OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: May 6, 2008

To: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

Agenda Item No. 8(D)(1)(A)

Resolution No. R-467-08

From: George M. Burgess
County Manager

Subject: Resolution Authorizing Priority Focus Areas, Evaluation Criteria and Solicitation Documents for Fiscal Year 2008-09 Community Based Organizations (CBO) Request for Proposals in the Funding Category of Environmental Enhancement and Education

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Recommendation
It is recommended that the Board approve the attached resolution concerning priority service areas, evaluation criteria and the solicitation documents for FY 2008-09 Community Based Organizations (CBO) Request for Proposals (RFP) in the funding category of Environmental Enhancement and Education.

Scope
Projects performed by the CBOs under this RFP are countywide in scope.

Fiscal Impact/Funding Source
A combined total of $589,000 is available for CBOs from the FY 2008-09 operating budgets of the Miami-Dade Water and Sewer Department ($250,000), the Department of Environmental Resources Management ($175,000), and the Department of Solid Waste Management ($164,000).

Track Record/Monitor
The Director of the Department of Environmental Resources Management (DERM) will monitor these CBO contracts.

Background
Approval of the proposed resolution and accompanying RFP will initiate the CBO funding process co-funded each year by the Miami-Dade Water and Sewer Department, DERM, and the Department of Solid Waste Management. Each responsive applicant will be evaluated based on the evaluation criteria contained within the RFP. The evaluation criteria covers focus areas including water conservation, enhancement of Biscayne Bay, recycling, environmental justice, environmental education and other environmental focus areas. Grant awards will be limited to a maximum of $65,000 per applicant.

The Board's consideration and approval of this item is necessary before staff can advertise the RFP. Upon approval of this item and completion of the RFP and evaluation process, the funding recommendations will be submitted to the Board for approval at the September Budget Hearings.

Assistant County Manager

MEMORANDUM
(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: May 6, 2008

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 8(D)(1)(A)

Please note any items checked.

_____ **"4-Day Rule" ("3-Day Rule" for committees) applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 8(D)(1)(A)

5-6-08

RESOLUTION NO. R-467-08

RESOLUTION AUTHORIZING PRIORITY FOCUS AREAS, EVALUATION CRITERIA AND SOLICITATION DOCUMENTS FOR FISCAL YEAR 2008-09 COMMUNITY BASED ORGANIZATIONS (CBO) REQUEST FOR PROPOSALS (RFP) IN THE FUNDING CATEGORY OF ENVIRONMENTAL ENHANCEMENT AND EDUCATION

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the recommendations, as outlined in the attached memorandum from the County Manager, regarding the establishment of priority areas, evaluation criteria and the solicitation documents for fiscal year 2008-09 Community Based Organizations (CBO) Request for Proposals (RFP), in the funding category of Environmental Enhancement and Education, in substantially the form attached hereto and made a part hereof.

The foregoing resolution was offered by Commissioner **Jose "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Bruno A. Barreiro** and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman **aye**
Barbara J. Jordan, Vice-Chairwoman **aye**

Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Carlos A. Gimenez	**aye**	Sally A. Heyman	**aye**
Joe A. Martinez	**absent**	Dennis C. Moss	**aye**
Dorrin D. Rolle	**aye**	Natacha Seijas	**aye**
Katy Sorenson	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of May, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Kay Sullivan**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

PST

Peter S. Tell

ATTACHMENT 1

REQUEST FOR PROPOSALS
FOR
ENVIRONMENTAL
COMMUNITY BASED ORGANIZATIONS

PRE-PROPOSAL CONFERENCE
XXX XX, 2008, at 5:30 P.M.
Overtown Transit Village Building
701 NW 1st Court
Miami
Immediately adjacent to the Historic Overtown/Lyric Theatre Metrorail station

Attendance is strongly recommended

CONTACT PERSON:
HERB BALFOUR
(305) 372-6422

SUBMISSIONS ARE DUE AT THE ADDRESS SHOWN BELOW NO LATER THAN

XXXXXXXX, XXXX XX, 2008, AT 1:00 PM LOCAL TIME

MIAMI-DADE COUNTY
CLERK OF THE BOARD OF COUNTY COMMISSIONERS
17TH FLOOR, SUITE 202, STEPHEN P. CLARK CENTER
111 N.W. 1st STREET
MIAMI, FLORIDA 33128

PROPOSALS WILL BE OPENED PROMPTLY AT THE TIME AND PLACE SPECIFIED. PROPOSALS RECEIVED AFTER THE FIRST PROPOSAL HAS BEEN OPENED WILL NOT BE OPENED AND WILL NOT BE CONSIDERED. THE RESPONSIBILITY FOR SUBMITTING A PROPOSAL TO THE CLERK OF THE BOARD ON OR BEFORE THE STATED TIME AND DATE IS SOLELY AND STRICTLY THE RESPONSIBILITY OF THE PROPOSER. MIAMI-DADE COUNTY IS NOT RESPONSIBLE FOR DELAYS CAUSED BY ANY MAIL, PACKAGE OR COURIER SERVICE, INCLUDING THE U.S.MAIL, OR CAUSED BY ANY OTHER OCCURRENCE.

MIAMI-DADE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER AND DOES NOT DISCRIMINATE BASED ON AGE, GENDER, RACE OR DISABILITY.

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SECTION I - REQUEST FOR PROPOSAL OVERVIEW & PROPOSAL PROCEDURES

A. INTRODUCTION/BACKGROUND

Miami-Dade County, hereinafter referred to as the "County", is seeking proposals [also referred to as "application(s)"] from qualified community based organizations to provide community based services in the areas of Environmental Enhancement and Education.

The 2008-2009 Community Based Organization (CBO) Grant Program Request For Proposal (RFP) format is designed to establish a standard procedure for the screening, evaluation and allocation of County funds to qualified community based organizations.

B. ELIGIBILITY

- Proposers must be legally incorporated as not-for-profit organizations, with a designated tax-exempt status determined by the United States Internal Revenue Service, *at the time of proposal submission. Universities, public schools and other governmental entities will not be considered.*

C. PROJECT PROPOSAL RESTRICTIONS

- Project activities which receive funding through this RFP must take place within the County's fiscal year (October 1, 2008 - September 30, 2009). A CBO grant award carries no commitment for future County support beyond this time period and scope of the project.
- All proposed activities must take place in Miami-Dade County and benefit Miami-Dade County residents.
- Due to the limited availability of funds, one-time events will not be considered for funding.
- Grant funds cannot be used in furtherance of fundraising efforts but may be used as leverage to secure additional funding.

DEFINITIONS

Environmental Justice- The fair treatment of people of all races, cultures, and income with respect to the development, implementation, and enforcement of environmental laws, regulations, programs, and policies. Fair treatment means that no racial, ethnic, or socioeconomic group should bear a disproportionate share of the environmental consequences resulting from the operation of industrial, municipal, and commercial enterprises and from the execution of federal, state, local and tribal programs and policies.

Pollution Prevention- The reduction or elimination of pollutants through source reduction, increased efficiency in the use of raw materials, energy, water, or other resources; or the protection of natural resources by conservation. Pollution prevention measures reduce the amount of pollutants released into the environment prior to recycling, treatment and disposal.

Environmental Education- The increase of public awareness and knowledge about environmental issues; providing the public with the skills needed to make informed decisions and take responsible actions; enhancing critical-thinking, problem-solving, and effective decision-making skills, teaching individuals to weigh various sides of an environmental issue to make informed and responsible decisions. It does not advocate a particular viewpoint or course of action.

Sustainable Development- Integrating environmental protection, and community and economic goals. It meets the needs of the present generation without compromising the ability of future generations to meet their own needs. The sustainable development approach seeks to encourage broad-based community participation and public and private investment in decisions and activities that define a community's environmental and economic future and community well being.

Ecosystem Management- An integrated flexible approach to management of Florida's biological and physical environments conducted through the use of tools such as planning, land acquisition, environmental education, regulation, economic incentives and pollution prevention designed to maintain, protect and improve, the state's natural, managed and human ecosystems.

Source Reduction – Any practice that reduces or eliminates any pollutant or waste at the point of origin, prior to recycling, pretreatment or disposal.

D. FUNDING CATEGORY AND GRANT LIMITATIONS

Pursuant to this solicitation, CBO funding recommendations will be made for FY 2008-2009 in the category listed below. Proposers cannot receive more than one (1) grant award under this RFP.

1. Environmental Enhancement and Education

$589,000 available; grant awards up to $65,000

General focus areas will include water conservation, enhancement of Biscayne Bay, recycling, environmental justice, environmental education and other environmental focus areas.

E. RFP TIMETABLE

The anticipated schedule for the RFP and contract approval is as follows:

RFP available for distribution	XXXX XX, 2008
Pre-Proposal Conference	XXXX XX, 2008
Deadline for receipt of questions	XXXX XX, 2008
Deadline for receipt of proposals	XXXX XX, 2008 (1:00 P.M. Local Time)
Evaluation/Selection process	August - September
Projected award date	October 2008
Projected contract start date	October 1, 2008

F. RFP AVAILABILITY

Copies of the RFP are available **ONLY** by the following methods, beginning XXXX XX, 2008:

1. To receive an RFP by mail, call:

Herb Balfour
Department of Environmental Resources Management
701 NW 1 Court
4th Floor
Miami, Florida
(305) 372-6422

2. To receive a copy in person:

Visit the office at the above address between the hours of 8:30 A.M. - 4:30 P.M., Monday - Friday, County holidays excluded.

3. Download the RFP from DERM's internet web page at: http://www.miamidade.gov/derm.

G. PRE-PROPOSAL CONFERENCE

A pre-proposal conference will be held. The purpose of this conference is to acquaint potential applicants with the specifics of this solicitation, the education and outreach priorities of the County agencies, and the County funding process. It is strongly recommended that all parties interested in submitting a proposal for funding consideration attend. The conference will be held at:

Overtown Transit Village Building
701 NW 1st Court, Miami
Immediately adjacent to the Historic Overtown/Lyric Theatre Metrorail station
XXXX XX, 2008, at 5:30 P.M.

Proposers are encouraged to submit written questions to the contact person prior to the pre-proposal conference. Facsimiles must have a cover sheet which includes, at a minimum, the proposer's name, address, number of pages transmitted, phone number, and facsimile number.

H. CONTACT PERSON

The contact person for this RFP is:

Herb Balfour
Department of Environmental Resources Management
305-372-6422 Voice
305-372-6759 Facsimile

Explanation(s) desired by proposers regarding the meaning or interpretation of this RFP must be requested from the contact person, in writing.

I. RFP POSTPONEMENT/CANCELLATION

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

J. COSTS INCURRED BY PROPOSERS

All expenses involved with the preparation and submission of proposals to the County, or any work performed in connection therewith shall be borne by the proposers. No payment will be made for any responses 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.

K. ORAL PRESENTATIONS

The County may require proposers to give oral presentations in support of their proposals or to exhibit or otherwise demonstrate the information contained therein.

L. LOBBYIST REGISTRATION AFFIDAVIT

Proposers are advised that in accordance with Section 2-11.1 (s) of the Code of Miami-Dade County, the enclosed Lobbyist Registration for Oral Presentation Affidavit must be completed, notarized and included with your proposal submission. Lobbyists specifically include the principal, as well as any agent, officer or employee of a principal, regardless of whether such lobbying activities fall within the normal scope of employment of such agent, officer or employee.

Individuals substituted for or added to the presentation team after submittal of the proposal and filing by staff, **MUST** register with the Clerk of the Board and pay all applicable fees.

NOTE: Other than for the Oral Presentation, Proposers who wish to address the County Commission, County Board or Committee concerning any actions, decisions or recommendations of County personnel regarding this RFP must also register with the Clerk of the Board (Form BCCFORM2DOC) and pay all applicable fees.

M. RULES; REGULATIONS; LICENSING REQUIREMENTS

Proposers shall comply with all laws, ordinances and regulations applicable to the services contemplated herein, especially 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, especially Executive Order No. 11246 entitled "Equal Employment Opportunity" and as amended by Executive Order No. 11375, as supplemented by the Department of Labor Regulations (41 CFR, Part 60), the Americans with Disabilities Act of 1990 and implementing regulations, the Rehabilitation Act of 1973, as amended, Chapter 553 of Florida Statutes and any and all other local, State and Federal directives, ordinances, rules, orders and laws relating to people with disabilities.

N. 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 Chapter 119, Florida Statutes, popularly known as the "Public Record Law."

SECTION II. - PROPOSAL SUBMISSION REQUIREMENTS

A. DEADLINE FOR SUBMISSION

XXXXXXXX, XXXX XX, 2008, by 1:00 PM Local Time at:

Miami-Dade County
Clerk of the Board of County Commissioners
Stephen P. Clark Center
111 N.W. 1st Street, 17th Floor, Suite 202
Miami, Florida 33128

Hand-carried proposals may be delivered **ONLY** to the aforementioned address from Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m., (1:00 p.m. on the due date) excluding holidays observed by the County.

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

B. GRANT APPLICATION [consisting of five (5) pages] INSTRUCTIONS

ALL PROPOSALS MUST BE SUBMITTED ON THE APPLICATION FORMS CONTAINED IN APPENDIX A - APPLICATION KIT

- Applications must be typed or printed. It is the responsibility of the applicant to ensure that the responses are legible.
- All questions should be answered. If not applicable, write N/A. Do not leave a blank.
- Focus on your project description and budget information.
- The application must be signed by an officer of the company, who is legally authorized to enter into a contractual relationship in the name of the proposers, and proposers must affix their company's corporate seal to the application. In the absence of a corporate seal, the applications must be notarized by a Notary Public.
- An unbound original and nine (9) copies [a total of ten (10)] of the complete application must be submitted in a sealed envelope or container.

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C. REQUIRED ATTACHMENTS

Proposals submitted which do not include the following items may be deemed non-responsive and may not be considered for a grant award. The documents must be attached to the original application **only,** in the following order:

1. IRS Letter of Tax Exempt Status
2. Articles of Incorporation
3. Organization's total budget for the current year
4. Copy of most recent audit or financial statement
5. Names and addresses of Board of Directors
6. List of paid principal staff and positions
7. Copy of resolution or board meeting minutes indicating organization's support of the project application.
8. If a partnership, then submittal of letters of commitment from each organization indicating degree of participation and a budget showing each organizations financial responsibility, is required.
9. Lobbyist Registration Affidavit

D. SUBMISSION PACKAGE IDENTIFICATION

An unbound original and nine (9) copies [a total of ten (10)] of the complete application must be submitted in a sealed envelope or container. The outside of the envelope or container must include: the proposer's name, address, telephone number, the RFP title, and Proposal due date, using the format below:

E. MODIFIED PROPOSALS

A Proposer may submit a modified proposal to replace all or any portion of a previously submitted proposal up until the Proposal Due Date. The Evaluation/Selection Committee will only consider the latest version of the proposal.

E.1 WITHDRAWAL OF PROPOSALS

Proposals shall be irrevocable until grant award unless the proposal is withdrawn. A proposal may be withdrawn in writing only, addressed to the County contact person for this RFP prior to the

Proposer
Address
Phone Number

Miami-Dade County
Clerk of the Board of County Commissioners
Stephen P. Clark Center, 17th Floor, Suite 202
111 N.W. 1st Street
Miami, Florida 33128

Environmental Enhancement &Education
Community Based Organizations
Due Date

Proposal Due Date.

E.2 LATE PROPOSALS AND LATE MODIFICATIONS

Proposals received after the Proposal Due Date are late and will not be considered. Modifications received after the Proposal Due Date are also late and will not be considered.

Proposals will be opened promptly at the time and place specified. Proposals received after the first proposal has been opened will not be opened and will not be considered. The responsibility for submitting a proposal to the Clerk of the Board on or before the stated time and date is solely and strictly the responsibility of the Proposer. Miami-Dade County is not responsible for delays caused by any mail, package or couriers service, including the U.S. mail, or caused by any other occurrence.

SECTION III - REVIEW/EVALUATION/SELECTION PROCESS

Each application will be reviewed to determine if the application is responsive to the submission requirements outlined in the RFP. A responsive application is one which follows the requirements of the RFP, includes all documentation, is submitted in the format outlined in the RFP, is of timely submission, and has the appropriate signatures as required on each document. Failure to comply with these requirements may deem your application non-responsive.

Applications will be reviewed and scored for qualitative and technical merit according to the criteria described below.

A. ENVIRONMENTAL ENHANCEMENT AND EDUCATION

Environmental Enhancement and Education applications will be evaluated and applicants selected, on the basis of the following nine (9) criteria, numbered 1-9, each weighted as indicated hereinafter.

	EVALUATION CRITERIA	*MAXIMUM ASSIGNED POINTS*
1)	*Project yields the greatest benefit for areas of environmental concern for South Florida, including, but not limited to, enhancement and/or education concerning the Biscayne Aquifer, Biscayne Bay, beach dune systems, estuary systems, native upland species (including hardwood species), environmental justice issues, home chemical management, endangered fauna and flora, Everglades systems, air and water quality, pollution prevention, waste reduction, recycling, and litter & illegal dumping reduction, water conservation issues, water supply protection, and mangrove protection.*	*21.00*
2)	*Project specifically targets environmental justice and education in Miami-Dade County's urban areas and/or involvement of children and/or individuals not familiar with South Florida environmental resource, protection and conservation issues and/or produces programming and materials in foreign languages. Project targets pre-school, grades 1&2 and high school ages and adult populations.*	*17.00*

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3)	*Project complements current County environmental programs or provides a service that addresses an issue of critical environmental concern for South Florida.*	*12.00*
4)	*Applicant working in complimentary/enhancement relationships with other applicants and/or organizations to enhance the educational value of the proposed project. (See Section II C, Required Attachments, above.)*	*10.00*
5)	*Applicant exhibits the administrative capability to successfully implement the project in a timely manner.*	*10.00*
6)	*Project funds requested by the applicant are used for direct project costs, where no more than 20 % is to be utilized for general administrative or support staff expense.*	*10.00*
7)	*The project application specifies measures of success (evaluation criteria) for the project, including quantifiable goals.*	*8.00*
8)	*Project applicant has matching funds (cash or in-kind services) committed to the project.*	*6.00*
9)	*Project demonstrates an effective and cost efficient use of County funds.*	*6.00*
	TOTAL	*100.00*

SECTION IV - GENERAL GRANT AWARD PROVISIONS

A. CONTRACT AWARD

Awarding of contracts is dependent upon Board of County Commission approval.

Staff evaluation of the proposals will include the appropriateness of a particular project, subject to the established criteria. The Proposal Review Committee, may, in the event a proposal that ranked for funding and is not ultimately funded, recommend that all or part of that funding be allocated to the next most qualified proposal according to the evaluation criteria. If all or some of the proposals do not qualify, remaining funds shall be reprogrammed for use in the CBO process the following fiscal year. The County encourages partnerships between environmental or civic groups, community-based/grass-roots organizations and local governmental agencies in the development of the project.

B. CONTRACT TERM

The contract period for all grants awarded through this RFP must fall within Miami-Dade County fiscal year 2008-2009, which begins on October 1, 2008 and ends on September 30, 2009. Grants will be awarded for a period not to exceed twelve (12) months. The effective starting date will be no earlier than October 1, 2008, or as otherwise stipulated in the negotiated agreement.

C. INDEMNIFICATION

CBOs awarded funding by the BCC shall be required to indemnify and save the County harmless from any and all claims, liability, losses, and causes of action which may arise out of the fulfillment of the ensuing contract. The successful Proposers shall pay all claims and losses of any nature, whatever in connection therewith, and shall defend all suits, in the name of the County when applicable, and shall pay all costs of judgments which may issue therefrom, except for those caused by the sole negligence of County employees or officers.

D. INSURANCE

The successful Proposer(s) shall furnish to Miami-Dade County, c/o Risk Management Division, 111 N.W. 1st Street, Suite 2340, Miami, Florida 33128-1989, Certificate(s) of Insurance which indicate that insurance coverage has been obtained which meets the requirements as outlined below:

1. Worker's Compensation Insurance for all employees of the provider as required by Florida Statute 440.

2. Public Liability Insurance on a comprehensive basis in an amount not less than $300,000 combined single limit per occurrence for bodily injury and property damage. Miami-Dade County must be shown as an additional insured with respect to this coverage.

3. Automobile Liability Insurance covering all owned, non-owned and hired vehicles used in connection with the work, in an amount not less than $300,000* combined single limit per occurrence for bodily injury and property damage.

4. Errors and Omissions Insurance in the name of the provider, when applicable, in the amount not less than $300,000.

* *Note*: For organizations supplying vans or mini-buses with seating capacities of 15 passengers or more, the limit of liability required for Auto Liability is $500,000.

All insurance policies required shall include those classifications, as listed in standard liability insurance manuals, which most nearly reflect the operations of the provider.

All insurance policies required above shall be issued by companies authorized to do business under the laws of the State of Florida, with the following qualifications:

The company must be rated no less than "B" as to management, and no less than "Class V" as to financial strength, by the latest edition of Best's Insurance Guide, published by A.M. Best Company, Oldwick, New Jersey, or its equivalent subject to the approval of the County's Risk Management Division.

or,

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The company must hold a valid Florida Certificate of Authority as shown in the latest "List of All Insurance Companies Authorized or Approve to Do Business in Florida", issued by the State of Florida Department of Insurance and are members of the Florida Guaranty Fund.

Certificates will indicate that no modification or change in insurance shall be made without thirty (30) days written advance notice to the certificate holder. All insurance requirements are subject to review and approval by the County's Risk Management Division.

SECTION V - CONTRACTUAL AWARD PROCESS--SPECIAL TERMS AND CONDITIONS

A. CONTRACTING PROCESS

Grantees (awarded applicants) will be required to complete certain contract documents. They will be required to submit all documents necessary for contract development (i.e., budget, scope of service, vendor application, affidavits, and Certificate of Insurance) at the time contract is submitted for execution.

B. AUDIT AND INSPECTION OF RECORDS

Grantee agrees that the County, or its duly authorized representatives, shall, for the purposes of audit and examination, be permitted to inspect all work materials, payrolls, and other data and records with regard to this contract, and to audit the books, records and accounts with regard to this contract. Further, the grantee agrees to maintain these records for at least five (5) years after the County makes final payment.

INSPECTOR GENERAL REVIEWS

A. INDEPENDENT PRIVATE SECTOR INSPECTOR GENERAL REVIEW

Pursuant to Miami-Dade County Administrative Order 3-20 and in connection with any award issued as a result of this RFP, the County has the right to retain the services of an Independent Private Sector Inspector General ("IPSIG"), whenever the County deems it appropriate to do so. Upon written notice from the County, the selected Proposer shall make available, to the IPSIG retained by the County, all requested records and documentation pertaining to this RFP or any subsequent award, for inspection and copying. The County will be responsible for the payment of these IPSIG services, and under no circumstance shall the Proposer's cost/price for this RFP be inclusive of any charges relating to these IPSIG services. The terms of this provision herein, apply to the Proposer, its officers, agents, employees and assignees. Nothing contained in this provision shall impair any independent right of the County to conduct, audit or investigate the operations, activities and performance of the selected Proposer in connection with this RFP or any contract issued as a result of this RFP. The terms of this provision are neither intended nor shall they be construed to impose any liability on the County by the selected Proposer or third party.

B. *MIAMI-DADE COUNTY INSPECTOR GENERAL REVIEW*

According to Section 2-1076 of the Code of Miami-Dade County, as amended by Ordinance No. 99-63, Miami-Dade County has established the Office of the Inspector General which may, on a random basis, perform audits on all County contracts, throughout the duration of said contracts, except as otherwise provided below. The cost of the audit of any Contract issued as a result of this RFP shall be one quarter (1/4) of one (1) percent of the total contract amount which cost shall be included in the total proposed amount. The audit cost will be deducted by the County from progress payments to the selected Proposer. The audit cost shall also be included in all change orders and all contract renewals and extensions.

Exception: The above application of one quarter (1/4) of one percent fee assessment shall not apply to the following contracts: (a) IPSIG contracts; (b) contracts for legal services; (c) contracts for financial advisory services; (d) auditing contracts; (e) facility rentals and lease agreements; (f) concessions and other rental agreements; (g) insurance contracts; (h) revenue-generating contracts; (I) contracts where an IPSIG is assigned at the time the contract is approved by the Commission; (j) professional service agreements under $1,000; (k) management agreements; (l) small purchase orders as defined in Miami-Dade County Administrative Order 3-2; (m) federal, state and local government-funded grants; and (n) interlocal agreements. ***Notwithstanding the foregoing, the Miami-Dade County Board of County Commissioners may authorize the inclusion of the fee assessment of one quarter (1/4) of one percent in any exempted contract at the time of award.***

Nothing contained above shall in any way limit the powers of the Inspector General to perform audits on all County contracts including, but not limited to, those contracts specifically exempted above.

C. ASSIGNMENT

Grantees shall not enter into any subcontracts, retain consultants, or assign, transfer, convey, sublet, or otherwise dispose of the ensuing contract, or any or all of its rights, title or interest herein, or its power to execute such contract to any person, company, or corporation without the prior written consent of the County. Consent of the County does not confer upon the subcontractor any direct right of action against the County, or action against the County through the grantee, or involve the County in any expense.

D. TERMINATION FOR CONVENIENCE

The County may at any time, at its sole discretion, without cause, terminate any contract with a grantee for its convenience by written notice to the grantee. The County will calculate the outstanding payments due the grantee, irrespective of the manner in which payments are to be made under the contract. If, after such calculations have been performed, the sum owed the grantee is less than amounts paid under the contract, the County will notify the grantee of the amount owed to the County, which must immediately be remitted to the County.

E. TERMINATION FOR CAUSE

Grantees will be in default under the contract if it commits a breach of the contract deemed material by the County. Where such a default occurs, the County may terminate the contract and suspend the grantee for a period of one year.

F. PERSONNEL

In submitting their proposals, proposers are representing that the personnel in their proposals shall be available to perform the services described, barring illness, accident, or other unforeseeable events of a similar nature, in which case the proposers must be able to provide a qualified replacement. All replacements must be approved by the County prior to providing services. Furthermore, all personnel shall be considered to be, at all times, the sole employees of the proposer under its sole direction, and not employees or agents of the County.

G. TERMS OF PAYMENT/REIMBURSEMENT

The County agrees to reimburse the grantee for services rendered under this Agreement based on a line item budget. The grantee agrees to submit payment requests to the Department accompanied by such documentation as requested by the Department. The County attempts to make reimbursements in a timely manner. It is anticipated that grantee will be reimbursed within a four week period; however, it is the responsibility of the grantee to maintain sufficient cash flow pending receipt of reimbursement.

SECTION VI - AFFIDAVITS/ACKNOWLEDGMENTS

The grantee will be required to submit the following affidavits properly completed and notarized at the time contract is submitted for execution:

1) Public Entity Crime Affidavit Pursuant to Paragraph 2(a) of 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 for 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 of 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 ($10,000) for a period of thirty-six (36) months form the date of being placed on the convicted vendor list.

2) Delinquent and Currently Due Fees or Taxes Affidavit In accordance with Section 2-8.1 (c) of the Miami-Dade County Code, and as amended by County Ordinance No. 95-198, the Proposer shall certify that all delinquent and currently due fees, taxes and parking tickets have been paid. To verify or satisfy all delinquencies and Currently dues fees, taxes and parking tickets, contact the Miami-Dade County Tax Collector's Division at (305) 375-5762.

3) Family Leave Plan Affidavit

4) Drug Free Workplace Affidavit

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5) Miami-Dade County Disclosure Affidavit

6) Miami-Dade Employment Disclosure Affidavit

7) Disability Non-Discrimination Affidavit

8) Criminal Record Affidavit

9) Welfare Reform Work Participation Affidavit

The County will provide grantees with these forms at the time of contract issuance.

ORDINANCES, RESOLUTIONS AND/OR ADMINISTRATIVE ORDERS
To request a copy of any ordinance, resolution and/or administrative order cited in this Solicitation, the Proposer must contact the **Clerk of the Board at (305) 375-5126.**