

DEPARTMENTAL INPUT
CONTRACT/PROJECT MEASURE ANALYSIS AND RECOMMENDATION

Rev 1

New contract
 OTR
 CO
 SS
 BW
 Emergency
 Re-Bid
 Other

Previous Contract/Project
 No.EPP-RFQ8474

LIVING WAGE APPLIES: YES NO

Requisition/Project No: RFQ845

TERM OF CONTRACT: 3 years with 2 one year options-to-renew

Requisition/Project Title: Title and Closing Services Pool

Description: Miami-Dade County, hereinafter referred to as the County, as represented by the Miami-Dade County Public Works and Waste Management (PWWM) Department, is soliciting proposals from qualified title insurance companies, with access to title plant facilities to submit their qualifications for inclusion in a Title and Closing Services Pool. The selected Proposer(s) shall provide, on a non-exclusive basis, various title and closing services for the Public Works Department (PWD) and General Services Administration (GSA), hereinafter referred to as the "Department". The title and closing services requested herein include, but are not limited to real estate title insurance commitments and policies; title search reports; title re-certifications and updates; title examinations; and closing, escrow and other related services for County real estate transactions in accordance with Chapters 626 and 627 of the Florida Statutes and Rule Chapter 690-186 of the Florida Administrative Code. This Solicitation is being issued through the County's Expedited Purchasing Program (see Section 1.41).

User Department(s): Public Works and ISD/GSA Division

Issuing Department: ISD/PM Contact Person: Lydia Osborne Phone: 305-375-1291

Estimated Cost: \$250,000.00 Funding Source: General, PTP, and Roadway Impact Revenue Generating:

ANALYSIS

Commodity/Service No: 953-87, 961-49,918-74 and 946-46:

Trade/Commodity/Service Opportunities

Contract/Project History of Previous Purchases For Previous Three (3) Years
 Check Here if this is a New Contract/Purchase with no Previous History

	<u>EXISTING</u>	<u>2ND YEAR</u>	<u>3RD YEAR</u>
Contractor:	JGS Properties, Inc. New Way Title Corp.	JGS Properties, Inc. New Way Title Corp.	JGS Properties, Inc. New Way Title Corp.
Small Business Enterprise:	Selection Factor	Selection Factor	Selection Factor
Contract Value:	\$145,000	\$100,000	\$145,000
Comments:			

Continued on another page (s): Yes No

RECOMMENDATIONS

SBE	Set-Aside	Sub-Contractor Goal	Bid Preference	Selection Factor
		%		
		%		
		%		
		%		

Basis of Recommendation:

Signed: *Bethel* for Lydia Osborne

Date to SBD: 8-10-12

Date Returned to ISD/PM:

RECEIVED
 DEPT. BUSINESS DEV.
 2012 AUG 10 PM 5:04

This document is a draft of a planned solicitation and is subject to change without notice.

**REQUEST FOR QUALIFICATIONS (RFQ) No. 845
FOR
TITLE AND CLOSING SERVICES POOL**

PRE-PROPOSAL CONFERENCE TO BE HELD:

_____, 2012 at ___:00 AM (local time)
111 NW 1st Street, 13th Floor, Conf. Rm. __, Miami, Florida

ISSUED BY MIAMI-DADE COUNTY:

Internal Services Department, Procurement Management Division
for
Public Works and Waste Management Department

COUNTY CONTACT FOR THIS SOLICITATION:

Name and Title: Lydia Osborne, Procurement Contracting Officer
Address: 111 NW 1st Street, Suite 1300, Miami, Florida 33128
Telephone: (305) 375-1291
E-mail: lydiaos@miamidade.gov

PROPOSALS ARE DUE AT THE CLERK OF THE BOARD NO LATER THAN:

_____, 2012 at 2:00 PM (local time)
at
CLERK OF THE BOARD
Stephen P. Clark Center
111 NW 1st Street, 17th Floor, Suite 202
Miami, Florida 33128-1983

The Clerk of the Board business hours are 8:00 a.m. to 4:30 p.m., Monday through Friday. Additionally, the Clerk of the Board is closed on holidays observed by the County.

All proposals received and time stamped by the Clerk of the Board prior to the proposal submittal deadline shall be accepted as timely submitted. The circumstances surrounding all proposals received and time stamped by the Clerk of the Board after the proposal submittal deadline will be evaluated by the procuring department in consultation with the County Attorney's Office to determine whether the proposal will be accepted as timely. Proposals will be opened promptly at the time and date specified. The responsibility for submitting a proposal on or before the stated time and date is solely and strictly the responsibility of the Proposer. The County will in no way be responsible for delays caused by mail delivery or caused by any other occurrence. 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 Proposer(s).

The submittal of a proposal by a Proposer will be considered by the County as constituting an offer by the Proposer to perform the required services at the stated prices. 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 County will only consider the latest version of the proposal.

Requests for additional information or inquiries must be made in writing and received by the County's contact person for this Solicitation. The County will issue responses to inquiries and any changes to this Solicitation it deems necessary in written addenda issued prior to the proposal due date. Proposers who obtain copies of this Solicitation from sources other than the County's Internal Services Department website at www.miamidade.gov/dpm or the Vendor Assistance Unit risk the possibility of not receiving addenda and are solely responsible for those risks.

DRAFT

1.0 PROJECT OVERVIEW AND GENERAL TERMS AND CONDITIONS

1.1 Introduction

Miami-Dade County, hereinafter referred to as the County, as represented by the Miami-Dade County Public Works and Waste Management (PWWM) Department, is soliciting proposals from qualified title insurance companies, with access to title plant facilities to submit their qualifications for inclusion in a Title and Closing Services Pool. The selected Proposer(s) shall provide, on a non-exclusive basis, various title and closing services for the Public Works Department (PWD) and General Services Administration (GSA), hereinafter referred to as the "Department". The title and closing services requested herein include, but are not limited to real estate title insurance commitments and policies; title search reports; title re-certifications and updates; title examinations; and closing, escrow and other related services for County real estate transactions in accordance with Chapters 626 and 627 of the Florida Statutes and Rule Chapter 69C-186 of the Florida Administrative Code. This Solicitation is being issued through the County's Expedited Purchasing Program (see Section 1.41).

It is the County's intention to solicit proposals from as many Proposers as are interested, to evaluate submissions, and to create a Pool of no more than five (5) selected Proposer(s).

The County anticipates creating a Pool for a three year period, with two, one-year options to renew, at the County's sole discretion.

The anticipated schedule for this Solicitation is as follows:

Solicitation issued:

Pre-Proposal Conference:

See front cover for date, time and place. Attendance is recommended but not mandatory. If you need a sign language interpreter or materials in accessible format for this event, please call the ADA Coordinator at (305) 375-1530 at least five days in advance.

Deadline for receipt of questions:

Proposal due date:

See front cover for date, time and place.

Evaluation process:

Projected award date:

1.2 Definitions

The following words and expressions used in this Solicitation shall be construed as follows, except when it is clear from the context that another meaning is intended:

1. The word "Contractor" to mean the Proposer that receives any award of a contract from the County as a result of this Solicitation, also to be known as "the prime Contractor".
2. The word "County" to mean Miami-Dade County, a political subdivision of the State of Florida.
3. The word "Proposer" to mean the person, firm, entity or organization, as stated on Form A-1, submitting a response to this Solicitation.
4. The words "Scope of Services" to mean Section 2.0 of this Solicitation, which details the work to be performed by the Contractor.
5. The word "Solicitation" to mean this Request for Proposals (RFP) or Request for Qualifications (RFQ) document, and all associated addenda and attachments.
6. The word "Subcontractor" to mean any person, firm, entity or organization, other than the employees of the Contractor, who contracts with the Contractor to furnish labor, or labor and materials, in connection with the Services to the County, whether directly or indirectly, on behalf of the Contractor.
7. The words "Work", "Services", "Program", or "Project" to mean all matters and things that will be required to be done by the Contractor in accordance with the Scope of Services and the terms and conditions of this Solicitation.

1.3 General Proposal Information

The County may, at its sole and absolute discretion, reject any and all or parts of any or all responses; accept parts of any and all responses; further negotiate project scope and fees; postpone or cancel at any time this

Solicitation process; or waive any irregularities in this Solicitation or in the responses received as a result of this process. A proposal shall be the Proposer's firm commitment to provide the goods and services solicited in the manner requested in the Solicitation and described in the proposal. In the event that a Proposer wishes to take an exception to any of the terms of this Solicitation, the Proposer shall clearly indicate the exception in its proposal. No exception shall be taken where the Solicitation specifically states that exceptions may not be taken. Further, no exception shall be allowed that, in the County's sole discretion, constitutes a material deviation from the requirements of the Solicitation. Proposals taking such exceptions may, in the County's sole discretion, be deemed nonresponsive. The County reserves the right to request and evaluate additional information from any respondent regarding respondent's responsibility after the submission deadline as the County deems necessary.

Proposals shall be irrevocable until contract award unless the proposal is withdrawn. A proposal may be withdrawn in writing only, addressed to the County contact person for this Solicitation, prior to the proposal due date or upon the expiration of 180 calendar days after the opening of proposals.

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". The Proposer shall not submit any information in response to this Solicitation which the Proposer considers to be a trade secret, proprietary or confidential. The submission of any information to the County in connection with this Solicitation shall be deemed conclusively to be a waiver of any trade secret or other protection, which would otherwise be available to Proposer. In the event that the Proposer submits information to the County in violation of this restriction, either inadvertently or intentionally, and clearly identifies that information in the proposal as protected or confidential, the County may, in its sole discretion, either (a) communicate with the Proposer in writing in an effort to obtain the Proposer's written withdrawal of the confidentiality restriction or (b) endeavor to redact and return that information to the Proposer as quickly as possible, and if appropriate, evaluate the balance of the proposal. Under no circumstances shall the County request the withdrawal of the confidentiality restriction if such communication would in the County's sole discretion give to such Proposer a competitive advantage over other proposers. The redaction or return of information pursuant to this clause may render a proposal non-responsive.

Any Proposer who, at the time of proposal submission, is involved in an ongoing bankruptcy as a debtor, or in a reorganization, liquidation, or dissolution proceeding, or if a trustee or receiver has been appointed over all or a substantial portion of the property of the Proposer under federal bankruptcy law or any state insolvency law, may be found non-responsive. 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.

1.4 Cone of Silence

Pursuant to Section 2-11.1(f) of the Miami-Dade County Code, as amended, a "Cone of Silence" is imposed upon each RFP or RFQ after advertisement and terminates at the time a written recommendation is issued. The Cone of Silence prohibits any communication regarding RFPs or RFQs between, among others:

- potential Proposers, service providers, lobbyists or consultants **and** the County's professional staff including, but not limited to, the County Manager and the County Manager's staff, the Mayor, County Commissioners or their respective staffs;
- the Mayor, County Commissioners or their respective staffs **and** the County's professional staff including, but not limited to, the County Manager and the County Manager's staff; or
- potential Proposers, service providers, lobbyists or consultants, any member of the County's professional staff, the Mayor, County Commissioners or their respective staffs **and** any member of the respective selection committee.

The provisions do not apply to, among other communications:

- oral communications with the staff of the Vendor Assistance Unit, the responsible Procurement Agent or Contracting Officer, provided the communication is limited strictly to matters of process or procedure already contained in the solicitation document;

- oral communications at pre-proposal conferences, oral presentations before selection committees, contract negotiations during any duly noticed public meeting, public presentations made to the Board of County Commissioners during any duly noticed public meeting; or
- communications in writing at any time with any county employees, official or member of the Board of County Commissioners unless specifically prohibited by the applicable RFP or RFQ documents.

When the Cone of Silence is in effect, all potential vendors, service providers, bidders, lobbyists and consultants shall file a copy of any written correspondence concerning the particular RFP or RFQ with the Clerk of the Board, which shall be made available to any person upon request. The County shall respond in writing (if County deems a response necessary) and file a copy with the Clerk of the Board, which shall be made available to any person upon request. Written communications may be in the form of e-mail, with a copy to the Clerk of the Board at clerkbcc@miamidade.gov.

1.5 Public Entity Crimes

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 for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.

1.6 Lobbyist Contingency Fees

- a) In accordance with Section 2-11.1(s) of the Code of Miami-Dade County, after May, 16, 2003, no person may, in whole or in part, pay, give or agree to pay or give a contingency fee to another person. No person may, in whole or in part, receive or agree to receive a contingency fee.
- b) A contingency fee is a fee, bonus, commission or non-monetary benefit as compensation which is dependent on or in any way contingent upon the passage, defeat, or modification of: 1) any ordinance, resolution, action or decision of the County Commission; 2) any action, decision or recommendation of the County Manager or any County board or committee; or 3) any action, decision or recommendation of any County personnel during the time period of the entire decision-making process regarding such action, decision or recommendation which foreseeably will be heard or reviewed by the County Commission or a County board or committee.

1.7 Collusion

Where two (2) or more related parties, as defined herein, each submit a proposal for any contract, such proposals shall be presumed to be collusive. The foregoing presumption may be rebutted by the presentation of evidence as to the extent of ownership, control and management of such related parties in preparation and submittal of such proposals. Related parties shall mean Proposer or the principals thereof which have a direct or indirect ownership interest in another Proposer for the same contract or in which a parent company or the principals thereof of one Proposer have a direct or indirect ownership interest in another Proposer for the same contract. Furthermore, any prior understanding, agreement, or connection between two or more corporations, firms, or persons submitting a proposal for the same services shall also be presumed to be collusive. Proposals found to be collusive shall be rejected. Proposers who have been found to have engaged in collusion may be considered non-responsible, and may be suspended or debarred, and any contract resulting from collusive bidding may be terminated for default.

1.8 Contract Measures

This Solicitation includes contract measures for Miami-Dade County Certified Small Business Enterprises (SBE's) as follows.

Set-aside:

This Solicitation is set-aside for SBE's.

Subcontractor Goal:

_____ % SBE subcontractor goal is applicable. The purpose of a subcontractor goal is to have portions of the work under the prime contract performed by available subcontractors that are certified SBEs for contract values totaling not less than the percentage of the prime contract value set out in this Solicitation. Subcontractor goals may be applied to a contract when estimates made prior to solicitation advertisement identify the quality; quantity and type of opportunities in the contract and SBEs are available to afford effective competition in providing a percentage of these identified services. Proposers shall submit a completed Schedule of Intent Affidavit (Form SBD 504) at the time of proposal identifying all SBEs to be utilized to meet the subcontractor goal. The Schedule of Intent Affidavit shall specify the scope of work and commodity code the SBE will perform. The Schedule of Intent Affidavit constitutes a written representation by the Proposer that to the best of the Proposer's knowledge the SBEs listed are available and have agreed to perform as specified, or that the Proposer will demonstrate unavailability.

Refer to **Appendix A**, Miami-Dade County Small Business Enterprise Participation Provisions for definitions, explanations and instructions. The participating SBE firms (or joint ventures) must have a valid Miami-Dade County SBE certification by the proposal submittal deadline of this Solicitation, as well as, meet all other requirements as stipulated in **Appendix A**. Additional information regarding Miami-Dade County's Small Business Enterprise Program, including new amendments to the program, is available on the Small Business Development's website <http://new.miamidade.gov/business/business-development.asp>.

(If Selection Factor, use Section 4.4 and delete above section.)

2.0 SCOPE OF SERVICES

2.1 Introduction/Background

Miami-Dade County, hereinafter referred to as the County, is soliciting proposals from qualified title insurance companies, with access to title plant facilities to submit their qualifications for inclusion in a Title and Closing Services Pool. The selected Proposer(s) shall provide, on a non-exclusive basis, various title and closing services for the Public Works Department (PWD) and General Services Administration (GSA), hereinafter referred to as the "Department". The title and closing services requested herein include, but are not limited to real estate title insurance commitments and policies; title search reports; title re-certifications and updates; title examinations; and closing, escrow and other related services for County real estate transactions in accordance with Chapters 626 and 627 of the Florida Statutes and Rule Chapter 69O-186 of the Florida Administrative Code. These services are required for parcels of land which are either under consideration for purchase or sale by the County or under contract for purchase or sale by the County.

The County's needs for these services will generally follow a progression whereby the Department obtains Title Search Reports, Ownership Search Reports and/or Opinions of Titles for all parcels within a project area, followed by title insurance commitments, updates (if necessary), closing services and title policies for parcels which are successfully negotiated for purchase. Information contained in Title Search Reports, Ownership Search Reports or Opinions of Title are considered a basis for other title products, such as title commitments, closing services and title insurance. Information contained within all title products shall remain consistent from product to product. It is possible that some services or products may be required on parcels without going through the normal progression.

As the selected Proposer(s) shall be responsible for all aspects of providing the requested services, including the timeliness and accuracy of the completed projects, the County prefers the selected Proposer(s) not use Subcontractors/Sub-consultants for services provided to the County under any contract issued as a result of this Solicitation.

2.2 Minimum Qualification Requirements

Proposer shall be:

- a) A licensed Title Insurance Agency in the State of Florida at the time of proposal due date. This is a continuing condition of award, as maintaining an active license as a Title Insurance Agency in the State of Florida is required throughout the duration of the contract.
- b) Engaged as an Escrow Agent according to Florida Statutes 626.841 through 626.8473, at the time of the proposal due date. This requirement is a continuing condition of award for the duration of the contract.

2.3 Services and Products to be Provided

The selected Proposer shall provide title and closing services including, but not limited to, the services summarized below. This is only a summary and any other related services (such as compilation of project specifications and recommendations for research; title research prior to the year 1976; title research in addition to property ownership, i.e., mineral interests, environmental activities, and identifying additional or alternative ingress and egress, etc.) necessary to complete the services below shall be considered part of these services.

A. Title Insurance Commitments and Policies

The selected Proposer shall provide Title Insurance Commitments and Policies that shall, at a minimum:

- 1) Include original title certificates or owner's title insurance commitments (ALTA Form B with Florida revisions or equivalent) with the proposed insured being Miami Dade County, a Political Subdivision of the State of Florida. The documents being submitted shall be neat and organized. Title insurance commitments shall contain a statement regarding the status of legal access to the subject property and shall document access from the subject property to the nearest public right-of-way. The statement shall answer the following questions:
 - a) "Does the property abut or is it connected by a document recorded in the public records to a public street or highway?"
 - b) If yes, is the public street or highway a: deeded right of way; dedicated right of way; right of way by maintenance map; or right of way by maintenance?"

Note: A copy of the recorded document which establishes the public street, road or highway shall be provided in the report. Original and copies to be distributed to the County according to a distribution list furnished along with the task assignment.

- 2) Propose the amount of insurance in accordance with the purchase price stated in the purchase or option agreement supplied. The purchase price of the insurance shall be determined by the State Rules and Statutes of the Department of Insurance.
- 3) Attach to the title commitment a copy of the deed(s) wherein the present owner obtained title (the vesting deed).
- 4) Attach to the title commitment a report of any sales record of the subject property for the preceding five (5) years. Such sales history report shall set forth all parties to the transaction(s) and the consideration involved. If there have been no sales of the property during the preceding five (5) years, the report shall so state. However, if the subject property is within a project where federal guidelines shall be utilized, a report of any sales record of the subject property for the preceding 10 years shall be attached to the title certificate or commitment. Such sales history report shall set forth all parties to the transaction(s) and the consideration involved. If there have been no sales of the property during the preceding 10 years, the report shall so state. If a third party owns oil, gas and mineral interests, identify who owns the interest(s) and state whether or not the right of entry is barred.

- 5) Include all exceptions under Schedule B – Section II of the title commitment, clearly written to indicate the nature, holder and extent of the encumbrance. For example, if the subject property is affected by an easement, it is not sufficient for the exception to read "Easement as recorded in Official Records Book 1212, Page 311 of the Public Records of Miami-Dade County, Florida." Instead, the exception shall also indicate the nature, holder and extent of the encumbrance (i.e., "Easement for ingress and egress in favor of ABC, Inc. over the south 30 feet of the insured parcel as recorded in Official Record Book 1212, Page 311 of the Public Records of Miami-Dade County, Florida").
- 6) Attach to the title commitment legible copies of all documents referenced as exceptions in Schedule B – Section II. In the event that the legal description of the insured property, or any of the documents referenced other documents which shall be examined to complete the title commitment, then legible copies of those documents shall also be attached.
- 7) Include a title examination of the mineral root of title when there are title exceptions for outstanding mineral interests. In addition, there shall be a search of the mineral interest chain of title to determine the current owner(s) of any such interest(s).
- 8) In cases which a survey is furnished and certified to the title insurer pursuant to Florida Statutes, Section 627.7842, the title policy may only except from coverage the encroachments, overlays, boundary line disputes, and other matters which are actually shown on the survey.
- 9) In all cases, furnish to the title insurer an owner's affidavit of possession, title and liens. Pursuant to Florida Statutes, Section 627.7842, the title policy shall not exclude from coverage rights or claims of parties in possession not shown by the public records or liens or rights to a lien for services, labor or materials furnished which is imposed by law and not shown by the public records.
- 10) Cover against the possible existence of adverse matters or defects in title which are recorded between the effective date of the commitment and the date of recording of the document creating the estate or interest to be insured.
- 11) Post closing, provide closing documents (including recorded originals of all documents that were recorded in favor of Miami-Dade County) and the final title policy to the Department within forty-five (45) days of closing, unless the timeframe is extended, in writing, by the Department. Requests for an extension by the selected Proposer must be made prior to the original due date of the documents. Requests by the Department to provide original documents not included in the original submission of closing documents, or to include corrections to errors in the closing documents or the title insurance policy, shall be provided by the selected Proposer(s) to the Department (or explained to the satisfaction of the Department's Project Manager) within 14 days of written notice of such a request. This timeframe may be extended, in writing, by the Department's Project Manager. Such requests will be at no cost to the Department.

B. Title Insurance Endorsements

The selected Proposer shall provide Title Insurance Endorsements that shall, at a minimum include providing endorsements which are requested by the Department subsequent to the closing of the real estate transaction to conform the title insurance policy to a change in circumstances relating to the title as originally insured, including but not limited to, easements which are recorded subsequent to closing, the deletion of survey exceptions based upon the receipt of a final survey subsequent to closing, and the deletion of exceptions which no longer affect title to the land. Title insurance endorsements which are issued to conform the title insurance policy to the title commitment, or to correct an error in the title insurance commitment, are included under closing services (e.g., in instances when a post closing title endorsement is necessary due to an error on the part of the selected Proposer, there shall be no charge to the Department).

C. Closings

The selected Proposer shall provide Closing Services that shall, at a minimum:

- 1) Include preparation of deeds, affidavits, closing statements and other documents necessary to complete a closing; coordination of mortgage payoffs, tax escrows, and other matters required to convey clear title; transfer of documents to sellers for execution; closing real estate transactions and disbursing settlement or closing funds; recording warranty deeds and other instruments that may be required in perfecting the title; preparing and recording corrective documents; and preparing and filing 1099 forms for each closing (including eminent domain actions).
- 2) Provide delivery of recorded documents and other items to the Department within forty-five (45) days of the date of closing.
- 3) Adhere to closing dates and all timeframes and due dates specified in each real estate contract.
- 4) Include resolution of closing issues and problem-solving for all title, survey and closing matters.

D. Title Search Reports and Certificates of Title

The selected Proposer shall provide Title Search Reports (see Attachment 1) and Certificates of Title that shall, at a minimum:

- 1) Include the certification of the Abstractor or Title Examiner for Title Search Reports, or contain the certification of an attorney, licensed to practice in Florida and a member in good standing of the Florida Bar for Certificates of Title; both reports to include all attachments as herein required.
- 2) Include the complete parent tract legal description of the determined subject parcel.
- 3) Cite all parties involved in every instrument reported, date of instrument, filing date, book and page of the instrument, all instruments referenced by another, and all pertinent remarks which help in deciphering the purpose of the instrument.
- 4) Provide documentation as to the difference, if the subject parent tract does not exactly match the legal description on the document of conveyance (e.g., right-of-way conveyance, sell-off parcel, etc.).
- 5) Have an assigned unique search number and reflect the Department's Section (Project) Number, State Road Number and local name, if known, W.P.I. Number, F.A.P. Number and F.I.N. Number when applicable.
- 6) Be formatted on 8½" x 11" white paper for each parcel, in the format provided as Attachment 1.
- 7) Include research findings prior to 1976, up to present date.

E. Recertification and Updates

The selected Proposer shall provide Recertification and Updates that shall, at a minimum:

- 1) Include attachments of all the instruments, including encumbrances affecting the subject parcel since the original search or most recent update.
- 2) Include the acquisition document(s), if applicable.
- 3) Reflect the complete legal description of the subject parent tract on the report. If the subject parent tract does not exactly match the document of conveyance, documentation must be shown as to the difference (e.g., right of way conveyance, sell off parcel, etc.).

- 4) Show:
- a) Verification - Present title holder must be verified, even if title is taken prior to time period of update.
 - b) Date Certification - The beginning and ending dates of the updated report shall be reported.
 - c) Title Holders - Property owner's name, exactly as title is held, and the current address shall be reported.
 - d) Documentation - All documents recorded within the time period of the update, covering the subject property and the name search, shall be reported.
 - e) Taxes - Current and delinquent taxes for entire parent tract shall be reported, along with the name of parties holding tax certificates.
 - f) Notations - If no instruments are recorded within the time period of the update, the notation "NO CHANGE SINCE PRIOR SEARCH" shall appear on the report.
 - g) New Acquisitions - If the present title holder newly acquires adjacent and/or contiguous property, which enlarges the original parent tract, a full Title Search Report shall be prepared on the additional lands, along with the updating of the former parent tract. The selected Proposer shall contact the Department's Project Manager (or designee) in writing as to the addition of land to the parent tract and the need for an additional Title Search Report. No additional work shall begin until written authorization is received from the Department's Project Manager (or designee).

Note: The selected Proposer may, at times, be requested to provide recertification and/or updates of another firm's work. If the selected Proposer has knowledge of errors, and/or omissions within the prior report, the selected Proposer shall contact the Department's Project Manager immediately. A decision on how to proceed with the issue shall be made by the Department's Project Manager.

F. Title Examination

The selected Proposer shall provide Title Examination that shall, at a minimum:

- 1) Include an evaluation of the Title Search Report and all referring documents and instruments within, to determine the insurability of title based upon legal or underwriting judgment.
- 2) Specify in detail in the Title Search Report any matters that affect title and/or create a defect in title, and suggest how the title matter and/or defect can be removed.

G. Ownership Search and Certifications of Title

The selected Proposer shall provide Ownership Search and Certifications of Title that shall, at a minimum:

- 1) Include a complete legal description of the subject parent tract, and legible and complete copies of all instruments relative to the search.
- 2) If the subject parent tract does not exactly match the legal description on the document of conveyance, document the difference (e.g., right-of-way conveyance, sell-off parcel, etc.).
- 3) Include name searches and personal judgment searches. Judgments or liens shall be reported, along with divorces, certification of deaths, corporate mergers, etc., in order to accurately report the present title holder of a parent tract.
- 4) For Certifications of Title, be signed by an attorney licensed to practice in the State of Florida and a member in good standing of the Florida Bar.

H. Opinion of Title

The selected Proposer shall provide Opinion of Title that shall, at a minimum:

- 1) Include an evaluation of the Title Search and/or Title Search Report and all referring documents and instruments within, to determine the status of title.
- 2) If for a specific use, such as a Declaration of Use, Unity of Title, Declaration of Restrictions, Development Agreement or Proposed Plat, state the use in the first paragraph of the Opinion of Title (see Attachment 2 – Sample Opinion of Title)
- 3) Be signed and certified by an attorney licensed to practice in the State of Florida, and a member in good standing of the Florida Bar.

2.4 Additional Requirements for Services and Products

The following requirements apply to the Services and Products in Section 2.3 above, as applicable, except to the extent that a particular requirement below is not applicable to a certain Service or Product.

A. Attachments to Reports

- 1) Each Title Search Report shall include legible copies of all instruments which are listed on the Title Report.
- 2) Copies of an instrument shown within the report which refer to another instrument, such as a Deed referencing a Mortgage, shall be included within the report, unless said referenced instruments have been satisfied or released. If released, the selected Proposer(s) shall note on the Title Search Report that the instrument has been released, and a copy of the release, satisfaction, or termination document shall be included.
- 3) Every type of report (Title Report, Update, Ownership, etc.) shall cite all parties involved in every instrument reported, date of instrument, filing date, book and page of the instrument, all instruments referenced by another, and all pertinent remarks which help in deciphering the purpose of the instrument.

B. Additional Documentation

- 1) Copies of additional documentation may be required by the Department's Project Manager (or designee) when it is necessary to obtain further information in order to clearly define the boundaries of parcels or the full extent and nature of encumbrances and/or ownership.
- 2) The additional copies, along with any research, shall be considered part of the original research by the selected Proposer(s) and shall be delivered within an agreed upon timeframe at no additional cost to the Department.

C. Documentary Stamps

State and Federal Documentary Stamps (where applicable) shall be shown on all written reports for all conveyances listed in the search.

D. Contiguous Lands

- 1) All contiguous land(s) held by record owner shall be researched and considered one report, whether or not it lies outside the requested area.

- 2) Each report shall contain complete information regarding all open encumbrances and potential encumbrances for all contiguous lands held by record owner. An exception to this shall be made only after approval notification from the Department's Project Manager (or designee). All exceptions to full parent tract reporting are solely the decision of the Department's Project Manager (or designee).

E. Parent Tract Parcel

- 1) Noncontiguous lots within a subdivision or acreage under a single ownership shall be considered separate parcels, and separate reports shall be created. The exception to this is when the noncontiguous real property has been acquired through the same acquisition document, in which case only one title report shall be created.
- 2) For invoicing purposes, if research indicates the real properties have separate and distinct chains of title, then each chain of title shall be considered as a separate parcel for the purposes of payment only.
- 3) Only one report will be created showing the documentation of said separate chains of title under the heading of "TITLE HISTORY".

F. Record Owner

- 1) Each title report shall determine and reflect the exact way title is held, including the full name, marital status (if it can be determined), type of corporation (e.g., a Florida corporation), and the present address of the present fee title holder of record.
- 2) A complete examination of documents of record, including Probate and Divorce Settlements, shall be done.
- 3) The selected Proposer(s) shall determine how fee title is held, and shall show all documentation for such.
- 4) The report shall be prepared as if a Title Insurance Policy was to be issued and closing documents were to be prepared.

G. Title History

A Title History shall be included within all Title Search Reports, as requested by the Department's Project Manager. This history must report the last five documents of conveyance, but not further back than 1950, inclusive. This includes judgments, divorces, mergers, etc., which clearly determines the fee simple title chain. A note must be made on the report, citing the following: "A full chain of title has been run on the subject property, but no documents are shown prior to 1950."

H. Reporting Conveyances

- 1) For each conveyance, the report shall reflect the name(s) of the parties, the type of deed or document transferring title, the date of execution, filing dates of transfer, and book and page of recordation.
- 2) When a reported conveyance contains a reference to another recorded instrument, the referenced instrument shall be included and marked "SHOWN FOR REFERENCE".
- 3) If the referenced instrument has been released, then a copy of the release, satisfaction, termination, etc., which relates to the referenced instrument shall be reported.

I. Reporting Encumbrances

All encumbrances and potential encumbrances to the title of a parcel shall be reported completely. The names of the corporation's corporate officers shall be reported, if applicable. The following are specific requirements on certain types of encumbrances:

- 1) Easements: A complete copy of the recorded easement shall be shown within the title search.
- 2) Taxes:
 - a) Real Estate taxes, both current and delinquent, shall be shown on the title report, and stating "PAID" or "UNPAID".
 - b) Tax sales certificates and all exemptions, type and amount, shall be shown.
 - c) The Tax Folio Number (Property Control number) shall be shown on the title report and shall include the amount paid or due.
 - d) The year of the taxes, exemptions, the amounts of the exemptions, the names of parties holding the tax sales certificates, etc., shall be shown on the reports.
- 3) Oil, Gas and Mineral Rights: All leases, deeds and/or royalty transfers which include any surface rights shall be shown.
- 4) Reservations:
 - a) All Reservations by the Board of Trustees of the Internal Improvement Trust Fund, including Murphy Act, rights in reserve, reverter clauses, life estates, etc. shall be shown in detail.
 - b) The exact extent of the reservations and the deed number, where used, shall be shown.
- 5) Individual and Corporate Name Search:
 - a) Each Title Search Report shall report all certified judgments within a twenty year period against the present title holder.
 - b) All pertinent affidavits, certificates of death, divorces, corporate information, etc., shall be shown as to fee owners, mortgagees, and other lien holders.
 - c) All corporations shall be researched and name changes, mergers, corporate statuses, including officers and general partnerships, etc., shall be reported.
 - d) Detailed information shall be reported in order for the Department to prepare closing documents and contact all those parties holding an interest in the parent tract.
- 6) Leases: All leases, assignment of leases, and termination of leases shall be shown. All pages of the instruments shall be included within the report.
- 7) Mortgages:
 - a) All mortgages encumbering the parent tract shall be reported.
 - b) All mortgages shall include pertinent information as described in Section 2.4, Services To Be Provided.

J. Estates

- 1) When the owner is deceased, the Title Search Report shall show death certificate, if applicable.
- 2) If probate proceedings have been initiated, the following items, if available, shall be included:
 - a) Life estates shall be reported.
 - b) The will, any codicils and case number.
 - c) Petition for Administration. Name of all heirs as set forth in the petition. The name of personal representative.
 - d) Whether or not the personal representative is permitted to convey without bond.
 - e) Letters of administration.
 - f) Inventory if subject property is included.
 - g) Notice to creditors and proof of publication.
 - h) Receipt for federal and state estate taxes nontaxable certificate.
 - i) Order of distribution of the subject property.

- j) Order of final discharge.
- k) Order of distribution, if any.
- l) Whether or not estate is closed.

K. Insanity Proceedings

When reporting insanity proceedings concerning a present record owner, the date of commitment and name of the appointed guardian are required, together with a statement concerning whether disability designation has been removed.

L. Divorces

When reporting divorces between record owners, any settlement concerning real property shall be reported in detail. All divorce proceedings shall be reported in full.

M. Guardianships

When title to real property is vested in a minor or incompetent, the report shall show the name of the appointed Guardian or a statement that no such appointment has been made.

N. Bankruptcies

Bankruptcy court proceedings to be provided, if applicable.

O. Government Lands

When title to real property is held by Federal, State or local government, the branch or agency holding title shall be reported. A report on government land shall be researched and reported exactly the same as a parent tract held by private ownership.

P. Condominium

When a condominium is encountered within the limits of a project, the selected Proposer(s) shall:

- 1) Notify the Department's Project Manager immediately that a condominium lies within the project limits.
- 2) Obtain approval from the Department's Project Manager on necessity of a title search report on the common area of the condominium.
- 3) Include a copy of the Declaration of Condominium, the Articles of Condominium, By-Laws and a legible, full-sized copy of the condominium plat.
- 4) No title search reports on individual units within the condominium shall be prepared unless specifically requested by the Department's Project Manager (or designee) in writing.
- 5) The notation: "No Search Made as to Individual Units" shall be stated on the title search report for the common area, as applicable.

Q. Public Right Of Way

Title Search Reports shall be prepared covering public and private right of way. If the legal description of the document granting title to the subject property of a search is no longer accurate due to additional right of way deeded or dedicated after recording of the last deed, the document deeding or dedicating the additional right of way shall be included within the title report as an exception to the legal description of the subject property. A copy of the document shall be included within the Title Search Report. In addition, separate title reports shall be prepared showing title to all right of way within the limits of the project, unless dedicated by Plat.

- 1) Abstractor's Notes: The report shall include any comments concerning known matters and any documentation needed to clear titles which are not of record, which may affect the title to the real property under research.

- 2) Bankruptcies: Bankruptcy proceedings, if applicable, shall be included.
- 3) Fiduciary Documentation: Any document creating or affecting a fiduciary relationship, such as guardianships or trusts, shall be included.

R. Requirements for Certification of all Reports

The following certifications shall be included in the specified documents, as applicable:

- 1) As to the Original Title Search Report:

The undersigned hereby certifies that the foregoing Title Search Report reflects a comprehensive search and examination of the Public Records of Miami-Dade County, Florida, showing the present ownership of the real property described above, together with all outstanding encumbrances and potential encumbrances affecting said lands. This report is not to be construed as an opinion of title.

Certified this ___ day of _____, 20___, at ____, ____.M.

- 2) As to the Updated Title Search Report:

The undersigned hereby certifies that the foregoing Updated Title Search Report reflects a comprehensive search and examination of the Public Records of Miami-Dade County, Florida, within the time mentioned above for the sole purpose of updating the Title Search Report referred to as Search No. _____ (insert prior search number and initials of title company if not the same). This report is not to be construed as an opinion of title.

Certified this ___ day of _____, 20___, at ____, ____.M.

- 3) As to the Ownership Report and Certification of Title:

The undersigned hereby certifies that the foregoing Title Report reflects a comprehensive search and examination of the Public Records of Miami-Dade County, Florida, showing the present ownership of the above described property. This report is not to be construed as an opinion of title.

Certified this ___ day of _____, 20___, at ____, ____.M.

- 4) As to the Opinion of Title:

Based and conditioned upon all the assumptions, exceptions and statements hereinabove set forth, together with all and any other exception listed in the Commitment for Title Insurance, as referred to above, and upon the premises that no encumbrances, liens or judgments have been filed against the property subsequent to (Owner's Name) obtaining title on these properties, I am of the opinion that, subject to any conditions, restrictions, covenants, easements, reservations, limitations and liens of record or zoning regulations, (Owner's Name) has good and marketable fee simple title to the properties described herein.

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida, and am a member in good standing of the Florida Bar.

Certified this ___ day of _____, 20___, at ____, ____.M.

- 5) As to the Opinion of Title for the specific use of a proposed plat:

Based and conditioned upon all the assumptions, exceptions and statements hereinabove set forth, together with all and any other exception listed in the Commitment for Title Insurance, as referred to above, and upon the premises that no encumbrances, liens or judgments have been filed against the property subsequent to (Owner's Name) obtaining

title on these properties, I am of the opinion that, subject to any conditions, restrictions, covenants, easements, reservations, limitations and liens of record or zoning regulations, (Owner's Name) has good and marketable fee simple title to the properties described herein.

Therefore, it is my opinion that the following parties must join in the agreement or final plat in order to make the agreement or final plat a valid and binding covenant on the lands described herein.

NAME	INTEREST EXCEPTION	SPECIAL NUMBER
John Doe	Owner	

I HEREBY CERTIFY that the legal description contained in this Opinion of Title coincides with, includes and covers the same land as the legal description in the proffered, recordable agreement or final plat.

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida, and am a member in good standing of the Florida Bar.

Certified this ___ day of _____, 20___, at _____, _____.M.

6) As to the Certificate of Title:

This will certify that I have examined an abstract of title and/or a Title Search Report from (Title Insurance Company), from the Public Records of Miami-Dade County, Florida from (Date) to (Date), which period of time is sufficient in my opinion to establish marketable title. Based upon my examination, I find that (Owner's Name) is vested with marketable fee simple title to the described land subject only to the liens, encumbrances and objections stated within this Certificate of Title.

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida, and am a member in good standing of the Florida Bar.

Certified this ___ day of _____, 20___, at _____, _____.M.

2.5 Miscellaneous Requirements

The selected Proposer shall comply with the following in performance of the requested services.

A. General

The selected Proposer shall:

- 1) Conduct County closings and title related meetings at a business location that is physically located in Miami-Dade County. **There is no exception allowed for this requirement.**
- 2) Have a staff member (not subcontracted) working on the County's projects with direct, physical access to a title plant and to manually search title records dated prior to 1976. The County reserves the right to visit and inspect the title plant facilities.
- 3) Employ and maintain a Title Examiner/Title Analyst at a business location that is physically located in Miami-Dade County who shall conduct title searches, troubleshoot title problems and communicate with the County staff about title matters. **This position cannot be subcontracted.**
- 4) Employ and maintain a licensed Title Insurance Agent at a business location that is physically located in Miami-Dade County to process and conduct the County's real estate closings. **This position cannot be subcontracted.**

- 5) Ensure all services are provided by or under the direction of a person qualified or licensed, as applicable, to perform such services.
- 6) Assign a Project Manager to work closely with the Department's Project Manager daily, or on an as needed basis, to ensure the County's service needs are being met. Among other things, the Project Manager shall notify the Department's Project Manager of any and all emergencies and problems related to performing the services requested.

B. Confidentiality

The selected Proposer may provide and manage information with regard to the feasibility of certain acquisitions, their locations, desirable resources, market information, appraisal information and other similar information used by the County in constructing and implementing the County's negotiation strategies. As such, the selected Proposer and its employees and agents, shall maintain strict adherence to the Confidentiality clause in Section 5.0, Article 28.

2.6 Additional Services

If additional services are required for the types of projects identified herein which in the sole determination of the County are related to, but not included in providing the above services, the County may request the selected Proposer to provide the additional services. Additional services may include, but are not limited to:

- A. Technical Assistance to assist the County for resolving title, survey, closing and other real estate related issues.
- B. Expert Witness Services include testimony from the selected Proposer's employees or authorized Subcontractors testifying as to any product produced, research performed, or any other matters related to services rendered hereunder.
- C. General Title Research includes, but is not limited to, public record searches for documents, research to resolve questions about access to property, ownership and encumbrance searches, and lien searches.

2.7 Structure of Pool

The County anticipates establishing a Pool of no more than five selected Proposers. The selected Proposers in the Pool shall service requests through PWD, GSA, and any additional County Departments or Agencies that may be added.

Selected Proposers shall sign an agreement with the County in order to be accepted into the Pool. The agreement will include general legal and administrative provisions and all required County affidavits, and may be updated periodically to reflect new County requirements. The agreement will be supplemented, upon project award, by individual Work Orders specifying project scopes and payment and price information. Selection into the Pool does not guarantee work and does not provide for exclusive rights to provide these services to the County.

At the County's discretion, selected Proposers may be dropped from the Pool for lack of participation, which shall include failure over a reasonable time to propose on Quotes/Work Order Proposal Requests (WOPRs) offered through the Pool, poor performance on a Work Order, being in arrears in obligations to the County, and any other reason specified by County policies and procedures. Selected Proposer(s) shall maintain the qualifications of the firm and proposed personnel at a standard consistent and equivalent to the qualification submissions submitted in response to this RFQ.

2.8 Work Order Process

Generally, Work will be assigned on a rotational basis, beginning with the highest ranked selected Proposer and moving down through the rotation in order of ranking, as a result of the evaluation process. However, in

the event that a selected Proposer advises the County that the time constraints or obligations of the Work cannot be met, then the Department's Project Manager shall document such fact(s) and may skip that selected Proposer and move down to the next selected Proposer in the rotation. PWD, GSA, and additional departments or agencies that may be added in the future, shall each operate their rotation independently of one another.

Additionally, selected Proposers may be required to participate in a competitive process for particular projects, including **Additional Services** described in **Section 2.6**, at the County's sole discretion. In such cases, the County will prepare a Scope of Work and provide selected Proposer(s) with information regarding the selection process and response requirements, to include written proposals and potentially oral presentations. Recommendations for competitive awards will be made generally based on quality and/or price. Award of a competitive Work Order is independent from and will not affect the rotational process.

The County reserves the right to award Additional Services for and updates to a previously awarded Work Order to the same selected Proposer that was awarded the original Work Order.

3.0 RESPONSE REQUIREMENTS

3.1 Submittal Requirements

In response to this Solicitation, Proposer should **return the entire completed Proposal Submission Package** (see attached). Proposers should carefully follow the format and instructions outlined therein. All documents and information must be fully completed and signed as required.

The proposal shall be written in sufficient detail to permit the County to conduct a meaningful evaluation of the proposed services. However, overly elaborate responses are not requested or desired.

4.0 EVALUATION PROCESS

4.1 Review of Proposals for Responsiveness

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

4.2 Evaluation Criteria

Proposals will be evaluated by an Evaluation/Selection Committee which will evaluate and rank proposals on criteria listed below. The Evaluation/Selection Committee will be comprised of appropriate County personnel and members of the community, as deemed necessary, with the appropriate experience and/or knowledge, striving to ensure that the Evaluation/Selection Committee is balanced with regard to both ethnicity and gender. The criteria are itemized with their respective weights for a maximum total of one hundred (100) points per Evaluation/Selection Committee member.

<u>Technical Criteria</u>	<u>Points</u>
1. Proposer's relevant experience, qualifications, and past performance	
2. Relevant experience and qualifications of key personnel, including key personnel of subcontractors, that will be assigned to this project, and experience and qualifications of subcontractors	

- 3. Proposer's approach to providing the services requested in this Solicitation

Price Criteria

Points

- 4. Proposer's proposed price

4.3 Oral Presentations

Upon completion of the technical criteria evaluation indicated above, rating and ranking, the Evaluation/Selection Committee may choose to conduct an oral presentation with the Proposer(s) which the Evaluation/Selection Committee deems to warrant further consideration based on, among other considerations, scores in clusters and/or maintaining competition. (See Form A-2 regarding registering speakers in the proposal for oral presentations.) Upon completion of the oral presentation(s), the Evaluation/Selection Committee will re-evaluate, re-rate and re-rank the proposals remaining in consideration based upon the written documents combined with the oral presentation.

4.4 Selection Factor

This Solicitation includes a selection factor for Miami-Dade County Certified Small Business Enterprises (SBE's) as follows. A SBE/Micro Business Enterprise is entitled to receive an additional ten percent (10%) of the total technical evaluation points on the technical portion of such Proposer's proposal. An SBE/Micro Business Enterprise must be certified by Small Business Development for the type of goods and/or services the Proposer provides in accordance with the applicable Commodity Code(s) for this Solicitation. For certification information contact Small Business Development at (305) 375-2378 or access <http://new.miamidade.gov/business/business-development.asp>. The SBE/Micro Business Enterprise must be certified by proposal submission deadline, at contract award, and for the duration of the contract to remain eligible for the preference. Firms that graduate from the SBE program during the contract may remain on the contract.

OR

A Selection Factor is not applicable to this Solicitation.

OR

(If no points are assigned to evaluation criteria, include the following in addition to above paragraph):

Whenever there are two best ranked proposals that are substantially equal and only one of the two so ranked proposals is submitted by a Proposer entitled to a selection factor, the selection factor shall be the deciding factor for award.

4.5 Local Certified Service-Disabled Veteran's Business Enterprise Preference

This Solicitation includes a preference for Miami-Dade County Local Certified Service-Disabled Veteran Business Enterprises in accordance with Section 2-8.5.1 of the Code of Miami-Dade County. A VBE is entitled to receive an additional five percent (5%) of the total technical evaluation points on the technical portion of such Proposer's proposal. If a Miami-Dade County Certified Small Business Enterprise (SBE) measure is being applied to this Solicitation, a VBE which also qualifies for the SBE measure shall not receive the veteran's preference provided in this section and shall be limited to the applicable SBE preference.

4.6 Price Evaluation

After the evaluation of the technical proposal, in light of the oral presentation(s) if necessary, the County will evaluate the price proposals of those Proposers remaining in consideration.

The price proposal will be evaluated subjectively in combination with the technical proposal, including an evaluation of how well it matches Proposer's understanding of the County's needs described in this Solicitation, the Proposer's assumptions, and the value of the proposed services. The pricing evaluation is

used as part of the evaluation process to determine the highest ranked Proposer. The County reserves the right to negotiate the final terms, conditions and pricing of the contract as may be in the best interest of the County.

4.7 Local Preference

The evaluation of competitive solicitations is subject to Section 2-8.5 of the Miami-Dade County Code, which, except where contrary to federal or state law, or any other funding source requirements, provides that preference be given to local businesses (see **Form A-4**). If, following the completion of final rankings by the Evaluation/Selection Committee, a non-local Proposer is the highest ranked responsive and responsible Proposer, and the ranking of a responsive and responsible local Proposer is within 5% of the ranking obtained by said non-local Proposer, then the Evaluation/Selection Committee will recommend that a contract be negotiated with said local Proposer.

4.8 Negotiations

The County may award a contract on the basis of initial offers received, without discussions. Therefore, each initial offer should contain the Proposer's best terms from a monetary and technical standpoint.

The Evaluation/Selection Committee will evaluate, score and rank proposals, and submit the results of their evaluation to the County Mayor or designee with their recommendation. The County Mayor or designee will determine with which Proposer(s) the County shall negotiate, if any, taking into consideration the Local Preference Section above. In his sole discretion, the County Mayor or designee may direct negotiations with the highest ranked Proposer, negotiations with multiple Proposers, or may request best and final offers.

Notwithstanding the foregoing, if the County and said Proposer(s) cannot reach agreement on a contract, the County reserves the right to terminate negotiations and may, at the County Mayor's or designee's discretion, begin negotiations with the next highest ranked Proposer(s). This process may continue until a contract acceptable to the County has been executed or all proposals are rejected. No Proposer shall have any rights against the County arising from such negotiations or termination thereof.

Any Proposer recommended for negotiations shall complete a Collusion Affidavit, in accordance with Sections 2-8.1.1 of the Miami-Dade County Code. (If a Proposer fails to submit the required Collusion Affidavit, said Proposer shall be ineligible for award.)

Any Proposer recommended for negotiations may be required to provide to the County:

- a) Its most recent certified business financial statements as of a date not earlier than the end of the Proposer's preceding official tax accounting period, together with a statement in writing, signed by a duly authorized representative, stating that the present financial condition is materially the same as that shown on the balance sheet and income statement submitted, or with an explanation for a material change in the financial condition. A copy of the most recent business income tax return will be accepted if certified financial statements are unavailable.
- b) Information concerning any prior or pending litigation, either civil or criminal, involving a governmental agency or which may affect the performance of the services to be rendered herein, in which the Proposer, any of its employees or subcontractors is or has been involved within the last three years.

4.9 Contract Award

Any contract, resulting from this Solicitation, will be submitted to the County Mayor or designee for approval. All Proposers will be notified in writing when the County Mayor or designee makes an award recommendation. The Contract award, if any, shall be made to the Proposer whose proposal shall be deemed by the County to be in the best interest of the County. Notwithstanding the rights of protest listed below, the County's decision of whether to make the award and to which Proposer shall be final.

4.10 Rights of Protest

A recommendation for contract award or rejection of all proposals may be protested by a Proposer in accordance with the procedures contained in Sections 2-8.3 and 2-8.4 of the County Code, as amended, and as established in Implementing Order No. 3-21.

5.0 TERMS AND CONDITIONS

The anticipated form of agreement is attached. The terms and conditions summarized below are of special note and can be found in their entirety in the agreement:

a) Vendor Registration

Prior to being recommended for award, the Proposer shall complete a Miami-Dade County Vendor Registration Package. Effective June 1, 2008, the new Vendor Registration Package, including a Uniform Affidavit Packet (Affidavit form), must be completed. The Vendor Registration Package, including all affidavits can be obtained by downloading from the website at http://www.miamidade.gov/DPM/vendor_registration.asp or from the Vendor Assistance Unit at 111 N.W. 1st Street, 13th Floor, Miami, FL. The recommended Proposer shall affirm that all information submitted with its Vendor Registration Package is current, complete and accurate, at the time they submitted a response to the Solicitation, by completing an Affirmation of Vendor Affidavit form.

b) Insurance Requirements

The Contractor shall furnish to the County, Internal Services Department, Procurement Management Division, prior to the commencement of any work under any agreement, Certificates of Insurance which indicate insurance coverage has been obtained that meets the stated requirements.

c) Inspector General Reviews

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 indicated. The cost of the audit, if applicable, shall be one quarter (1/4) of one (1) percent of the total contract amount and the cost shall be included in any proposed price. The audit cost will be deducted by the County from progress payments to the Contractor, if applicable.

d) User Access Program

Pursuant to Section 2-8.10 of the Miami-Dade County Code, any agreement issued as a result of this Solicitation is subject to a user access fee under the County User Access Program (UAP) in the amount of two percent (2%). All sales resulting from this Solicitation and the utilization of the County contract price and the terms and conditions identified therein, are subject to the two percent (2%) UAP.

6.0 ATTACHMENTS

- Form of Agreement
- Attachment 1 Sample Title Search Report
- Attachment 2 Sample Opinion of Title
- Proposal Submission Package

Proposer Information

Minimum Qualification Requirements

1. Provide documentation that demonstrates Proposer's ability to satisfy all of the minimum qualification requirements. Proposers who do not meet the minimum qualification requirements or who fail to provide supporting documentation may be deemed non-responsive. If a prescribed format or required documentation for the response to minimum qualification requirements is listed below, Proposers must use said format and supply said documentation.

The minimum qualification requirements for this Solicitation are Proposers shall be:

- a. A licensed Title Insurance Agency in the State of Florida at the time of proposal due date. Provide a copy of Proposer's license as a Title Insurance Agency.
- b. Engaged as an Escrow Agent according to Florida Statutes 626.841 through 626.8473, at the time of the proposal due date. Provide a letter on the bank's/attorney's letterhead confirming the Proposer's escrow account is held at such bank or attorney's office, along with bank's/attorney's contact name, phone number and email address. Please note, submitted proposals will become public record, therefore, do not include any confidential information regarding the escrow account, i.e., account number, etc.

Proposer's Experience and Past Performance

2. Describe the Proposer's past performance and experience and state the number of years that the Proposer has been in existence, the current number of employees, and the primary markets served.
3. Provide a detailed description of comparable contracts (similar in scope of services to those requested herein) which the Proposer has either ongoing or completed within the past three years. The description should identify for each project: (i) client, (ii) description of work, (iii) total dollar value of the contract, (iv) dates covering the term of the contract, (v) client contact person and phone number, (vi) statement of whether Proposer was the prime contractor or subcontractor, and (vii) the results of the project. Where possible, list and describe those projects performed for government clients or similar size private entities (excluding any work performed for the County).
4. List all contracts which the Proposer has performed for Miami-Dade County. The County will review all contracts the Proposer has performed for the County in accordance with Section 2-8.1(g) of the Miami-Dade County Code, which requires that "a Bidder's or Proposer's past performance on County Contracts be considered in the selection of Consultants and Contractors for future County Contracts." As such the Proposer must list and describe all work performed for Miami-Dade County and include for each project: (i) name of the County Department which administers or administered the contract, (ii) description of work, (iii) total dollar value of the contract, (iv) dates covering the term of the contract, (v) County contact person and phone number, (vi) statement of whether Proposer was the prime contractor or subcontractor, and (vii) the results of the project.
5. List the Proposer's title insurance underwriters and length of time Proposer has been working with each underwriter. Also, include verification of the underwriter's current rating from any of the following firms: Laclede Financial Corp., Demotech, Inc., Moody's Investor Service, Fitch Ratings, A.M. Best Company, or equivalent.
6. Describe the Proposer's experience with title related services performed for government agencies. List up to five agencies for which these services were performed, include their contact names and phone numbers, and property locations.

Proposer Information

7. Describe the Proposer's experience with issuance of title insurance for utility companies. List up to five utility companies for which these services were performed, include their contact names and phone numbers, and property locations.
8. List up to five examples of common title matters that the Proposer typically handles, i.e., obtaining Satisfactions of Mortgage.
9. Describe the Proposer's experience in solving "complex" and/or unusual title problems, including how Proposer resolved each.
10. Describe the Proposer's experience researching oil, gas, mineral, air or utility rights separate from land ownership.
11. Describe the Proposer's experience providing title products or services for properties under the threat of condemnation. Provide a brief description of a particular case.
12. Describe any prior or pending litigation, either civil or criminal, related to title and closing services, in which the Proposer, any of its employees or Subconsultants or Subcontractors is/are or has/have been involved within the last three (3) years.

Key Personnel and Subcontractors Performing Services

13. Provide an organization chart showing all key personnel, including their titles, and years of experience in the title insurance industry, to be assigned to this project. This chart must clearly identify the Proposer's employees and those of the subcontractors or sub-consultants, and shall include the functions to be performed by the key personnel. All key personnel include all partners, managers, seniors and other professional staff that will perform work and/or services in this project.
14. List the names and addresses of all first tier subcontractors, and describe the extent of work to be performed by each first tier subcontractor. Describe the experience, qualifications and other vital information, including relevant experience on previous similar projects, of the subcontractors who will be assigned to this project.
15. Identify the Proposer's title agent(s) on staff that will be primarily assigned to this project. Describe the experience, qualifications and other vital information, including relevant experience on previous similar projects and with the issuance of title insurance for utility companies.
16. Describe the experience, qualifications and other vital information, including relevant experience on previous similar projects, of all key personnel (excluding the title agents described in the above section), including those of subcontractors, who will be assigned to this project.
17. Provide resumes, if available with job descriptions and other detailed qualification information for the Project Manager, Title Examiner and all key personnel who will be assigned to this project, including any key personnel of subcontractors.
18. List all professional associations the Proposer and/or Proposer's employees or subcontractors is/are affiliated with.
19. Describe the Proposer and sub-contractor's key personnel experience in the following and provide a list (where applicable), and a brief description:
 - a. Testifying in a court of law in defense of a title product or service. Provide a list.

Proposer Information

- b. As an expert witness for title products or services in a court of law.
- c. With title related services performed for government agencies.
- d. Researching oil, gas, mineral, air or utility rights separate from land ownership.
- e. Providing title products or services for properties under the threat of condemnation. Provide an example.

Note: After proposal submission, but prior to the award of any contract issued as a result of this Solicitation, the Proposer has a continuing obligation to advise the County of any changes, intended or otherwise, to the key personnel identified in its proposal.

Proposed Approach to Providing the Services

- 20. Describe Proposer's specific project plan and procedures to be used in providing the services in the Scope of Services (see Section 2.0).
- 21. Confirm Proposer's ability to provide each of the services requested in Sections 2.3 and 2.6 of the Scope of Services, complying with all requirements in Section 2.0, upon contract execution.
- 22. Describe Proposer's approach and capabilities to project organization and management, including the responsibilities of Proposer's management and staff personnel that will perform work in this project.
- 23. Provide a project schedule identifying specific key tasks and duration.
- 24. Describe how the Proposer will provide the County with quality work (accurate, complete, organized, etc.) for the requested services herein, while completing projects on time. Explain the review process the Proposer shall use in accomplishing quality control, to ensure complete and accurate searches.
- 25. Indicate the names of current and prior title plant(s) with which the Proposer has direct, physical access. Also include address, phone number and contact information for each.
- 26. Describe what makes the Proposer unique in providing the requested services, and how this will benefit the County.
- 27. Explain the method used by the Proposer to research titles dated prior to 1976.
- 28. Provide an ALTA Closing Protection Letter, addressed to Miami-Dade County, covering all closings and insuring against loss or damage arising from or due to the fraud of, dishonesty of, misappropriation of funds by, or failure to comply with Miami-Dade County's written closing instructions.
- 29. Identify if Proposer has taken any exception to the terms of this Solicitation. If so, indicate what alternative is being offered and the cost implications of the exception(s).

FORM B-1

PRICE PROPOSAL SCHEDULE

INSTRUCTIONS:

The Proposer's price shall be submitted on this Form B-1, "Price Proposal Schedule", and in the manner stated herein; there is no exception allowed to this requirement. Proposer is requested to fill in the applicable blanks on this form and to make no other marks. (For information regarding submitting a price proposal in an alternate format, please refer to the RFQ, Section 3.2(B).)

NOTE: Miami-Dade County is exempt from all taxes (Federal, State, and Local). Tax Exemption Certificate furnished upon request.

PROPOSED PRICING:

The Proposer shall state its fees for providing all services as stated in Section 2.0 of this Solicitation, excluding the "Additional Services" in Section 2.6 (which are provided for in item A(2) below). Descriptions of services and products to be provided can be found in Section 2.3. The proposed prices include all costs to provide the services and shall be provided following the format below.

Services & Products	Fees (as a fixed price per parcel)		
	1 - 10 Parcels	11 - 25 Parcels	26+ Parcels
Title Search Report	\$ _____ each	\$ _____ each	\$ _____ each
Certificates of Title (certified by attorney)	\$ _____ each	\$ _____ each	\$ _____ each
Re-certifications and/or Updates	\$ _____ each	\$ _____ each	\$ _____ each
Title Examination	\$ _____ each	\$ _____ each	\$ _____ each
Ownership Search Report	\$ _____ each	\$ _____ each	\$ _____ each
Certifications of Title (certified by attorney)	\$ _____ each	\$ _____ each	\$ _____ each
Opinion of Title (certified by attorney)	\$ _____ each	\$ _____ each	\$ _____ each
Title Insurance Commitment	\$ _____ each	\$ _____ each	\$ _____ each
Title Insurance Policy Premium	*Promulgated Rate Less _____% *Provide percentage of the Title Insurance Agent's share of the promulgated rate approved by the Insurance Commissioner by which the Proposer shall reduce the premium, only if applicable. Otherwise Proposer should state "0" as the percentage.		

Services and Products to be Provided (continued)	
Title Insurance Endorsements:	
Endorsements for which the Insurance Commissioner Has Promulgated Rates	<u>Promulgated Rates</u> /Endorsement
Endorsements Occasioned by Selected Proposer's Error	<u>\$0.00 (No Charge)</u> /Endorsement
Endorsements with a Minimum Risk Rate Premium of \$25	\$ _____ /Endorsement
Endorsements with a Minimum Risk Rate Premium of \$100	\$ _____ /Endorsement
Closing Fee	\$ _____ /Closing

2. Additional Services

Occasionally, the County may require the additional services listed in Section 2.6. These additional services are related to, but not included in providing the products/services in Section 2.3. The following services shall be provided without the issuance of title insurance.

Technical Assistance:	
Senior Closer on-site	\$ _____ /Hour
Closer on-site	\$ _____ /Hour
Senior Closer off-site	\$ _____ /Hour
Closer off-site	\$ _____ /Hour
Expert Witness Services	\$ _____ /Hour
General Title Research	\$ _____ /Hour

Notes for Sections 1 & 2 above:

1. All proposed fees and rates include all expenses to provide the applicable services or products, which include, but are not limited to, personnel and labor costs, travel and incidental expenses, miscellaneous expenses (i.e., postage, courier fees, document preparation, scanning fees, notary fees, etc.), and the application of any multipliers (i.e., overhead, fringe benefits, etc.).
2. This portion of the price form will be used for price scoring purposes.
3. Prices are fixed for the initial term of the contract and renewal periods.
4. Notwithstanding the proposed fees for Additional Services, the County reserves the right to negotiate the final pricing on a project by project basis, at the County's sole discretion.
5. The key personnel, including the Project Manager, who will be performing the Services in Section 2.3, **Scope of Services**, will also perform the Additional Services, as needed.
6. A "Senior Closer" shall have the training and experience necessary to efficiently close on complex real estate transactions and to efficiently resolve complex title, survey and environmental issues. A "Closer" shall have the training and experience necessary to efficiently facilitate routine closings. "On-site" personnel are selected Proposer's staff who, at the request of the County, are provided with office space, furniture, supplies, access to copiers and mail services by the County at County offices. Capital equipment, such as computers, shall be supplied to on-site personnel at the selected Proposer's cost. "Off-site" personnel are selected Proposer's staff who are provided with office space, furniture and supplies, copying and mailing facilities by the selected Proposer at a location other than County offices.

ATTACHMENT 1**SAMPLE TITLE SEARCH REPORT**

Search No.:	02.505-51	Item Segment No.:
Request No:	89	Parcel No.:
State Road No.:	826	State Project No.:

THE UNDERSIGNED does hereby certify to:

MIAMI-DADE COUNTY
PUBLIC WORKS DEPARTMENT
RIGHT OF WAY DIVISION

that a search has been made of the Public Records of Miami-Dade County, State of Florida as to the following described property to wit:

Lot 26, Block 124 of CENTRAL MIAMI PART SIX, according to the Plat thereof recorded in Plat Book 17, Page 8 of the Public Records of Miami-Dade County, Florida.

Said records reflect the following ownership and encumbrances:

TITLE HOLDER: ADALBERTO FIALLO, a single man
ADDRESS: 7585 SW 38 Street
Miami, Florida 33155-6613

ACQUIRED BY: WARRANTY DEED: Isabel C. Velazquez, a single woman TO Adalberto Fiallo, a single man dated January 30, 1998, filed February 5, 1998 in O.R. Book 17968, Page 4967.

ENCUMBRANCES: SEE BELOW

TITF DOCUMENTS: SEE BELOW

RIGHT -OF WAY DOCUMENTS: NOTHING OF RECORD

NAME SEARCH:

DALBERTO FIALLO NOTHING OF RECORD

FLEET MORTGAGE CORP. NOTHING OF RECORD

TITLE HISTORY: SEE BELOW

TAXES:

FOLIO NO.:	30-4014-008-5460
CURRENT TAXES	\$1,864.56
DELINQUENT	NO
CERTIFICATE	NO

ENCUMBRANCES:

- I. EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS AND CONDITIONS SET FORTH ON PLAT OF CENTRAL MIAMI PART SIX, as recorded in Plat Book 17, Page 8, of the Public Records of Miami-Dade County, Florida.
2. ASSIGNMENT OF SECURITY INSTRUMENT: Continental Trust Mortgage Corporation, a Florida corporation TO Fleet Mortgage Corp. dated January 30, 1998, filed February 5, 1998 in O.R. book 17968, Page 4973.
3. MORTGAGE: Adalberto Fiallo, a single man TO Continental Trust Mortgage Corporation, a Florida corporation dated January 30, 1998, filed February 5, 1998 in O.R. Book 17968, Page 4968.

TIITF DOCUMENTS:

1. RELEASE OF RESERVATIONS: South Florida Water Management District TO Ralph Napoleoni and Zoraida Napoleoni, his wife dated February 16, 1979, filed March 5, 1979 in O.R. Book 10318, Page 1775.
2. QUIT CLAIM DEED: The Trustee of the Internal Improvement Fund of the State of Florida TO Ralph Napoleoni and Zoraida Napoleoni, his wife dated February 20, 1979, filed March 5, 1979 in O.R. Book 10318, Page 1774.
3. QUIT CLAIM DEED: The Trustee of the Internal Improvement Fund of the State of Florida TO Ralph Napoleoni and Zoraida Napoleoni, his wife dated February 20, 1979, filed March 5, 1979 in O.R. Book 10318, Page 1773.
4. DEED: The Trustees of the Internal Improvement Fund of the State of Florida TO Helen B. Gundlach and Charles Rosen dated November 7, 1946, filed December 13, 1946 in Deed Book 2791, Page 494.
5. DEED: The Trustees of the Internal Improvement Fund of the State of Florida TO Florida Coast Line Canal and Transportation Company dated September 24, 1890, filed December 2, 1890 in Deed Book D, Page 362.

TITLE HISTORY:

- I. QUIT CLAIM DEED: Richard Velazquez, a single man and Isabel C. Velazquez, a single woman TO Isabel C. Velazquez, a single woman dated January 27, 1991, filed January 28, 1992 in O.R. Book 15363, page 2744.

RFQ845

2. WARRANTY DEED: Ralph Napoleoni and Zoraida Napoleoni, his wife TO Richard Velazquez and Isabel C. Velazquez, his wife dated January 18, 1979, filed January 26, 1979 in O.R. Book 10282, Page 1652.
3. WARRANTY DEED: M.P.Q. Development, Inc., a Florida corporation TO Ralph Napoleoni and Zoraida Napoleoni, his wife dated December 26, 1972, filed December 29, 1972 in O.R. Book 8056, Page 240.
4. CERTIFICATE OF TITLE: Case No.71-5723 IN FAVOR OF M.P.Q. Development, Inc. dated December 31, 1971 in O.R. Book 7505, Page 690.

The foregoing Title Search Report reflects a comprehensive search of the Public Records of Miami- Dade County, Florida, showing the present ownership of the real property described above, together with all outstanding encumbrances and potential encumbrances affecting said lands. This report is not to be construed as an opinion of title.

CERTIFIED through the 9th day of September, 2007 at 11:00 o'clock p.m.

Abstractor

ATTACHMENT 2**SAMPLE OPINION OF TITLE**

Search No.:	02.505-51	Item Segment No.:
Request No.:	89	Parcel No.:
State Road No.:	826	State Project No.:

TO: MIAMI-DADE COUNTY, a political subdivision of the State of Florida.

With the understanding that this opinion of title is furnished to **MIAMI-DADE COUNTY, FLORIDA**, as inducement for acceptance of a Declaration of Use/Unity of Title/Declaration of Restrictions/Development Agreement or in compliance with Chapter 28, and as an inducement for acceptance of a proposed final subdivision plat covering the real property hereinafter described, it is hereby certified that I have examined ABC Title Insurance Company Title Commitment under File No. 1234 with an issue date of September 12, 2007 and an effective date and time of August 12, 2007, at 6:00 A.M., covering the following described real property:

SEE LEGAL DESCRIPTION ATTACHED AS EXHIBIT A

I am of the opinion that on the last mentioned date, the fee simple title to the property described on Exhibit A was vested in:

MIAMI-DADE COUNTY, a political subdivision of the State of Florida

Subject to the following encumbrances, liens and other exceptions:

1. **RECORDED MORTGAGES:**

Not Applicable

2. **RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS:**

Not Applicable

3. **GENERAL EXCEPTIONS:**

See Below.

4. **SPECIAL EXCEPTIONS:**

- Restrictions, Easements and Dedications as set forth on Plat of **KENDALE LAKES WEST SECTION 4**, recorded in Plat Book 100, at Page 34, and Plat of **A. J. BENDLE SUBDIVISION**, as recorded in Plat Book 1, at Page 30, of the Public Records of Miami-Dade County, Florida.
- Covenants recorded September 6, 1974, in Official Records Book 8773, at Page 1195 of the Public Records of Miami-Dade County, Florida.
- Release of Reservations No. 9782, recorded September 17, 1975, in Official Records Book 9101, at Page 1192, of the Public Records of Miami-Dade County, Florida.

- 4. Ordinance recorded April 1, 1982 in Official Records Book 11293, at Page 165, of the Public Records of Miami-Dade County, Florida, authorizing the consolidation of "Kendale Lakes and Kendale Lakes South Landscape Maintenance Special Taxing Districts" in accordance with the provisions of Section 18-16 of the Dade County Code..
- 5. Covenant Running with the land in favor of Miami-Dade County recorded June 24, 2005 in Official Records Book 23510, at page 507, of the Public Records of Miami-Dade County, Florida.

Based and conditioned upon all the assumptions, exceptions and statements hereinabove set forth, together with all and any other exception listed in the Commitment for Title Insurance, as referred to above, and upon the premises that no encumbrances, liens or judgments have been filed against the property subsequent to MIAMI-DADE COUNTY, a political subdivision of the State of Florida, obtaining title on these properties, I am of the opinion that, subject to any conditions, restrictions, covenants, easements, reservations, limitations and liens of record or zoning regulations, MIAMI-DADE COUNTY has good and marketable fee simple title to the properties described herein.

Therefore, it is my opinion that the following parties must join in the agreement or final plat in order to make the agreement or final plat a valid and binding covenant on the lands described herein.

NAME	INTEREST EXCEPTION	SPECIAL NUMBER
MIAMI-DADE COUNTY a political subdivision of the State of Florida	Owner	

(NOTE: If any property owner is a partnership or trust, please include the names of all partner(s) or trustee(s) who are required to execute the plat dedication.)

I HEREBY CERTIFY that the legal description contained in this Opinion of Title coincides with, includes and covers the same land as the legal description in the proffered, recordable agreement or final plat.

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida, and am a member in good standing of the Florida Bar.

Respectfully submitted this ____ day of September, 2007.

By: _____
 Attorney at Law
 Print Name: _____
 Florida Bar No. _____
 Address: _____

STATE OF FLORIDA :
 COUNTY OF MIAMI-DADE :

The foregoing instrument was acknowledged before me this ____ day of September, 2007, by _____, who is personally known to me.

 NOTARY PUBLIC
 State of Florida at Large
 My Commission Expires:
 (Seal)

LEGAL DESCRIPTION

A portion of Tracts 45 and 46 of "A.J. BENDLE SUBDIVISION" in Section 33, Township 54 South, Range 39 East, as recorded in Plat Book 1, at Page 30, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Southwest corner of the East $\frac{1}{4}$ of said Section 33 and run North 2 degrees 16 minutes 31 seconds West, along the West line of the East $\frac{1}{4}$ of said Section 33 for 55.00 feet to the Point of Beginning of the following described parcel of land; thence continue North 2 degrees 16 minutes 31 seconds West for 973.34 feet; thence run north 87 degrees 43 minutes 29 seconds East for 447.73 feet; thence run South 15 degrees 10 minutes 15 seconds West for 412.43 feet to the Point of Curvature of a circular curve to the left; thence run Southwesterly and Southerly, along said curve having a central angle of 17 degrees 28 minutes 22 seconds and a radius of 1847.56 feet for an arc distance of 563.43 feet to a Point of Reverse curvature; thence run Southerly and Southwesterly, along a circular curve to the right having a radius of 25.00 feet and a central angle of 90 degrees 00 minutes 00 seconds for an arc distance of 39.27 feet to a Point of Tangency; thence run South 87 degrees 41 minutes 53 seconds West; parallel with and 55.00 feet North of the South line of said Section 33, for 214.10 feet to the Point of Beginning, a/k/a Tract 17, KENDALE LAKES WEST SECTION 4, according to the Plat thereof, as recorded in Plat Book 100, at page 34, of the Public Records of Miami-Dade County, Florida.

LESS:

A portion of Tract 17 (Park Site), KENDALE LAKES WEST SECTION FOUR, as recorded in Plat Book 100, at Page 34, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Tract 17 (Park Site) and run South 15 degrees 10 minutes 15 seconds West for 197.43 feet to the Point of Beginning of the following described parcel; thence continue South 15 degrees 10 minutes 15 seconds West for 31.45 feet, said last mentioned two courses being coincident with the Easterly line of said Tract 17 (Park Site); thence South 87 degrees 43 minutes 29 seconds West for 30.00 feet; thence North 2 degrees 16 minutes 31 seconds West at right angles to the last described course for 30.00 feet; thence North 87 degrees 43 minutes 29 seconds East for 39.43 feet to the Point of Beginning, all lying and being in Section 33, Township 54 South, Range 39 East, Miami-Dade County, Florida; said property constituting the site of a utility lift station.

**THE ABOVE LEGAL INCLUDES THE PORTION OF PROPERTY
CONTAINED IN FOLIO #30-4933-006-0050 AND WHICH IS THE
SUBJECT OF THIS OPINION OF TITLE FOR THE KENDALE LAKES**

EXHIBIT A
LIBRARY WAIVER OF PLAT AND IS MORE PARTICULARLY DESCRIBED
AS FOLLOWS:

The South 352 feet of Tract 17, KENDALE LAKES WEST, Section 4, according to the plat thereof, recorded in Plat Book 100, Page 34, of the Public Records of Miami-Dade County, Florida.