



City of Miami Gardens

REQUEST FOR PROPOSALS

The City of Miami Gardens is requesting sealed proposals from qualified firms or individuals for lobbying services with the United States Congress and Executive branch of the Federal Government and various Federal agencies for the City of Miami Gardens, Florida. Failure to submit the required documentation may render the proposal non-responsive.

PROPOSAL SUBMISSION

Proposals will be received by sealed envelope in the Office of the City Clerk of Miami Gardens, 1515 N.W. 167th Street; Bldg. 5, Suite 200, Miami Gardens, Florida 33169 until 2:00 P.M. on Thursday, **January 15, 2009**, at which time they will be opened and read in the Council Chambers by the Procurement Manager. Proposals received after this time will not be considered and no time extensions will be permitted. Please clearly mark Proposals:

“RFP# 08-09-21– FEDERAL LOBBYIST SERVICES ”

Copies of this Proposal Document may be obtained by contacting DemandStar by Onvia at www.demandstar.com or call toll free 1-800-711-1712 and request Document #0809021 or may be found on the City's web site at www.miamigardens-fl.gov. Vendors who obtain specifications and plans from other sources other than DemandStar.com are cautioned that the Proposal package may be incomplete. All addendums, tabulation, evaluation meeting notices and recommendation of award will be posted and disseminated by DemandStar.

FOR INFORMATION

For information on this Request for Qualifications, contact the Procurement Department, (305) 622-8000.

ACCEPTANCE AND REJECTIONS

The City of Miami Gardens reserves the right to reject any or all Proposals with or without cause; to waive any or all irregularities with regard to the specifications and to make the award to the Consultant offering the greatest advantage to the City.

Please be advised that Pursuant to City Ordinance 2008-03-139 “Cone of Silence”, public notice is hereby given that a Cone of Silence is imposed concerning this City's competitive purchasing process, which generally prohibits communications concerning the RFP until such time as the City Council deliberates on the making of an award concerning the competitive purchase transaction. Please see the detailed specifications for the public solicitation for services for a statement fully disclosing the requirements of the “Cone of Silence”.



City of Miami Gardens

1515 N.W. 167th Street: Bldg. 5, Suite 200
Miami Gardens, Florida 33169

December 12, 2008

SUBJECT: Request for Proposals (RFP) for Federal Lobbyist Services

The City of Miami Gardens invites you to submit an original Proposal, eight (8) bound copies and one (1) CD (total 10 proposals) in response to our Request for Proposals. All submissions and inquiries must be addressed as outlined in the RFP.

The proposals are to be submitted in a sealed envelope clearly marked Important, Proposal Enclosed bearing the name of the proposer, and the address as well as the title of the RFP no later than 2:00 P.M. local time, Thursday, **January 15, 2009**. Address your proposal to City Clerk, City of Miami Gardens, 1515 N.W. 167th Street; Bldg. 5 Suite 200, Miami Gardens, Florida 33169.

The City's tentative schedule for this Request for Proposals is as follows:

| | |
|--------------------------------|-----------------------------|
| Deadline for Written Questions | January 9, 2009 |
| Opening of Proposals: | January 15, 2009 |
| Proposals Evaluations: | January 19-26, 2009 |
| Evaluation Committee Meeting: | February 11, 2009 |
| Oral Presentations: | February 25, 2009 if needed |
| Council Award: | February 25, 2009 |

The City reserves the right to delay or modify scheduled dates. The City will notify proposers of all changes in scheduled dates.

We look forward to your active participation in this solicitation.

Sincerely,

Pam Thompson

Pam Thompson, CPPO, CPPB
Procurement Manager

CITY OF MIAMI GARDENS
Request for Proposals
RFP #08-09-021
January 15, 2009

1.0 PURPOSE

The City of Miami Gardens, Florida desires to retain qualified professional Consultant or individual to provide Federal Legislative Lobbyist Services for the City Miami Gardens, FL. as required under a non-exclusive services contract.

Interested consulting Firms or individuals shall be qualified pursuant to law. These selected Consultants must be currently licensed to practice in the State of Florida, when required by law.

2.0 BACKGROUND

The City of Miami Gardens was incorporated in May 2003 under the Charter and Laws of Miami-Dade County. The City is governed by a seven (7) member Council. Four Council Members are elected from residential districts and two are elected citywide. The Mayor is also elected citywide. All terms are for four years and all are limited to two consecutive terms. The City operates under a Council-Manager government, with the administrative responsibilities vested with the City Manager. The City Council appoints the City Manager, City Attorney and City Clerk.

The City encompasses approximately 20 square miles and has approximately 105,000 residents. The City is the third largest city in Miami-Dade County. The City's fiscal year begins October 1st and ends on September 30th.

The City has a current contract for State Legislative Lobbying services.

The City of Miami Gardens provides the normal range of governmental services including public safety/police, parks and recreation, road maintenance, planning, zoning and building, code enforcement and community development to its citizens. Fire Services are provided by Miami-Dade County.

3.0 GENERAL INFORMATION/OBJECTIVE

The City of Miami Gardens seeks to retain the services of a Legislative Consultant for matters in which the City may need professional services before the U.S. Congress, Federal administrative agencies, Executive branch et al. Such services shall include attending legislative committee hearings and meetings, rule making proceedings or other administrative or legislative agency meetings.

Contract services shall include but not be limited to: scheduled, extended, or special legislative sessions and meetings; federal administrative and agency hearings, meetings, or rule making proceedings; and legal and legislative consulting services, in accordance with terms, conditions and specifications contained in this proposal.

The successful Consultant shall agree to be available at all times upon reasonable request to meet with the City Council, City staff, and others as specified in order to perform the responsibilities assigned; and to attend meetings with the Executive branch, Cabinet or Cabinet members or federal agencies on matters that directly or indirectly may affect the City. It is expected that the successful Consultant will review and understand the Agendas of the House and Senate leaders in order to assist the City to strategically seek funds.

Legal opinions are not required as a part of the Consultant's responsibilities, however, the City will expect the Consultant to understand the various laws and proposals and the Consultant shall be expected to have the ability to interpret legal implications and advise the City accordingly.

4.0 SCOPE OF SERVICES

- A.** Review on a continuing basis all existing and proposed Federal policies, programs and legislation. Identify those issues that may affect the City or its citizens, and regularly inform the City as to these matters, both written and orally. Provide legal and legislative expertise and consulting services.
- B.** Review the legislative policy statements of other governments and lobbying groups for the purpose of identifying issues which may either positively or negatively affect the City.
- C.** Assist the City Council and staff in the coordination and development of the City's legislative program. These issues may include: public safety, law enforcement, business attraction and retention, infrastructure improvements, telecommunications, transportation, environmental, affordable housing, economic development, revenue enhancement, mandates and other issues.
- D.** Monitor federal legislative committee meetings, agencies hearings and meetings prior to and during the regular and special legislative session(s) at which specific issues within the City's adopted legislative program are considered, as well as others that may arise that affect the City.
- E.** Work with the City Council and staff to develop special or general legislation in keeping with, or supportive of, the City's adopted legislative program.
- F.** Develop and evaluate strategy for support, opposition or amendment of pending legislation.
- G.** Testify and lobby before the Legislature, Executive branch and Cabinet as necessary on behalf of the City, during the annual legislative session, extended or special sessions(s) at legislative committee meetings.
- H.** Appear and testify before federal agency hearings, rule making proceedings and other administrative agency or legislative meetings, as required, to promote, oppose, and seek passage of legislation affecting the City or its citizens, and specific legislation contained in the City's legislative program.
- I.** Upon request, coordinate appointments/meetings between the City Council or other City staff, and appropriate federal officials and legislators.
- J.** Prepare and submit reports that may included but not limited to: personal briefings and information bulletins pertinent to any legislation, rules or regulations, and other federal policies or programs that affect the City and its citizens either directly or indirectly. Written summary report shall be submitted at the end of each week detailing legislative action taken during the week, status of legislative issues, anticipated action during the upcoming week, and suggested action plan that City staff or Council may implement. A report summarizing the status of the City's legislative priorities shall be provided within one week of the closing of the session and a more detailed final written report on specific legislation and new requirements affecting the City shall be provided within a reasonable time period, not to exceed thirty days from the close of session.
- K.** Prepare and submit periodic written reports (at least monthly) during those months that the legislature is not in session, on issues of interest or concern to the City. Such information may included, but not limited to action taken at interim committee meetings, rule making hearings, status of studies underway, and advance notice of legislation being proposed.
- L.** Upon request by the City, assist the City in coordinating applications and obtaining Federal grants. The Consultant is not expected to prepare grant applications.

5.0 REQUIREMENT OF CONSULTANT

Consultant shall perform the scope of services as contained in the RFP. The scope of services shall not be deemed to be all-inclusive and may be changed from time to time as authorized by City Council.

Consultants interested in performing these services must exhibit considerable relevant experience with this type of work, and should emphasize experience, working knowledge of City of Miami Gardens and South Florida issues, and capability of the particular Principal and personnel who will actually be assigned to the City.

Consultants shall possess or have continual and immediate access to legal and legislative expertise sufficient to execute all tasks and responsibilities in a thorough, competent and professional manner.

Relevant experience shall be contain at least five (5) clients contracted for same services within the last three years, including clients represented within Miami-Dade and Broward Counties.

Consultant shall provide the City with a current written listing of all its clients. This list must be kept current at all times, during the contract period and any extension terms. The Consultant shall notify the City of any new client(s) within ten days of such commitment(s). The written notice may be in the form of a facsimile or e-mail to the City Manager, or designee.

Consultant shall have and retain office space in Washington, D.C. during the term of this contract which will be accessible to the City, if needed. Consultant shall provide adequate legislative, clerical and technical support to the City, if needed.

6.0 FEE COMPENSATION

Consultant shall offer the City their fee as a firm, fixed annual fee which shall include all expenses including travel for the services as outlined in this RFP. Consultant shall invoice in monthly installments. Invoices shall detail services rendered during the preceding month, payable in arrears.

7.0 PROPOSAL DUE DATE

Sealed proposals shall include one original (clearly marked), one (1) CD and eight (8) complete bound copies with all appropriate attachments to be received at Miami Gardens City Hall until 2:00 p.m., eastern standard time, Thursday, **January 15, 2009**.

Proposals should be addressed as follows for mail or hand delivery:

Office of City Clerk
City of Miami Gardens
1515 N.W. 167th Street; Bldg. 5 Suite 200
Miami Gardens, Florida 33169

Submitted envelopes should be clearly marked "IMPORTANT PROPOSAL, ENCLOSED – RFP#08-09-021– "FEDERAL LOBBYING SERVICES"

8.0 SUBMISSION OF PROPOSAL

Incurred Expenses:

The City is not responsible for any expenses which proposers may incur preparing and submitting proposals called for in the Request for Proposals.

Interviews:

The City reserves the right to conduct personal interviews or required presentations on all proposers prior to selection. The City will not be liable for any costs incurred by the proposer in connection with such interviews/presentations (i.e. travel, accommodations, etc).

Proposal Acknowledge:

By submitting a proposal, the proposer certifies that the proposer has fully read and understands the proposal method and has full knowledge of the scope, nature, and quality of work to be performed.

Request for Additional Information:

The proposer shall furnish such additional information as the City of Miami Gardens may reasonably require. This includes information which indicates financial resources as well as ability to provide the system and/or services. The City reserves the right to make investigations of the qualifications of the proposer as it deems appropriate, including but not limited to, a background investigation conducted by the Miami Gardens Police Department.

Acceptance/Rejection/Modification to Proposals:

The City reserves the right to reject any and all proposals, and to waive minor irregularities in the procedure.

Proposals Binding:

All proposals submitted shall be binding for one hundred fifty (150) calendar days following opening.

Proposal Withdrawal:

Proposers may withdraw their proposals by notifying the City in writing at any time prior to the scheduled opening. Proposers may withdraw their proposals in person or through an authorized representative. Proposers and authorized representatives must disclose their identity and provide receipt for the proposal. Proposals, once opened, become the property of the City and will not be returned to the Proposers.

Proposal Disclosure:

Upon opening, proposals become "public records" and shall be subject to public disclosure consistent with Chapter 119, Florida Statutes. Proposers must invoke in writing the exemptions to disclosure provided by law in the response to the RFP by providing the specific statutory authority for claimed exemptions, identifying the data or other materials to be protected, and stating the reasons why such exclusion from public disclosure is necessary.

9.0 CONDITIONS OF PROPOSALS

- A.** Late Proposals – Proposals received by the City after time specified for receipt will not be considered. Proposers shall assume full responsibility for timely delivery at the location designated for receipt of proposals.
- B.** Completeness – All information required by this RFP must be supplied to constitute an acceptable proposal.
- C.** Public Opening – All proposals will be publicly opened at the time and place specified. Proposals may be reviewed by any person ten (10) days after the opening or recommendation of award which ever occurs sooner.
- D.** Award Presentation – The City Manager will present to City Council for acceptance and final award, one or more of the proposals, or reject all proposals, within one hundred and fifty (150) calendar days from the date of opening of proposals.
- E.** Executive Summary – Proposers will be required to provide at least eight (8) executive summary(s) for Council review. Summary will be requested after bid opening.
- F.** Oral Presentations – Proposers may be requested to provide oral presentations to staff and to City Council. Recommended company will be required to attend City Council meeting.

10.0 TERMS AND CONDITIONS OF CONTRACT

The contract to be entered into with the successful proposer(s) will include, but not be limited to, the following terms and conditions.

The proposer shall agree to indemnify and hold harmless and pay on behalf of the City, for any liability and/or legal costs arising out of any claims and litigation related to the services provided, including any actions that may arise from allegations regarding determination of appropriateness or inappropriateness of care or any acts, errors or omissions related to the service provided.

The contract shall be begin after City Council award and be in effect for two years with option to renew annually. Contract renewal shall be the City's prerogative; not a right of the Consultant. This prerogative will be exercised only when such continuation is clearly in the best interest of the City.

The City shall have the option of terminating the contract by giving the consultant thirty (30) days written notice.

11.0 REFERENCES

Please provide a list of five (5) clients/municipalities that have utilized the services being proposed to the City.

| | |
|----------|------------------------------|
| Include: | Name |
| | Address |
| | Contact |
| | Telephone & Facsimile Number |
| | E-mail address |
| | Date of Contract |

Indicate at least three clients with whom the City may speak with during the evaluation phase. It is the responsibility of the proposer to ascertain that the contact person will be responsive.

12.0 PROCEDURE FOR REVIEW

A Committee has been established to review and evaluate all proposals submitted in response to this RFP. The Committee shall conduct a preliminary evaluation of all proposals on the basis of the information provided and other evaluation criteria as set forth in this RFP.

The Committee will first review each proposal for compliance with the minimum qualifications and mandatory requirements of the RFP. Failure to comply with any mandatory requirements will disqualify a proposal.

The City Procurement Manager will notify all proposers whose proposals are within the competitive range. The competitive range is determined by the City, and will include all proposals with a reasonable chance of being selected for award, considering experience and other pertinent factors based upon evaluation criteria.

The City reserves the right to reject any and all proposals and to waive minor irregularities in the proposal. The City further reserves the right to seek new proposals when it is in the best interest of the City to do so.

13.0 EVALUATION OF PROPOSALS

Award shall be made to the responsible offeror whose proposal is determined to be the most advantageous to the City, taking into consideration the evaluation factors set forth below.

- A. Evidence of ability, capacity & skill of firm to perform, including working relationships with Federal Executive and Legislative branches, stability, availability. (Max. 25 points) Include ability to establish relationships with legislative leadership to promote the interests of the City of Miami Gardens
- B. Quality, depth & scope of response to proposal. (Max. 30 points) Include your detail methodology and approach in providing the services in all subject areas and issues that may affect the City.
- C. Proposer's understanding of the City of Miami Gardens and understanding of City's key issues. (Max. 20 points)
- D. Background & experience of personnel assigned to City. (Max. 15 points)
- E. Firm(s) with an office located in the City of Miami Gardens for at least 6 months prior to this RFQ. (Max. 5 points) – Copy of Business Tax License required.
- F. Firm(s) who've contributed to local school(s) per City Ordinance 2008-20-156 (Max. 5 points) Copy of commitment letter from principal is required.

14.0 ADDITIONAL INFORMATION/CLARIFICATIONS

Information provided by the City is to facilitate proposals. Effort was made to provide necessary and accurate information when this request was prepared, but the City is not to be penalized for any lack of completeness. Accuracy of this data is not guaranteed. It is the sole responsibility of proposers to assure that they have all information necessary for submission of their proposals.

Any questions relative to interpretation of specifications or if more information is needed, please contact the City Procurement Manager, in writing on or before **January 9, 2009**, and fax to: (305) 622-8001, e-mail: pthompson@miamigardens-fl.gov.

15.0 INFORMATION REQUIRED OF PROPOSER

In order to insure a uniform review process and to obtain the maximum degree of comparability, it is required that the proposals be organized in the manner specified.

- A. Proposal Format:
Proposal shall be in the following order:
Title Page, Table of Contents, Letter of Transmittal, All documents requiring signatures (i.e. Proposal Certificate, Questionnaire, etc.), Qualifications, General Information, Specific Information, References, Cost Proposal.
- B. Title Page:
Name of Proposer's company/corporation, address, telephone number, facsimile number, e-mail address, name of person which will handle City's account, date, and the subject RFQ#08-09-021 –FEDERAL LOBBYIST SERVICES
- C. Letter of Transmittal:
Limit to one or two pages. Briefly state the Proposer's positive commitment and understanding of the work to be performed.
- D. General Information:
State if business is local, national, or international and indicate the business legal status (corporation, partnership etc.).

Give the date business was organized and/or incorporated, and place of incorporation.

Ability to provide type, quality and quantity of services requested. Including experience handling similar volume of services, financial, technical skill, references and satisfactory record of performance.

A summary of the institution's financial resources (including the latest year audited financial statements and holding company).

Give the location of the office which will handle the City's account and the number of professional staff personnel at the office.

State if the business is licensed, permitted and/or certified to do business in the State of Florida, attach copies of all such licenses issued to the business entity if applicable.

E. Specific Information

Professional resumes of proposed Consultant principal in charge and all other key members of the anticipated team assigned to the City. Include current client list of principal.

Any supplemental materials which might enhance the City's understanding of the Consultant and its capabilities and experience.

F. Insurance Requirements

Proposer's must submit with their proposal, proof of insurance meeting or exceeding the following requirements.

- Workers' Compensation Insurance – as required by law and Employer's Liability Insurance - \$1,000,000
- Fidelity/dishonesty coverage - \$500,000 per occurrence
- General Liability Insurance - \$1,000,000 for each occurrence, general aggregate, personal injury and products/completed operations
- Automobile Liability Insurance - \$500,000 per occurrence, \$500,000 per accident for bodily injury and \$500,000 per accident for property damage.

The successful proposer(s) must submit, prior to signing of contract, a Certificate of Insurance naming the City of Miami Gardens as additional insured.

G. References

H. Proposer's Certification Form, Insurance Certifications, Drug Free Workplace Affidavit, W-9 form and Questionnaire

14.0 RIGHTS TO AUDIT

The Contractor may be subject to audit by federal, state and local agencies pursuant to this contract. The Contractor shall maintain adequate records to justify all charges, expenses and cost incurred in performing the services hereunder for at least three (3) years from the date of final payment. The City shall have access to such books, records, and documents for the purpose of inspection or audit during normal business hours at a place convenient and agreeable to the Contractor and the City.

15.0 PURCHASING CARD PROGRAM

The City has implemented a purchasing card program through Sun Trust Bank, using the VISA network. Contractors with purchasing card capability will receive payment from the VISA purchasing card in the same manner as other Visa purchases. Accordingly, respondents with present purchasing card capability shall have the ability to accept VISA or take whatever steps necessary to implement the ability before the start of the agreement term. The City can only accept VISA, however, the purchasing card is not the exclusive method of payment. Please indicate your ability to accept Visa purchasing card on Proposal Form.

16.0 CONFLICT OF INTEREST AND CODE OF ETHICS

As provided in Article 9 Ethics in Public Contracting of the City of Miami Gardens Ordinance No. 2005-10-28 and Ordinance 2008-03-139 "Cone of Silence", from the time of advertising until the City Council deliberates on the making of an award, there is a prohibition on communication with the City Manager and his staff and Mayor and City Council. The ordinance does not apply to oral communications at pre-bid/proposal conference, oral presentations before selection committees, contract negotiations, public presentations made to the City Council during any duly noticed public meeting or communications in writing at any time with any City employee, official or member of the City Council unless specifically prohibited by the applicable RFP, RFQ or bid documents. A copy of all written communications must be filed with the City Clerk.

17.0 ANTI-DISCRIMINATION

The Proposer certifies compliance with the non-discrimination clause contained in Section 202, Executive Order 11246, as amended by Executive Order 11375, relative to equal employment opportunity for all persons without regard to race, color, religion, sex or national origin.

18.0 TAXES

The City of Miami Gardens is exempt from all Federal Excise and State taxes. The applicable tax exemption number is shown on the Purchase Order.

19.0 APPLICABLE LAW AND VENUE

The law of the State of Florida shall govern the contract between the City of Miami Gardens and the successful Proposer and any action shall be brought in Miami-Dade County, Florida. In the event of litigation to settle issues arising hereunder, the prevailing party in such litigation shall be entitled to recover against the other party its costs and expenses, including reasonable attorney fees, which shall include any fees and costs attributable to appellate proceedings arising on and of such litigation.

20.0 NON-COLLUSION

By submitting this proposal, Proposer certifies that this offer is made without prior understanding, agreement, or connection with any corporation, firm or person submitting an offer for the same materials, services, supplies, or equipment and is in all respects fair and without collusion or fraud.

No premiums, rebates or gratuities are permitted, either with, prior to or after any delivery of material or provision of services. Any violation of this provision may result in the Contract cancellation, return of materials or discontinuation of services and the possible removal from the vendor Proposal list(s).

21.0 PROHIBITION OF INTEREST

No contract will be awarded to a Proposing firm who has City elected officials, officers or employees affiliated with it, unless the Proposing firm has fully complied with current Florida State Statutes and City Charter relating to this issue. Proposers must disclose any such affiliation. Failure to disclose any such affiliation will result in disqualification of the Proposer and may result in removal from the vendor Proposal list(s).

22.0 FLORIDA PUBLIC RECORDS ACT

All material submitted regarding this proposal becomes the property of the City. Proposals may be reviewed by any person ten (10) days after the public opening. Proposers should take special note of this as it relates to any proprietary information that might be included in their offer.

Any resulting contract may be reviewed by any person after the contract has been executed by the City. The City has the right to use any or all information/material submitted in response to this Proposal and/or any resulting contract from same. Disqualification of a proposer does not eliminate this right.

23.0 DISPUTES

Any actual or prospective Bidder, Proposer, Offeror or Contractor who is aggrieved in connection with a solicitation or award of a Bid or Contract may avail themselves of the procedures contained in Ordinance 2007-25-131 in order to resolve disputed matters or complaints.

The Procurement Manager shall post a tabulation of the Bid results with intended award recommendations. Posting shall be in the front office of City Hall or on the City's web site for public viewing.

Any actual or prospective bidder, proposer, offeror, or contractor who is aggrieved in connection with the solicitation or award of contract may file a written protest with the City Clerk and mailed by the protester to all responders to the bid proposal within seventy-two hours (72) hours of the City's recommendation for award or the City's actual award whichever comes first. The written protest shall state all the particular grounds on which it is based, shall include all pertinent documents and evidence. The protest letter to the City Clerk shall include proof of mailing/receipt to other responders to the bid and shall be accompanied by a cashier's check in the amount of \$500.00 representing the filing fee, plus a cost bond in the amount of \$2,500.00 to reimburse the City for all administrative costs associated with the appeal process. The \$2,500.00 bond shall be returned to the Protester if the Protester prevails in the hearing before the hearing examiner/special master. If the Protester does not prevail the City shall keep the bond. Any grounds not stated shall be deemed waived.

Failure to file a timely formal written protest within the time period specified shall constitute a waiver by the vendor of all rights of protest under this Bid/Proposal Protest Procedure.

In the event of a timely protest, the City Manager shall select a hearing examiner or special master, who shall be a member of the Florida Bar, who shall hold a hearing and submit written findings and recommendations within fifteen (15) days of the filing of the protest. The hearing examiner shall consider the written protests, supporting documents in evidence, the City's recommendations and supporting documentation and all evidence presented at the hearing. Such finding and recommendation shall be filed with the City Clerk.

The hearing examiner's findings and recommendations shall be final. Appeals of a decision by the hearing examiner shall be to the Miami-Dade County Circuit Court. The prevailing party in the appeal may be entitled to recover any and all attorneys' fees and costs incurred in the appeal.

24.0 LOCAL PREFERENCE

In accordance with the City of Miami Gardens Code of Ordinances No. 2005-26-64 Sec. 16, regarding preference to local business, when evaluation percentages are used to evaluate, and when a non-local business is the highest ranked proposer, and the ranking of a local proposer is within 5% of the ranking, then the local proposer shall proceed to negotiate. When a local business's price is within 5% of the lowest non-local business, then the local business can offer a best and final bid, within five days of bid opening, equal to or lower than the amount of the low bid submitted by the non-local business. Point structure as follows:

- Maximum 5 points: local consultant is the prime consultant
- Maximum 2.5 points: local consultant is sub-consultant

25.0 PREFERENCE MONETARY CONTRIBUTIONS TO LOCAL SCHOOLS

In accordance with the City of Miami Gardens Code of Ordinance No. 2008-20-156 regarding preference to businesses that make monetary contributions to local public schools, when evaluation percentages are used to evaluate, and when a non-contributing business is the highest ranked proposer, and the ranking of a contributing proposer is within 5% of the ranking, then the contributing proposer shall proceed to negotiate. When a contributing business's price is within 5% of the non-contributing business, then the contributing business can offer a best and final bid within five days of bid opening, equal to or lower than the amount of the low bid submitted by the non-contributing business. Lists of local schools and complete ordinance can be viewed on the City's web page www.miamigardens-fl.gov. The City estimates that the total spend per firm over the life of the contract will be in excess of \$250,000.

26.0 SMALL, MINORITY, WOMEN'S AND DISADVANTAGE BUSINESSES

The City of Miami Gardens encourages Small, Minority, Women's and Disadvantage Businesses to participate in this solicitation.

The City of Miami Gardens encourages prime contractor, if subcontractors are to be let, when economically feasible, to take affirmative steps to assure that Small, Minority, Women's and Disadvantage Businesses are used when possible. Affirmative steps shall include:

- Placing qualified small, minority, women's and disadvantage businesses on solicitation lists;
- Assuring that small, minority, women's and disadvantage businesses are solicited whenever they are potential sources;
- Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small, minority, women's and disadvantage businesses;
- Establishing delivery schedules, where the requirement permits, which encourage participation small, minority, women's and disadvantage businesses;
- Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce.

DRUG FREE WORKPLACE

Preference shall be given to businesses with drug-free workplace programs. Whenever two or more Proposals which are equal with respect to price, quality, and service from businesses that are not located within the City of Miami Gardens are received by the City for the procurement of commodities or contractual services, a Proposal received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. In order to have a drug-free workplace program, a business shall:

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

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

Vendor's Signature

PROPOSER'S CERTIFICATION

I have carefully examined the Request for Proposal, General Information, Specifications, proposed agreement and any other documents accompanying or made a part of this Request for Proposal.

I hereby propose to furnish the goods or services specified in the Request for Proposal. I agree that my proposal will remain Consultant for a period of up to 150 days in order to allow the City of Miami Gardens adequate time to evaluate the proposals.

I certify that all information contained in this proposal is truthful to the best of my knowledge and belief. I further certify that I am duly authorized to submit this proposal on behalf of the Consultant as its act and deed and that the Consultant is ready, willing and able to perform if awarded the contract.

I further certify, under oath, that this proposal is made without prior understanding, agreement, connection, discussion, or collusion with any other person, Consultant or corporation submitting a proposal for the same product or service; no officer, employee or agent of the City of Miami Gardens or any other proposer is interested in said proposal; and that the undersigned executed this Proposer's Certification with full knowledge and understanding of the matters therein contained and was duly authorized to do so.

A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crimes may not submit a Proposal on a contract to provide any goods or services to a public entity, may not submit a Proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit Proposals on leases of real property to public entity, may not be awarded or perform work as a contractor, supplier, sub-contractor or consultant under a contract with a public entity, and may not transact business with any public entity in excess of the threshold amount provided in Sec. 278.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

Name of Business

BY: _____
Signature

Sworn to and subscribed before me
This _____ day of _____, 20____

Name & Title, Typed or Printed

Mailing Address

City, State, Zip Code

(____) _____
Telephone Number Email Address

Notary Public

State of _____

(____) _____
Facsimile Number

PROJECT: FEDERAL LOBBYIST SERVICES

OWNER: CITY OF MIAMI GARDENS

CONSULTANT:

INSTRUCTIONS

- A. All questions are to be answered in full, without exception. If copies of other documents will answer the question completely, they may be attached and clearly labeled. If additional space is needed, additional pages may be attached and clearly labeled.
- B. The City of Miami Gardens shall be entitled to contact each and every person/company listed in response to this questionnaire. The proposer, by completing this questionnaire, expressly agrees that any information concerning the proposer in possession of said entities may be made available to the City.
- C. Only complete and accurate information shall be provided by the proposer. The proposer hereby warrants that, to the best of his knowledge and belief, the responses contained herein are true, accurate, and complete. The proposer also acknowledges that the City is relying on the truth and accuracy of the responses contained herein. If it is later discovered that any material information given in response to a question was provided by the proposer, knowing it was false, it shall constitute grounds for immediate disqualification, termination, or rescission by the City of any subsequent agreement between the City and the proposer.
- D. If there are any questions concerning the completion of this form, the proposer is encouraged to contact Pam Thompson, CPPO, Procurement Manager, facsimile: (305)622-8001, e-mail: pthompson@miamigardens-fl.gov.

QUESTIONNAIRE

Proposer's Name: _____

Principal Office Address: _____

Official Representative: _____

Individual

Partnership (Circle One)

Corporation

If a Corporation, answer this:

When Incorporated:

In what State: _____

If Foreign Corporation:

Date of Registration with
Florida Secretary of State: _____

Name of Resident Agent: _____

Address of Resident Agent: _____

President's Name: _____

Vice President's Name: _____

Treasurer's Name: _____

Members of Board of Directors:

If a Partnership:

Date of Organization: _____

General or Limited Partnership*: _____

Name and Address of Each Partner:

Name

Address

1. _____

2. _____

3. _____

*Designate general partners in Limited Partnership

1. Number of years of relevant experience in operating similar business: _____

2. Have any similar agreements held by proposer for a similar project to the proposed project ever been canceled?

Yes ()

No ()

If yes, give details on a separate sheet.

3. Has the proposer or any principals of the applicant organization failed to qualify as a responsible proposer, refused to enter into a contract after an award has been made, failed to complete a contract during the past five (5) years, or been declared to be in default in any contract in the last five (5) years?

If yes, please explain:

4. Has the proposer or any of its principals ever been declared bankrupt or reorganized under Chapter 11 or put into receivership?

If yes, give date, court jurisdiction, action taken, and any other explanation deemed necessary.

5. Person or persons interested in the proposal and Questionnaire Form _____ (have) _____ (have not) been convicted by a Federal, State, County or Municipal Court of any violation of law, other than traffic violations. To include stockholders over ten percent (10%). (Strike out inappropriate words).

Explain any convictions on a separate sheet.

6. Lawsuits (any) pending or completed involving the corporation, partnership or individuals with more than ten percent (10%) interest:
 - A. List all pending lawsuits:

 - B. List all judgments from lawsuits in the last five years:

 - C. List any criminal violations and/or convictions of the proposer and/or any of its principals:

 - D. List any criminal violations and/or convictions of the proposer and/or any of its principals:

7. Conflicts of Interest. The following relationships are the only potential, actual or perceived conflicts of interest in connection with this proposal: (If none, so state).

The proposer understands that information contained in this Questionnaire will be relied upon by the City of Miami Gardens in awarding the proposed Agreement and such information is warranted by the proposer to be true. The undersigned proposer agrees to furnish such additional information, prior to acceptance of any proposal relating to the qualifications of the proposer, as may be required by the City Manager.

The proposer further understands that the information contained in this questionnaire may be confirmed through a background investigation conducted by the Miami Gardens Police Department. By submitting this questionnaire, the proposer agrees to cooperate with this investigation, including but not necessarily limited to fingerprinting and providing information for credit check.

I certify that the information and responses provided on this Questionnaire are true, accurate and complete. The Owner of the Project or its representatives may contact any entity or reference listed in this Questionnaire. Each entity or reference may make any information concerning the Contractor available to the Owner.

Dated _____, **20**__

CONSULTANT:

By _____
Its _____

Sworn to and subscribed before me this _____ day of
_____, 20__

Notary Public

My Commission Expires:

AFFIDAVIT FOR CORPORATION

State of _____

County of _____

_____,
is _____ (title) _____ of _____ the
_____ (corporation described
herein) being duly sworn, deposes and says that he is familiar with the books or
the said corporation showing its financial position; that the foregoing statements
are a true and accurate statement of the financial position of said corporation as
of the date hereof; and, that the statements and answers to the interrogatories of
the foregoing experience questionnaire are correct and true as of the date of this
affidavit and, that he understands that intentional inclusion of false, deceptive or
fraudulent statements on this application constitutes fraud; and, that the City of
Miami Gardens considers such action on the part of the applicant to constitute
good cause for denial, suspension or revocation of a existing work or contracts
being performed by the Contractor for the City of Miami Gardens.

(Officer must also sign here)

Sworn to me before this _____ day of 20_____,
by _____ (name of affiant). He/she is personally known to me
or has produced _____ (type of identification) as identification.

(Notary)

SEAL

AFFIDAVIT FOR INDIVIDUAL

State of _____

County of _____

_____ being duly sworn, deposes and says that the foregoing financial statements are a true and accurate statement of his financial position as of the date thereof, and that the answers to the interrogatories contained therein are true; and, that the statements and answers to the interrogatories of the foregoing experience questionnaire are correct and true as of the date of this affidavit; and, that he understands that intentional inclusion of false, deceptive or fraudulent statements on this application constitutes fraud; and, that the City of Miami Gardens considers such action on the part of the applicant to constitute good cause for denial for bidding on City construction projects or the suspension or revocation of existing work or contracts being performed by the Contractor for the City of Miami Gardens, Florida.

(Applicant)

Sworn to me before this _____ day of 20____, by _____ (name of affiant). He/she is personally known to me or has produced _____ (type of identification) as identification.

(Notary)

SEAL

AFFIDAVIT FOR CO-PARTNERSHIP

State of _____

County of _____

_____ is a member of the Consultant of _____, being duly sworn deposes and says that the foregoing financial statements are a true and accurate statement of the financial position of said Consultant as of the date thereof, and that the answers to the interrogatories contained therein are true; and, that the statements and answers to the interrogatories of the foregoing experience questionnaire are correct and true as of the date of this affidavit; and, that he understands that intentional inclusion of false, deceptive or fraudulent statements on this application constitutes fraud; and, that the City of Miami Gardens considers such action on the part of the applicant to constitute good cause for denial for bidding on City construction projects or the suspension or revocation of existing work or contracts being performed by the Contractor for the City of Miami Gardens, Florida.

(Member of Consultant)

Sworn to me before this _____ day of 20____, by _____ (name of affiant). He/she is personally known to me or has produced _____ (type of identification) as identification.

(Notary)

SEAL

Request for Taxpayer Identification Number and Certification

Give form to the
 requester. Do not
 send to the IRS.

| | | |
|---|---|---|
| Print or type See Specific Instructions on page 2. | Name (as shown on your income tax return) | |
| | Business name, if different from above | |
| | Check appropriate box: <input type="checkbox"/> Individual/Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other ▶ | |
| | <input type="checkbox"/> Exempt from backup withholding | |
| | Address (number, street, and apt. or suite no.) | Requester's name and address (optional) |
| City, state, and ZIP code | | |
| List account number(s) here (optional) | | |

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

| |
|--------------------------------|
| Social security number |
| |
| + + |
| OR |
| Employer identification number |
| |
| + + |

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

| | | |
|------------------|----------------------------|--------|
| Sign Here | Signature of U.S. person ▶ | Date ▶ |
|------------------|----------------------------|--------|

Purpose of Form

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

U.S. person. Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee.

In 3 above, if applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

For federal tax purposes, you are considered a person if you are:

- An individual who is a citizen or resident of the United States,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States, or
- Any estate (other than a foreign estate) or trust. See Regulations sections 301.7701-6(a) and 7(a) for additional information.

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,

