to section 3.1 to no more than eight (8) pages.

Proposer must make a statement affirming their national recognition as an underwriting firm as exemplified by continuously being listed in the "**Red Book**" in the area of Dealers & Underwriters for the last three (3) years.

For purposes of this solicitation, responses from Joint Ventures and subcontractual relationships shall not be permitted. Any such response shall be deemed non-responsive and not considered further. **In the interest of providing clarity, proposers are not permitted to create contractual relationships with underwriting firms that are SBE - M/WBE.**

- 3.1.1 Each proposer shall describe their capabilities to sell tax-exempt and taxable municipal bonds with an emphasis on institutional and/or retail distribution capabilities and ability to place Florida paper.
- 3.1.2 Each proposer shall describe their municipal bond operations (e.g. sales, trading, research and underwriting) and strategies which can be used to maximize market access and achieve the lowest interest rate on the County's bonds. Include the following information:
 - a. Number of sales personnel in Florida.
 - b. Number of offices in Florida.

- c. Number of offices nationally.

The response should be limited to two (2) pages.

- 3.1.3 Each proposer should submit a minimum of three (3) references demonstrating successful municipal negotiated bond transactions after January 1, 2014.

Each reference should include the following:

- a. Name of client, contact names, addresses, telephone/fax numbers, and dates of service.
- b. Scope of Work and types of services performed. Discuss the unique aspects of specific negotiated financings completed for the client where the firm served as the senior manager.

- 3.1.4 Each proposer shall describe how best to conduct a negotiated sale given current market conditions and discuss issues which should be addressed in developing a marketing strategy for County bond sales. Items described shall include, but not be limited to, how to deploy retail and institutional sales distribution capabilities; the investor base to be targeted; strategies to reach those investors; and, the use of bond insurance and other credit enhancements in today's market. The response should be limited to one (1) page.

- 3.1.5 Each proposer shall provide, in tabular format, a chronological listing of municipal negotiated bond transactions in which the firm served as senior manager in calendar years 2014, 2015, and 2016. The list shall include, but not be limited to:

- a. Date of issue
- b. Issue name
- c. Issue size

The response may be submitted as an appendix to the proposal. If the list is too long to include in the response, include a table by year (par, number of financings) in the response with Florida separate from other financings.

- 3.1.6 Each proposer shall provide, in tabular format, the number of municipal negotiated bond transactions in which the firm served as co-manager in calendar years 2014, 2015, and 2016. The list shall include, but not be limited to:

- a. Date of issue

- b. Issue name
- c. Issue size

The response may be submitted as an appendix to the proposal.

- 3.1.7 Each proposer that submitted the winning bid for Florida bond issues that were purchased through competitive sale shall provide a chronological listing of the transactions and principal amount since January 1, 2014. Include totals for each year.
- 3.1.8 Each proposer that submitted bids (including as part of a syndicate or consortium) for Palm Beach County bond issues that were purchased through competitive sale shall provide a chronological listing of the total transactions and principal amount since January 1, 2014. Include totals for each year.
- 3.1.9 Each proposer shall describe in general terms how federal tax regulations might impact transactions with regard to tax treatment of bonds, allowable arbitrage earnings, etc. The response should be limited to one (1) page.

3.2 CAPITALIZATION/UNDERWRITING/CAPACITY INFORMATION

The response should be limited to two (2) pages.

- 3.2.1 Each proposer shall describe their capacity to underwrite bonds by providing, in tabular format, for the last three (3) completed fiscal years of the proposer, the following information:
 - a. Total Capital
 - b. Equity Capital
 - c. Net Capital position
 - d. Uncommitted (excess net) Capital
- 3.2.2 If applicable to proposer, provide examples of when the proposer was required to take a large portion of bonds into its inventory because market conditions deteriorated during the pricing of bonds during calendar years 2015 and 2016. The examples shall identify the issuer, the par amount of the bonds and the amount taken into inventory.
- 3.2.3 In the two (2) most recent issues, when the proposer served as senior manager or co-manager, list the three (3) largest purchasers of bonds sold directly by your firm. Proposer may provide the business type of the largest purchasers (e.g. insurance company, mutual fund, individual investor, etc.) in lieu of specific names.

3.3 RESOURCES/KEY PERSONNEL/OPERATIONS INFORMATION

The response should be limited to six (6) pages.

- 3.3.1 Each proposer shall provide the following information for the team assigned to the County's work:
 - a Name of each individual that will have the day-to-day responsibility for the County's transactions.
 - b Role of each team member
 - c The location of their office
 - d The ability to work on the financing.
 - e A brief resume for each of the team members
- 3.3.2 Each proposer shall provide the location(s) of the underwriting desk(s) that will price the bonds.
- 3.3.3 Each proposer shall identify any areas of credit expertise or any unique underwriting experience that demonstrates the proposer's ability to serve the County. The response should be limited to one (1) page.
- 3.3.4 Each proposer shall describe the firm's banking capabilities to structure components of transactions including tools or licenses owned by the firm to perform debt service calculation, bond solutions, issue sizing, and refunding analyses. The response should be limited to one (1) page.
- 3.3.5 Each proposer shall describe systems in place to provide information on municipal market conditions, including investor demand, prevailing interest rates, pricing and scales, new issue calendars, market statistics, and, advice as to the timing of the sale. The response should be limited to one (1) page.
- 3.3.6 Each proposer shall disclose any material agreements, relationships, retainers or other arrangements that the proposer or any employee has with other investment banking firms, financial advisory firms, law firms or other person or entity that may create a conflict of interest or the appearance of a conflict of interest.
- 3.3.7 Each proposer shall for the firm and for each employee of the firm listed above (i.e. the primary account executive and public finance professionals assigned to the County's account) provide a brief explanation of any: (a) litigation pending or past judgments entered against the individual or his or her firm because of an act or omission of such individual in a professional liability action, and, (b) regulatory or criminal actions, proceedings or investigations to which the individual or the firm has been the subject over the last three (3) years, including whether or not the same has resulted in charges, convictions, suspensions or debarments.

3.4 FINANCIAL/ BUSINESS STABILITY

Proposer should submit the following financial statements:

Audited Financial Statements for the current (most recent reporting) Fiscal Year and prior two (2) Fiscal Years of operation prepared in accordance with generally accepted accounting principles and certified by an independent Certified Public Accountant.

The County reserves the right to request additional information to be used for evaluating responses received from any or all proposers. Further, the County retains the right to disqualify from further consideration any proposer who fails to demonstrate sufficient financial stability to perform the pending contract.

Required Appendices

3.5 BUSINESS INFORMATION

Each proposer shall complete the attached Business Information Pages (Appendix B) referencing their type of business, i.e., Corporation, Partnership (General/Limited), Joint Venture and Sole Proprietorship.

3.6 AMENDMENTS TO THE RFP

It is the proposer's responsibility to assure receipt of all amendments. The proposer shall verify with the designated contact person, prior to submitting a proposal, the number of amendments that have been received. Each amendment to the RFP shall be signed by an authorized person and shall be submitted with the proposal or the proposal shall be deemed non-responsive.

Additional Appendices

3.7 ADDITIONAL INFORMATION

Information considered by the proposer to be pertinent to this project and which has not been specifically solicited in any of the aforementioned sections may be placed in a separate appendix section. Proposers are cautioned, however, that this does not constitute an invitation to submit large amounts of extraneous materials. Appendices should be relevant and brief.

SECTION 4 SCOPE OF WORK/SERVICES

4.1 PURPOSE OF THE PROJECT

Palm Beach County is issuing this Request for Proposals (RFP) to establish a Pre-Qualified Bond Underwriters (P.Q.B.U.) pool of eligible and qualified investment banking firms to serve as senior managers and co-managers for the County's negotiated sale of tax-exempt and taxable municipal bonds and other financing transactions on a non-exclusive and as needed basis. The County's

goal in a negotiated bond sale is to select underwriters that have the expertise that will result in a successful sale and obtain the lowest interest cost to the County. The County has a Financing Committee (CFC) that reviews each issue to determine if the County will bid the bonds competitively or if a negotiated sale is in the best interest of the County. The CFC makes a recommendation to the County Administrator who approves the recommendation and submits it to the Board of County Commissioners (BCC) for approval. Once a negotiated sale of bonds has been authorized by the BCC, the CFC and the County's Financial Advisors will recommend an underwriting team from the P.Q.B.U.(s) to the County Administrator for approval by the BCC.

4.2 GENERAL INFORMATION

The County believes it is prudent to plan for negotiated bond sales in order to access the tax-exempt bond market at the lowest possible interest rates. A negotiated bond sale will be considered when: (i) the complexity of the issue requires specialized expertise, (ii) when the County needs greater flexibility scheduling the time of the bond sale, (iii) when market conditions are unusually volatile, and/or (iv) when last minute changes might be required in the structure of the bond issue.

The County currently issues three general types of bonds. General obligation bonds which are backed by the full faith and credit of the County; revenue bonds which are backed by the pledge on the County's non-ad valorem revenues; and, revenue bonds which are backed by specific revenues of enterprise operations such as Water and Sewer and Airports Departments. Bonds issued by the County generally range in size from \$25 million to \$250 million per issue and are generally structured with level debt service.

4.3 GENERAL REQUIREMENTS

The County's policy governing the issuance, management, and continuing evaluation and reporting on all debt obligations is found in Attachment A to this Scope of Work/Services, PPM #CW-F-074, Debt Management Policy. The P.Q.B.U.(s) shall conduct services in accordance with this policy. The P.Q.B.U.(s) shall be selected for negotiated bond sales in accordance with Attachment B to this Scope of Work/Services, PPM # CW-F-078, Competitive Selection of Bond Underwriters and Policy for Negotiated Sales.

"Red Book" status in the area of Dealers & Underwriters shall be maintained throughout the term of the appointment.

A. Senior Manager

The services to be provided by a Senior Manager shall include, but not be limited to, the following:

- 4.3.1 Develop the structure and overall marketing strategy on a bond transaction to which it has been assigned and to work with County staff, bond counsel, financial advisor, disclosure counsel, rating agencies, trustees, and other professionals in the transaction.
- 4.3.2 Manage the underwriting team assigned by the County to work with the Senior Manager (as book running Manager).
- 4.3.3 Assist the County, its financial advisor, bond counsel and disclosure counsel in drafting the preliminary official statement, the official statement and, any other documents required to authorize, market, and sell the bonds. The County will provide to the Senior Manager all necessary additional information for the specific financing/bond issuance. It shall be the duty of the Senior Manager to thoroughly review and determine the completeness and accuracy of any material representations set forth in the preliminary and final official statements. The Senior Manager will be responsible to the County for the accuracy and completeness of information provided by such Senior Manager with respect to such disclosure documents.
- 4.3.4 Assist the County in developing and presenting information to the rating agencies, bond insurers, if applicable, and investment community.
- 4.3.5 Provide analyses of market conditions, including investor demand and prevailing interest rates, and, advise, the County and its financial advisor with regard to timing and development of a marketing plan for the bonds.
- 4.3.6 Sell bonds.
- 4.3.7 Prepare a pricing book summarizing the market conditions, orders and allotments of bonds and terms of final sale.

B. Co-Managers

The services to be provided by a Co-Manager shall include, but not be limited to, the following:

- 4.3.8 Assist the Senior Manager in providing the primary and secondary market support for the County's financing transactions.

4.3.9 Assist the Senior Manager in providing the analyses of market conditions and advise the County and its financial advisor with regard to market timing and development of a marketing plan for the bonds.

4.3.10 Sell bonds.

**ATTACHMENT A TO
SCOPE OF WORK/SERVICES
RFP 17-055R/MB**

**DEBT MANAGEMENT POLICY
PPM# CW-F-074**

(Consisting of 8 Pages)

**ATTACHMENT B TO
SCOPE OF WORK/SERVICES
RFP 17-055R/MB**

**COMPETITIVE SELECTION OF BOND UNDERWRITERS
POLICY FOR NEGOTIATED SALES
PPM #CW-F-078**

(Consisting of 5 Pages)

SECTION 5 APPENDICES

- | | | |
|------------|---|------------------------------------|
| APPENDIX A | - | PROPOSAL CERTIFICATION PAGE |
| APPENDIX B | - | BUSINESS INFORMATION |
| APPENDIX C | - | SBE SCHEDULES 1, 2, 3(A), & 4 |
| APPENDIX D | - | CERTIFICATION OF BUSINESS LOCATION |
| APPENDIX E | - | DRUG-FREE WORKPLACE CERTIFICATION |
| APPENDIX F | - | DISCLOSURE OF OWNERSHIP INTERESTS |
| APPENDIX G | - | NON-DISCRIMINATION POLICY |

APPENDIX A
PROPOSAL CERTIFICATION PAGE
RFP No. 17-055R/MB

The Proposer certifies by signature below the following:

- a. This Proposal is current, accurate, complete, and is presented to the County for the performance of this Contract in accordance with all the requirements/Scope of Work/Services of this RFP.
- b. This Proposal is submitted without prior understanding, agreement, or connection with any corporation, firm, or person submitting a Proposal for the same materials, services, and supplies and is, in all respects, fair and without collusion or fraud.
- c. The financial stability to fully perform the terms and conditions as specified herein. The County reserves the right to request financial information from the Proposer at any time during the solicitation process and in any form deemed necessary by the County.

IMPORTANT: FAILURE TO SUBMIT THESE PAGES WILL BE CAUSE FOR "IMMEDIATE REJECTION" OF THE ENTIRE PROPOSAL RESPONSE.

NAME (PRINT): _____ -

TITLE: _____ -

COMPANY: _____ -

ADDRESS: _____ -

CITY/STATE/ZIP: _____ -

TELEPHONE NO. _____ -

SIGNATURE: _____ -

Please affix corporate seal or have proposal notarized.

Notary-Full Name

(Notary Expiration & Seal)

Date: _____ -

OR:
(Corporation seal)

APPENDIX B
BUSINESS INFORMATION
RFP NO. 17-055R/MB

Full Legal Name of Entity: _____
(Exactly as it is to appear on the Contract/Agreement)

Entity Address: _____

Telephone Number: _____

Fax Number: _____

Form of Entity (check one and complete the appropriate entity statement attached hereto)

- Corporation (Complete forms page(s) 42)
- Limited Liability Company (Complete forms page(s) 43)
- Partnership, General (Complete forms page(s) 44)
- Partnership, Limited (Complete forms page(s) 44)
- Sole Proprietorship

Federal I.D. Number: _____

(1) If Proponent is a subsidiary, state name of parent company.

Caution: All information provided herein must be as to Proponent (subsidiary) and not as to parent company.

(2) If a corporation is a partner of a proposing partnership or a member of a proposing joint venture, the corporation statement, attached hereto, must be completed in addition to the appropriate Proponent's business entity statement.

Is Entity registered to do business in the State of Florida? Yes No

If yes to the above, as of what date? _____

If not presently registered with the Division of Corporations to do business in the State of Florida as either a Florida or foreign corporation, Proposer acknowledges, by signing below, that if it is the Awardee it will register with the State of Florida prior to the effective date of the contract with Palm Beach County.

SIGNATURE: _____

NAME (PRINT): _____

TITLE: _____

COMPANY: _____

CORPORATION STATEMENT

If a Corporation, answer the following:

1. When incorporated? _____ -
2. Where incorporated? _____ -
3. The Corporation is held:
[] Publicly [] Privately
4. Has the Corporation previously offered Bond Underwriter Services of similar size
(as stated in the RFP) in the state of Florida?
[] yes [] no
If yes, indicate Date: _____ Location: _____ -
5. Furnish the name, title, and address of each director, officer, principal manager
and how long each has been employed.
6. Attach a copy of the Corporate Certificate from the Secretary of State.
7. Attach Credit references.

LIMITED LIABILITY COMPANY STATEMENT

If a Limited Liability Company (LLC), answer the following:

1. Date of organization? _____ -
2. Place of organization? _____ -
3. The LLC is held:
 Publicly Privately
4. Indicate: Member-Managed or Manager-Managed
5. Is the LLC operating agreement recorded? yes no
If yes, indicate Date - Book Page Location
6. Has the LLC previously offered Bond Underwriter Services of similar size (as stated in the RFP) in the state of Florida?
 yes no
If yes, indicate Date: _____ Location: _____ -
7. Furnish the name, title, and address of each Member, Manager, and Managing Member and how long each has been employed.
8. Attach a copy of the Corporate Certificate from the Secretary of State.
9. Attach one (1) copy of the LLC Operating Agreement.
10. Attach Credit references.

PARTNERSHIP STATEMENT (General or Limited)

If a General or Limited Partnership, answer the following:

1. Date of organization? _____ -
2. Place of organization? _____ -
3. Indicate: General Partnership or Limited Partnership
4. Is the Partnership agreement recorded? yes no

If yes, indicate Date Book Page Location

5. Has Partnership or any partner previously offered Bond Underwriter Services of similar size (as stated in the RFP) in the state of Florida?

yes no

If yes, indicate Date: Location:

6. Furnish the name, title, and address of each director, officer, principal managers, general or limited partner, and how long each has been employed.
7. Attach one (1) copy of the Partnership Agreement.
8. Attach Credit references.

**APPENDIX C
SBE SCHEDULES 1, 2, 3(A), & 4
RFP NO. 17-055R/MB**

SCHEDULE 1**LIST OF PROPOSED SBE-M/WBE PARTICIPATION**

PROJECT NAME OR BID NAME: _____

PROJECT NO. OR BID NO.: _____

NAME OF PRIME BIDDER: _____

ADDRESS: _____

CONTACT PERSON: _____

PHONE NO.: _____ FAX NO.: _____

BID OPENING DATE: _____

USER DEPARTMENT: _____

THIS DOCUMENT IS TO BE COMPLETED BY THE PRIME CONTRACTOR AND SUBMITTED WITH BID PACKET. PLEASE LIST THE NAME, CONTACT INFORMATION AND DOLLAR AMOUNT AND/OR PERCENTAGE OF WORK TO BE COMPLETED BY ALL SBE -MIWBE's ON THIS PROJECT. *IF THE PRIME IS AN SBE-MIWBE, PLEASE ALSO LIST THE NAME, CONTACT INFORMATION AND DOLLAR AMOUNT AND/OR PERCENTAGE OF WORK TO BE COMPLETED BY THE PRIME ON THIS PROJECT.* THE PRIME AFFIRMS THAT IT WILL MONITOR THE SBES LISTED TO ENSURE THE SBES PERFORM THE WORK WITH ITS OWN WORKFORCE.

Name, Address and Phone Number	(Check one or both Categories)		<u>DOLLAR AMOUNT AND/OR PERCENTAGE OF WORK</u>				
	<u>MIWBE</u>	<u>SBE</u>	Black	Hispanic	Women	Caucasian	Other (Please Specify)
1	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____	_____
2	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____	_____
3	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____	_____
4	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____	_____
5	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____	_____

(Please use additional sheets if necessary)

Total _____

Total Bid Price\$ _____

Total SBE-M/WBE Participation Dollar Amount and/or Percentage of Work _____

I hereby certify that the above information accurate to the best of my knowledge: _____

Signature

Title

- NOTE: I. The amount listed on this form for a SBE-M/WBE Prime or Subcontractor must be supported by price or percentage listed on the signed Schedule 2 or signed proposal in order to be counted toward goal attainment.
2. Firms may be certified by Palm Beach County as an SBE and/or M/WBE. If firms are certified as both an SBE and M/WBE, please indicate the dollar amount and/or percentage under the appropriate category.
3. M/WBE information is being collected for tracking purposes only.

Revised 7/2/2013

OSBA SCHEDULE 2
LETTER OF INTENT TO PERFORM AS AN SBE-M/WBE

This document must be completed by ALL SBE-M/WBE's and submitted with this bid packet. Specify in detail, the particular work items to be performed and the dollar amount and/or percentage for each work item. SBE credit will only be given for items which the SBE-M/WBE's is certified to perform. Failure to properly complete Schedule 2 will result in your SBE participation not being counted.

PROJECT NUMBER: _____

PROJECT NAME: _____

TO: _____
(Name of Prime Bidder)

The undersigned is certified by Palm Beach County as a - (check one or more, as applicable):

Small Business Enterprise _____

Minority Business Enterprise _____

Black _____ Hispanic _____ Women _____ Caucasian _____ Other (Please Specify) _____

Date of Palm Beach County Certification: _____

The undersigned is prepared to perform the following described work in connection with the above project. Additional Sheets May Be Used As Necessary

Line Item/

Lot No. Item Description

Qty/Units

Unit Price

Total Price/
Percentage

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

at the following price or percentage _____
(SBE Prime or Subcontractor's Quote)

and will enter into a formal agreement for work with you contingent upon your execution of a contract with Palm Beach County.

If undersigned intends to sub-subcontract any portion of this job to a certified SBE-M/WBE or a non-SBE subcontractor, please list the name of that subcontractor and the amount below.

Price or Percentage _____
(Name of Subcontractor)

The Prime affirms that it will monitor the **SBE-M/WBE** listed to ensure the **SBE-M/WBE** perform the work with their own work force. The undersigned **SBE-M/WBE** Prime or **SBE-M/WBE** subcontractor affirms that it has the resources necessary to perform the work listed without subcontracting to a non-certified SBE or any other certified SBE subcontractors except as noted above.

The undersigned subcontractor understands that the provision of this form to Prime Bidder does not prevent Subcontractor from providing quotations to other bidders.

Print name of
SBE-M/WBE Company

By: _____
(Signature)

Print name/title of person executing on behalf
of SBE-M/WBE

Revised 7/12/2013

Date: _____

OSBA Schedule 3(A)
PROFESSIONAL SERVICES ACTIVITY REPORT

Project No.: -----
Task Authorization No: -----

REPORTING PERIOD: -----

Prime Consultant Address: -----

City/State: ----- Zip -----

Contact Person: ----- Phone# -----

Contract Name: -----

Contract Term: ----- Contract Amount\$ -----

Total Percentage performed by the Prime's Firm: ----- SBE-M/WBE Firm: -----

Service Type: Architectural ----- Engineering ----- Surveying -----

Other (Specify) -----

Have Sub-Consultants completed work with its own workforce for this application? -----

No ----- Yes -----

Note: If yes, complete below:

SUB-CONSULTANTS

1. Firm's Name: -----

Address/fTel: -----

Estimated Start Date: ----- Contract Amount: -----

SCOPE OF WORK: -----

Percentage/Hrs Completed: ----- Amount Paid To Date -----

2 Firm's Name: -----

Address/fTel: -----

Estimated Start Date: ----- Contract Amount: -----

SCOPE OF WORK: -----

Percentage/Hrs Completed: ----- Amount Paid To Date -----

3 Firm's Name: -----

Address/fTel: -----

Estimated Start Date: ----- Contract Amount -----

SCOPE OF WORK: -----

Percentage/Hrs Completed: ----- Amount Paid To Date -----

I certify that the above is true to the best of my knowledge

Signature/Title

OSBA SCHEDULE 4 - SBE-M/WBE PAYMENT CERTIFICATION

The Prime Contractor is to submit Schedule 4 with its Payment Request to Palm Beach County to reflect actual payments made to the SBE-M/WBE Subcontractor. The Prime Contractor is not to request signature from an SBE-M/WBE Subcontractor unless it has made a payment to the SBE-M/WBE Subcontractor. The SBE-M/WBE Subcontractor is not to complete and sign this form unless it has received a payment from the Prime Contractor for services actually performed by the SBE-M/WBE Subcontractor. A separate Schedule 4 is required for each SBE-M/WBE Subcontractor payment.

This is to certify that _____ received
(SBE or M/WBE Subcontractor Name)

(Monthly) or (Final) payment of \$ **C111-1111-1111-CC**

On **MM** - **LL** - **TTT** from _____
(Prime Contractor Name)

For labor and/or materials used on _____ I _____
(Project Name) {Work Order}

DEPT., **ITfl** PROJECT NO. : **11111111111111111111**

PRIME CONTRACTOR VENDOR CODE: **11111111111111111111**

SBE OR M/WBE SUBCONTRACTOR VENDOR CODE: **11111111111111111111**

If the SBE Subcontractor intends to disburse any funds associated with this payment to any Subcontractor for labor provided on this project, please provide the following information:

*Subcontractor Name: _____ Amount to be paid: _____

*Note: If the subcontractor listed in this section is an SBE or M/WBE a separate schedule 4 is required to verify payment.

By, _____
(Signature of Subcontractor) _____
(Print Name & Title of Person executing on behalf of Subcontractor)

STATE OF FLORIDA
COUNTY OF _____

Sworn to and subscribed before me this _____ day of _____

20 _____

Bye _____

Notary Public, State of Florida

Print, Type or Stamp Commissioned Name of Notary

Personally Known _____ OR Produced Identification _____ Type of Identification _____

APPENDIX D

CERTIFICATION OF BUSINESS LOCATION

RFP NO. 17-055R/MB

In accordance with the Palm Beach County Local Preference Ordinance, as amended, a preference will be given to: (1) those bidders/proposers having a permanent place of business in Palm Beach County ("County"); and, (2) those bidders/proposers having a permanent place of business in the Glades providing goods or services to be utilized in the Glades. To receive a local preference, bidders/proposers must have a permanent place of business in the County or in the Glades, as applicable, prior to the County's issuance of any solicitation. A Business Tax Receipt issued by the Palm Beach County Tax Collector is required, unless specifically exempted by law, and will be used to verify the bidders/proposers permanent place of business. The bidder/proposer must submit this Certification of Business Location ("Certification") along with the required Business Tax Receipt at the time of bid or proposal submission. This Certification is the sole determinant of local preference eligibility. Errors in the completion of this Certification or failure to submit this completed Certification will cause the bidder/proposer to not receive a local preference. Please note that in order to receive a local preference, the name and address on the Business Tax Receipt must be the same name and address that is included in the bid or proposal submitted by the bidder/proposer to the County.

I Bidder/Proposer is a:

Local Business: A local business has a permanent place of business in Palm Beach County.

(Please indicate):

Headquarters located in Palm Beach County
Permanent office or other site located in Palm Beach County from which a vendor will produce a substantial portion of the goods or services.

Glades Business A Glades business has a permanent place of business in the Glades.

(Please indicate):

Headquarters located in the Glades
Permanent office or other site located in the Glades from which a vendor will produce a substantial portion of the goods or services.

Regional Business The Bidder/Proposer has a permanent place of business in Broward, Martin, or Miami-Dade County.

II. The attached copy of the bidder's/proposer's Palm Beach County Business Tax Receipt verifies the bidder's/proposer's permanent place of business.

THIS CERTIFICATION is submitted by _____ as
(Name of Individual)

(Title/Position) _____ of _____ (Firm Name of Bidder or Proposer)

who hereby certifies that the information stated above is true and correct and that the Palm Beach County Business Tax Receipt is a true and correct copy of the original. Further, it is hereby acknowledged that any misrepresentation by the bidder or proposer on this Certification will be considered an unethical business practice and be grounds for sanctions against future County business.

(Signature)

(Date)

APPENDIX E

DRUG-FREE WORKPLACE CERTIFICATION

RFP NO. 17-055R/MB

IDENTICAL TIE PROPOSALS - In accordance with Section 287.087, F.S., a preference will be given to vendors submitting with their proposals the following certification that they have implemented a drug-free workplace program which meets the requirements of Section 287.087; provided, however, that any preference given pursuant to Section 287.087, shall be made in conformity with the requirements of the Palm Beach County Code, Chapter 2, Article 111, Sections 2-80.21 through 2-80.34. In the event tie proposals are received from vendors who have not submitted with their proposals a completed Drug-Free Workplace Certification form, the award will be made in accordance with Palm Beach County's purchasing procedures pertaining to tie proposals.

This Drug-Free Workplace Certification form must be executed and returned with the attached proposal, and received on or before time of proposal opening to be considered. The failure to execute and/or return this certification shall not cause any proposal to be deemed non-responsive.

Whenever two (2) or more proposals which are equal with respect to price, quality, and service are received by Palm Beach County for the procurement of commodities or contractual services, a proposal received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. In order to have a drug-free workplace program, a business shall:

- (1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- (2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
- (3) Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in number (1).
- (4) In the statement specified in number (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893, Florida Statutes, or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
- (5) Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
- (6) Make a good faith effort to continue to maintain a drug-free workplace through implementation Section 287.087, Florida Statutes.

THIS CERTIFICATION is submitted by -----, -----, -----, -----, -----, -----t, h e
(Individual's Name)

of -----
(Title/Position with CompanyNendor) (Name of CompanyNendor) -----

who does hereby certify that said CompanyNendor has implemented a drug-free workplace program which meets the requirements of Section 287.087, Florida Statutes, which are identified in numbers (1) through (6) above.

Signature

Date

APPENDIX F
DISCLOSURE OF OWNERSHIP INTERESTS
RFP NO. 17-055R/MB

TO: **PALM BEACH COUNTY CHIEF OFFICER,
OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE**

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

BEFORE ME, the undersigned authority, this day personally appeared -----♦----- hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant appears herein as:

an individual **or**

the **of-----,-----,-----,-----,-----**

[position-e.g., sole proprietor, president, partner, etc.] [name & type of entity-e.g., ABC Corp., XYZ Ltd. Partnership, etc.]
The Affiant or the entity the Affiant represents herein seeks to do business with Palm Beach County through its Board of County Commissioners.

2. Affiant's address is: -----

3. Attached hereto as Exhibit "A" is a complete listing of the names and addresses of every person or entity having a five percent (5%) or greater interest in the Affiant's corporation, partnership, or other principal. Disclosure does not apply to nonprofit corporations, government agencies, or to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County and the Board of County Commissioners. Affiant further acknowledges that he or she is authorized to execute this document on behalf of the entity identified in paragraph one, if any.

5. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

6. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct and complete.

FURTHER AFFIANT SA YETH NAUGHT.

-----♦-----
(Print Affiant Name)

Affiant

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, { J who is personally known to me or [J who has produced as identification and who did take an oath.

Notary Public

(Print Notary Name)

State of Florida at Large

My Commission Expires: -----

EXHIBIT "A"

DISCLOSURE OF OWNERSHIP INTERESTS IN AFFIANT

Affiant must identify all entities and individuals owning five percent (5%) or more ownership interest in Affiant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant's principal is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to any nonprofit corporation, government agency, or to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name _____

Address

APPENDIX G

NON-DISCRIMINATION POLICY

RFP NO. 17-055R/MB

Pursuant to Palm Beach County Resolution R-2014-1421, as may be amended, it is the policy of the Board of County Commissioners of Palm Beach County that Palm Beach County shall not conduct business with nor appropriate any funds for any organization that practices discrimination on the basis of race, color, national origin, religion, ancestry, sex, age, familial status, marital status, sexual orientation, gender identity and expression, disability, or genetic information.

All proposers doing business with Palm Beach County are required to submit a copy of its non-discrimination policy which shall be consistent with the policy of Palm Beach County stated above, **prior** to entering into any contract with Palm Beach County. In the event a proposer does not have a written non-discrimination policy, such proposer shall be required to check the applicable statement and sign below affirming that their non-discrimination policy is in conformance with Palm Beach County's policy.

Check one:

- Proposer hereby acknowledges that it **does not** have a written non-discrimination policy; however, respondent hereby **affirms by signing below** that its non-discrimination policy is in conformance with the above.

OR

- Proposer hereby attaches its non-discrimination policy which is consistent with the policy of Palm Beach County.

NOTE:

Proposer's failure to comply with the above requirements will render proposer non-responsive.

Proposer shall notify Palm Beach County in the event it no longer maintains a non-discrimination policy that is in conformance with Palm Beach County's policy set forth above. Failure to maintain said non-discrimination policy shall be considered a default of contract.

PROPOSER:

Company Name

Signature

Name (type or print)