



REQUEST FOR PROPOSALS

BANK LENDING SERVICES Refunding Revenue Note RFP No. 2020-2021-8500-00-005

DEADLINE FOR REQUESTING ADDITIONAL INFORMATION & CLARIFICATION

JUNE 28, 2021 @ 2:00 PM

DEADLINE FOR SUBMITTING PROPOSALS

JULY 6, 2021 @ 11:00 AM

AT

CITY OF HIALEAH
OFFICE OF THE CITY CLERK
CITY HALL, 3RD FLOOR
501 PALM AVENUE
HIALEAH, FL 33010 – 4719

Each Proposer is solely responsible for ensuring that it delivers its response to this Request for Proposals at the Office of the City Clerk on or before the deadline for submitting proposals. The City of Hialeah will not be responsible for delays caused by the United States Postal Service, any third-party delivery service or any other occurrence.

Copies of this RFP may be obtained by contacting Luis Suarez, Purchasing Manager of the City's Purchasing Department, at LASuarez@hialeahfl.gov.



The City of Hialeah, Florida (hereinafter referred to as the “City”), is hereby soliciting proposals from all qualified companies that wish to provide the City with financing for the refunding of existing revenue note. Any Person wishing to submit a proposal must comply with the requirements contained in this Request for Proposals (“RFP” or “Solicitation”).

Each proposal shall be submitted in a sealed envelope containing the proposal. The outside of the sealed envelope must clearly indicate the name and number of this RFP (Bank Lending Services – Refunding Revenue Note - RFP No. 2020-2021-8500-00-005); the Proposer’s name and address; and the name and telephone number of the Proposer’s contact person.

Each proposal must be delivered to the City Clerk no later than the date and time specified below as the “Deadline for Submittal of Proposals” addressed to City of Hialeah, Office of the City Clerk, Hialeah City Hall, 3rd floor, 501 Palm Avenue, Hialeah, FL 33010. Proposals received after said date and time will not be considered. No time extensions will be granted. Copies of this Solicitation may be obtained from the Purchasing Department.

The City’s schedule for this RFP is as follows:

Event	Date	Time
Advertisement Date:	June 14, 2021	N/A
Last Date for Receipt of Written Questions:	June 28, 2021	2:00 PM
Deadline for Submittal of Proposals:	July 6, 2021	11:00 AM
Selection of Lender (tentative):	July 9, 2021	TBD
Council Approval:	TBD	TBD
Anticipated Pricing Date:	TBD	TBD
Anticipated Closing Date:	TBD	TBD

(The City reserves the right to delay or modify the scheduled dates. The City will publish notice on the City’s website if there are any changes in the scheduled dates.)

ACCEPTANCE AND REJECTION OF PROPOSALS

Each Proposer should carefully review the entire text of the City’s Solicitation. The Solicitation describes the City’s rights and the Proposer’s obligations under this Solicitation. Among other things, the City reserves its right to: reject any or all proposals, with or without cause; waive minor irregularities with regard to the proposal requirements and the proposals received; and award the City’s work to a Proposer that is responsive, responsible, and provides the best overall value to the City, as determined by the City in its discretion. The City also reserves its right to award the City’s work to multiple vendors, based on the City’s needs. By submitting a proposal in response to this Solicitation, a Proposer acknowledges that it accepts all of the terms, conditions, and limitations imposed on the Proposer by this Solicitation.

Please be advised that this Solicitation is issued subject to the City of Hialeah’s Code of Ordinances. Communications with the Mayor, City Council, and City Staff are restricted.

We look forward to your active participation in this Solicitation.

Sincerely,

Luis A. Suarez

Purchasing Manager

Table of Contents

Section 1	Definitions
Section 2	Special Conditions
	2.1 Introduction and Background
	2.2 Solicitation Timetable
	2.3 Proposal Clarification and Inquiries
	2.4 Method of Award
	2.5 Proposal Opening
	2.6 Objections and Protests
Section 3	Scope of Services
	3.1 Scope of Work
	3.2 Award Criteria
	3.3 Proposal Requirements
Section 4	Instructions for Preparing a Proposal
	4.1 Copies of Proposal
	4.2 Tabbing of Sections
	4.3 Proposal Package
	4.4 Copies of Proposal
	4.5 Submission
Section 5	Forms
	Form 1 – Bidder’s Statement of Organization
	Form 2 – Public Entity Crimes Affidavit
	Form 3 – Non-Collusion Affidavit
	Form 4 – Drug-Free Workplace
	Form 5 – Acknowledgement of Addenda
	Form 6 – Certification to Accuracy of Bid
	Form 7 – City of Hialeah Disclosure Affidavit
	Form 8 – Assignments of Antitrust Claims
	Form 9 – E-Verify Sworn Statement

Section 1.0 Definitions

The capitalized words in this Request for Proposals (“RFP”) are defined in this Section 1.0. In this RFP, the words “include” and “including” shall be deemed to be followed by the words “without limitation.” References to “included” matters or items will be regarded as illustrative and will not be interpreted as a limitation on or an exclusive listing of the matters or items referred to. The following definitions shall be used in this RFP:

- 1.1** “Agreement” means the Banking/Underwriting Agreement, Bond Purchase Agreement or other financing agreement for the offering of bonds or syndicated loan, awarded to the Successful Proposer, including all of the exhibits and amendments thereto.
- 1.2** “Award” means the City Council’s decision to accept a proposal and enter into a Bond Purchase Agreement or other financing agreement with the Proposer selected.
- 1.3** “City” means, depending on the context, either (a) the geographic area contained within the municipal boundaries of the City of Hialeah, Florida or (b) the government of the City, acting through the City Council or its designees.
- 1.4** “Proposer” means the Person, company, entity or organization submitting a Proposal in response to this Request for Proposals.
- 1.5** “Solicitation” means this request for proposals.
- 1.6** “Successful Proposer” means the Proposer, whether one or more than one, selected by the City to serve as the City’s vendor under the Agreement.

Section 2.0 Special Conditions

2.1 INTRODUCTION AND BACKGROUND

The City of Hialeah (“City”) is the sixth largest municipality in Florida. Located in the northwest part of Miami-Dade County, the City has a total population of 233,431 according to the Bureau of Economic and Business Research, University of Florida.

The City of Hialeah, Florida (the “City”) is seeking proposals bank lending services for the City’s Refunding Revenue Note, Series 2021 (the “Series 2021 Bonds”).

The proposed Series 2021 Note will be used to: (1) refund the outstanding callable maturities of the Florida Municipal Loan Council Refunding and Improvement Revenue Bonds, Series 2012A (City of Hialeah Series) (the “Series 2012A Bonds”), and (2) to pay the cost of issuance. Interested proposers should submit bids for a taxable advance refunding transaction, tax-exempt forward refunding transaction, or “Cinderella” transaction (taxable refunding with conversion to tax-exempt at call date) in an aggregate amount not to exceed \$29,000,000, closing on or about August 13, 2021.

The principal of and interest on the Series 2021 Note will be secured by a covenant of the City to budget and appropriate sufficient Non-Ad Valorem Revenues. The Series 2021 Note shall not be or constitute a general obligation or indebtedness of the City. The covenant to budget and appropriate Non-Ad Valorem Revenues for the Series 2021 Note will be the same as the covenant contained in the bond indenture and loan agreement for the City’s Series 2012A Bonds.

2.2 SOLICITATION TIMETABLE

The following timetable should be used as a working guide for planning purposes. The City reserves the right to adjust this timetable, as the City deems necessary, during the course of this Solicitation process.

Event	Date	Time
Advertisement Date:	June 14, 2021	N/A
Last Date for Receipt of Written Questions:	June 28, 2021	2:00 PM
Deadline for Submittal of Proposals:	July 6, 2021	11:00 AM
Selection of Lender (tentative):	July 9, 2021	TBD
Council Approval:	TBD	TBD
Anticipated Pricing Date:	TBD	TBD
Anticipated Closing Date:	TBD	TBD

(The City reserves the right to delay or modify the scheduled dates. The City will publish notice on the City’s website if there are any changes in the scheduled dates.)

2.3 PROPOSAL CLARIFICATION AND INQUIRIES

Any questions or suggestions concerning this Solicitation must be submitted in writing by mail, facsimile, or e-mail to Mr. Luis Suarez, the City’s Purchasing Manager no later than the time and date specified in the Solicitation Timetable (Section 2.3). Mail should be addressed to Mr. Suarez at the City of Hialeah, Purchasing Department, City Hall, 501 Palm Avenue (4th Floor), Hialeah, Florida 33010. Facsimile transmissions shall be directed to Mr. Suarez at (305) 883-5871; E-mails shall be directed to LASuarez@hialeahfl.gov. Each Proposer shall be deemed to have waived all questions and suggestions that are not submitted to the Purchasing Manager in compliance with the requirements and deadline in this RFP.

NO ORAL QUESTIONS OR SUGGESTIONS WILL BE ADDRESSED BY THE CITY. NO QUESTIONS OR SUGGESTIONS WILL BE ACCEPTED AFTER THE DEADLINE FOR SUBMITTING WRITTEN QUESTIONS.

The City's official responses to questions and suggestions will be issued in an addendum to this Solicitation. Proposers may not rely on oral or written statements provided by the City, unless such statements are contained in a written addendum to this Solicitation. It is the Proposer's sole responsibility to ensure the Proposer receives all addenda.

2.4 METHOD OF AWARD

The City will open and evaluate proposals to determine whether the Proposer is responsive and responsible. Pursuant to Section 2-811 of the City's Code, a responsive Proposer "means a person who has submitted a bid or proposal that conforms in all material respects to the request for proposals. . . ." A responsible Proposer "means a person who has the capacity in all respects to fully perform the contract requirements and has the integrity and reliability that will ensure good faith performance."

The City reserves its right to take all steps it deems necessary to evaluate the Proposer's qualifications and proposal. A Proposer that does not provide the information requested by the City may be disqualified from this Solicitation. Proposals will be evaluated by the City, which will be seeking to distinguish which proposers have, through the appropriate combination of several criteria, the abilities to perform the required services to the satisfaction of the City. The City reserves the right to evaluate proposals by committee or delegate the authority to evaluate all proposals to the appropriate department director, who shall then make a recommendation to the Mayor and City Council for selection.

2.5 PROPOSAL OPENING

The names of the Proposers will be read aloud in the Council Chambers, which is located on the 3rd floor of City Hall, 501 Palm Avenue, Hialeah, FL 33010, promptly after the deadline for submitting proposals. A list of Proposers shall be available from the City Clerk's Office within 24 hours after the deadline for submitting proposals. The public's access to the Council Chambers during the public opening of the proposals will be limited. Additional information on the conduct of public meetings during the pandemic can be obtained by contacting the Office of the City Clerk.

2.6 OBJECTIONS AND PROTESTS

Pursuant to Section 2-815.1 of the City Code, any responsive and responsible Proposer that is aggrieved in connection with this Solicitation or the proposed award may file a written protest with the City Clerk. Any protest shall be handled pursuant to Section 2-815.1 of the City Code.

Section 3.0 Scope of Service

3.1 SCOPE OF WORK

The following describes the City’s requirements in issuing the Series 2021 Note:

- A. **Amount:** Principal Amount not to exceed \$29,000,000. Respondents are not allowed to submit bids that would commit less than the full amount of the Series 2021 Note.
- B. **Final Maturity:** No later than May 1, 2033.
- C. **Fixed rate on a non-bank qualified basis.** The rate quoted may not exceed the maximum rate permitted under Florida Statute 215.84 applicable at the time of sale.
- D. **Preliminary Amortization Schedule (Subject to change – assumes taxable refunding):**

Series 2021 Amortization (15 Years)			
<i>Average Life: 7.1 Years</i>			
Payment Date	Principal	Payment Date	Principal
5/1/2022	385,000	5/1/2028	2,535,000
5/1/2023	2,335,000	5/1/2029	2,575,000
5/1/2024	2,370,000	5/1/2030	2,620,000
5/1/2025	2,405,000	5/1/2031	2,660,000
5/1/2026	2,450,000	5/1/2032	2,705,000
5/1/2027	2,490,000	5/1/2033	2,745,000
		Total	28,275,000

- E. **Repayment Provisions:** Interest payments on the outstanding principal balance of the term loan will be calculated on a 30/360-day basis and will be paid semiannually on May 1 and November 1 of each year, beginning November 1, 2021. The principal amount of the Series 2021 Note will be payable annually on May 1 of each year, beginning May 1, 2022, through the final maturity.
- E. **Prepayment Options:** Please specify any prepayment parameters. Please note that the City would prefer a proposal that does not entail a prepayment penalty.
- G. **Anti-Dilution Requirements:** During such time as the Series 2021 Note is outstanding, the City has agreed and covenanted that Non-Ad Valorem Revenues shall cover Debt by at least 1.5x, and further, projected maximum annual debt service requirements for all debt solely secured by non-ad valorem revenues will not exceed 20% of governmental fund revenues (defined as general fund, special fund, debt service fund, and capital projects fund).

Please see the Series 2012A Bonds loan agreement for more information on the anti-dilution test.

- H. The City reserves the right to reject proposals with onerous terms and conditions. The City will not accept any offer with most favored nations language, capital adequacy, or other interest rate adjustment language with respect to changes to tax law. This includes proposals that contain any interest rate adjustment language related to a change in the maximum corporate tax rate. The only interest rate adjustment provision the City will consider is one imposed by final judgment of the IRS and due from the holder which results solely from the City’s actions or inactions.

- I. At the closing of the Series 2021 Note, the offeror will be required to make certain certifications, including but not limited to certifications that it:
- (1) Is not acting as a broker or other intermediary, and is purchasing the Series 2021 Note as an investment for its own account and not with a present view to resale or other distribution to the public;
 - (2) Understands that the Series 2021 Note may not be transferred in a denomination less than \$100,000 under any circumstances;
 - (3) Is a bank, trust company, savings institution, insurance company, dealer, investment company, pension or profit-sharing trust, or qualified institutional buyer as contemplated by Section 517.061(7), Florida Statutes;
 - (4) Is not purchasing the Series 2021 Note for the direct or indirect promotion of any scheme or enterprise with the intent of violating or evading any provision of Chapter 517, Florida Statutes; and
 - (5) Is an "accredited investor" within the meaning of the Securities Act of 1933, as amended, and Regulation D thereunder.
- J. The successful offeror will also represent that it has a present intent to hold the Note subject to this transaction to maturity, earlier redemption, mandatory tender, or for its loan portfolio, and has no present intention of reselling or otherwise disposing of all or a part of such Note. The successful Bidder acknowledges that PFM Financial Advisors LLC ("Municipal Advisor") is relying on the foregoing representation and based on this representation this transaction meets the requirements for being a qualifying exception for purposes of MSRB Rule G-34, and the Municipal Advisor is excepted and released from the requirement to request a CUSIP assignment on behalf of Collier City pursuant to MSRB Rule G-34 for the Note.

3.2 AWARD CRITERIA

RFP award criteria are as follows:

- Award shall be based upon the responses to all questions detailed in the RFP.
 - Further consideration may include but not be limited to, references, completeness of bid response and past performances on other City bids/projects.
 - Mathematical miscalculations may be corrected by the City to reflect the proper response.
 - The City reserves the right to clarify a vendor's proposal prior to the award of the solicitation.
 - It is the intent of the City to award to the lowest, qualified and responsive vendor(s) in accordance with the following methodology:
1. Provide the quoted interest rate at the time of response to this RFP (specify the date the rate was calculated). The City desires a rate that is locked through the anticipated Closing Date (August 13, 2021). If the respondent is not able hold the interest rate through the Closing Date, please specify the formula used to calculate the interest rate.
 2. Fees and Expenses: Provide a single TOTAL cost for all fees and expenses and describe in detail all fees and expenses which the City will be responsible to pay. The amounts stated in the proposal shall represent the maximum amounts payable to the proposer by the City. All fees and expenses in excess of those stated in the proposal shall be the sole responsibility of the proposer and will not be paid or reimbursed by the City. The City's Note Counsel, Bryant Miller Olive P.A., will deliver opinions required for the Series 2021 Note.

The notification of award of the RFP does not obligate the City to close on the Series 2021 Note.

Section 4.0

Submission Instructions and Requirements

IT IS THE RESPONSIBILITY OF EACH PROPOSER TO ENSURE THAT THE PROPOSAL BEING SUBMITTED IS COMPLETE AND ADDRESSES ALL OF THE REQUIREMENTS SET FORTH IN THIS SOLICITATION.

4.1 COPIES OF PROPOSAL

Please submit a sealed original proposal and clearly mark it as the “Original.” Three (3) complete, signed, and sealed paper copies of the original proposal also must be submitted and each should be clearly marked as “Copy”. In addition, one complete copy of the original signed proposal must be submitted to the City in an electronic (digital) format, in an Adobe (pdf) file, on a compact disk (CD), DVD, or USB Flash Drive. The CD, DVD, or USB Flash Drive must be clearly labeled with the Proposer’s name, the Solicitation number, and the Solicitation title. If any of the copies is incomplete, the proposal may be deemed non-responsive.

4.2 TABBING OF SECTIONS

Each section of the proposal shall be separated by a physical tab or divider to ensure that necessary documents are not overlooked. You may label each tab as A, B, C, etc. or Chapter 1, 2, 3 etc. to conform with the information requested. If a tab section does not apply to you, you should put “Not Applicable” on the tab divider page on or a sheet of paper.

4.3 PROPOSAL PACKAGE

The package shall contain all of the information and forms requested in this RFP. The package shall be prepared in the following sequence and format:

CHAPTER 1 – LETTER OF INTENT

Each Proposer shall submit a letter of intent, which shall be signed by an officer of the company or other person authorized to commit the Proposer to the terms presented in its proposal. The letter of intent must expressly state that the Proposer will provide the services requested in the RFP, in compliance with the terms in the Agreement, for the prices submitted with the proposal.

CHAPTER 2 – STATEMENT OF ORGANIZATION

Each Proposer shall provide information concerning the Proposer’s basic organizational structure. A Proposer may provide any additional information that will assist the City in understanding the Proposer’s organization.

Each Proposer must submit a certificate or other appropriate documentation demonstrating that: (a) the Proposer is authorized or otherwise approved to conduct business in the State of Florida; and (b) if the Proposer is a corporation or limited liability corporation, the corporation is in good standing. Further, the Proposer shall submit a certificate, resolution, or other documentation confirming that the person submitting the proposal is duly authorized to bind the Proposer to the terms in its proposal.

Each Proposer must state whether it currently is a registered vendor in the City of Hialeah. If the Proposer currently is registered, please submit a copy of a vendor registration number issued by the City of Hialeah or other documentation to demonstrate that the Proposer is authorized to conduct business in the City.

CHAPTER 3 – EXPERIENCE

Each Proposer must submit proof that the Proposer is and has been conducting business for the last five (3) consecutive years as an investment banking/underwriting company. The Proposal shall contain the information requested under Section 3.3. A above in this Chapter.

Each Proposer must provide a list of reference clients that will confirm the Proposer has worked on a minimum of three (3) deals in which the Proposer was the lead investment banking/underwriting company by a local government. The proposal shall include the names of the local government clients, the name of a contact person in each reference local government, and the telephone number and e-mail address (if available) of each contact person.

Each Proposer is encouraged to provide additional information about other projects that demonstrate the Proposer has the experience to provide all of the services required under this Solicitation.

CHAPTER 4 – PROPOSAL

The Proposal shall contain any and all documentation in response to Section 3.3 letters B through F above.

4.4 COPIES OF PROPOSAL

Please submit a sealed original proposal and clearly mark it as the “Original.” Three (3) complete, signed, and sealed paper copies of the original proposal also must be submitted and each should be clearly marked as “Copy”. In addition, one complete copy of the original signed proposal must be submitted to the City in an electronic (digital) format, in an Adobe (pdf) file, on a compact disk (CD), DVD, or USB Flash Drive. The CD, DVD, or USB Flash Drive must be clearly labeled with the Proposer’s name, the Solicitation number, and the Solicitation title. If any of the copies is incomplete, the proposal may be deemed non-responsive.

4.5 SUBMISSION

Proposals must be submitted no later than **11:00 a.m. EST on Tuesday, July 6, 2021** to the City Clerk’s Office.

The City reserves the right to amend or modify this request for proposals via email. Please note that any response submitted to the City as a result of this solicitation, and any and all information contained therein, is considered a public record and may be reviewed by any persons interested in doing so as provided under Section 119.071(1)(b), Florida Statutes.

From the proposals received, the City will select a Senior Manager and may select one or more Co-Managers as a part of this process, or at a later date.

END OF SECTION 4.0

Section 5.0

Forms

Vendors are required to complete and submit the five (5) forms included in this section of the RFP. A vendor may be disqualified if its forms are not completed fully and in compliance with the instructions contained herein.

[THIS SPACE INTENTIONALLY LEFT BLANK]

Form 1. Bidder's Statement of Organization

1. Full Name of Bidder's Business:

2. Bidder's Principal Business Address:

3. Name, phone number, and e-mail address of Bidder's representative:

4. Form of Bidder's Business (e.g., Corporation, Partnership, Joint Venture, Other):

5. If Bidder is a partnership, please indicate the following:

(a) Date of organization: _____

(b) General or Limited Partnership _____

(c) If a Limited Partnership, identify the general partners: _____

(d) Provide the name and address of each partner:

<u>Name</u>	<u>Address</u>	<u>Title</u>
_____	_____	_____
_____	_____	_____

6. If Bidder is a corporation, identify the state where the Bidder was incorporated and the date of incorporation: _____

7. If the Bidder is a foreign corporation, please identify:

Form 1. Bidder's Statement of Organization

(continued)

(a) The date of registration with the Florida Secretary of State

(b) The name of the Bidder's Registered Agent

(c) The address of the Bidder's Registered Agent

8. If the Bidder is a corporation, provide the names and addresses of the Bidder's President, Vice President, and Treasurer. If the Bidder is a limited liability company, provide the name(s) and address(es) of the manager or managing members.

9. If the Bidder is a Joint Venture, identify the date of the joint venture agreement: _____

10. Provide the Bidder's Federal Employer Identification Number:

11. How many years has the Bidder been in business under its present name? _____ years

12. If the Bidder is operating under a fictitious name, submit evidence of compliance with the Florida Fictitious Name Statute.

(signature)

sworn to and subscribed before me this _____ day of _____, 2021.

Personally known _____
OR Produced Identification _____

(Type of identification)

Notary Public - State of _____

(Printed typed or stamped
commissioned name of notary public)

Form 2. Public Entity Crimes Affidavit

SWORN STATEMENT PURSUANT TO SECTION 287.133(3)(a), FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted to the City of Hialeah, Florida, by _____

(print individual's name and title)

For _____

(print name of entity submitting sworn statement)

whose business address is

and (if applicable) its Federal Employer Identification Number (FEIN) is _____

(If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement:

_____.)

2. I understand that a "public entity crime" as defined in Paragraph 287.133(1) (g), **Florida Statutes**, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or of the United States, including, but not limited to, any Bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
3. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1) (b), **Florida Statutes**, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.
4. I understand that an "affiliate" as defined in Paragraph 287.133 (1) (a), **Florida Statutes**, means:
 1. A predecessor or successor of a person convicted of a public entity crime; or
 2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.
5. I understand that a "person" as defined in Paragraph 287.133 (1) (e) **Florida Statutes**, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bid or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.
6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement (**INDICATE WHICH STATEMENT APPLIES**).

_____ Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

Form 2. Public Entity Crimes Affidavit

(continued)

____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been a subsequent proceeding before an Administrative Law Judge of the State of Florida, Division of Administration Hearings and the Final Order entered by the Administrative Law Judge determined that it was not in the public interest to place the person or entity submitting this sworn statement on the convicted vendor list. (attach a copy of the final order)

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES FOR CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

(signature)

Sworn to and subscribed before me this _____ day of _____, 2021.

Personally known _____

OR Produced Identification _____

(Type of identification)

Notary Public - State of _____

(Printed typed or stamped
commissioned name of notary public)

Form 3. Non-Collusion Affidavit

State of _____

County of _____

_____, being first duly sworn,
deposes and says that:

- (1) He/She is _____ [title] of _____ [name of entity],
the Bidder that has submitted the attached Bid:
- (2) He/She is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances
respecting such Bid:
- (3) Such Bid is genuine and is not a collusive or sham Bid;
- (4) Neither the said Bidder nor any of its officers, partners, owners, agents, representatives, employees or parties in interest,
including this affiant, has in any way colluded, conspired, connived or agreed directly or indirectly with any other Bidder,
firm or person to submit a collusive or sham Bid in connection with the Contract for which the attached Bid has been
submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought
by agreement or collusion or communication or conference with any other Bidder, firm or person, or to fix any overhead,
profit or cost element of the Bid price or the Bid price any other Bidder, or to secure through any collusion, conspiracy,
connivance or unlawful agreement any advantage against the **City of Hialeah** or any person interested in the proposed
Contract; and

The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance
or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest,
including this affiant.

(Name) _____

Subscribed and sworn to before me

(Title)

This ____ day of _____, 2021

Title _____

(Title)

My commission expires _____

Form 4. Drug-Free Workplace

The undersigned Bidder, in compliance with Section 287.087, Florida Statutes, hereby certifies that _____ does:

(Name of Business)

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 proposed 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 bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 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 this statement, I hereby certify that the Bidder has established a drug-free workplace program that complies with the requirements set forth above pursuant to Section 287.087, Florida Statutes.

Name of Bidder: _____

Signature of Bidder's Agent _____

Printed Name of Bidder's Agent _____

Title: _____

Date: _____

(signature)

Sworn to and subscribed before me this _____ day of _____, 2021.

Personally known _____

OR Produced Identification _____

(Type of identification)

Notary Public - State of _____

(Printed typed or stamped
commissioned name of notary public)

Form 6. Certification to Accuracy of Bid

The undersigned individual, being duly sworn, hereby deposes and says:

1. I, _____ [insert name of Bidder's officer], am duly authorized to execute and submit this Bid on behalf of the Bidder, _____ [insert name of Bidder].

2. I am fully informed respecting the preparation and contents of the attached Bid and all of the forms, affidavits, and documents submitted in support of such Bid.
 - a. All of the information contained in the forms, affidavits and documents submitted in support of this Bid is true and accurate;
 - b. No information that should have been included in such forms, affidavits and documents has been omitted; and
 - c. No information in such forms, affidavits or documents is false or misleading.

3. By signing and submitting this Bid in response to the City's RFP (RFP NO.: 2020-21-8500-00-005), the Bidder acknowledges and agrees that:
 - a. the Bidder has carefully read this RFP;
 - b. the Bidder has become fully informed about the local conditions, including the nature and extent of the work to be performed, and has examined and evaluated all relevant issues;
 - c. the Bidder understands and accepts the conditions, limitations, and obligations imposed on the Bidder by this RFP;
 - d. the Bidder's Bid is not contingent upon any conditions, limitations, or changes to this RFP;
 - e. the Bidder's Bid is a binding offer that will remain in effect and be available to the City for one hundred eighty (180) days after the submittal of this Bid;
 - f. if selected by the City, the Bidder shall execute the Agreement within fifteen (15) days of receiving the City's written notice of award;
 - g. if selected by the City, the Bidder will provide all of the services required under the Agreement, in compliance with the terms and conditions contained in the Agreement, at the Rates set forth on the Bidder's cost forms, which are attached to this Bid; and
 - h. the Bidder has sought and received the assistance of legal counsel, as necessary, before submitting this Bid in response to the City's RFP.

Dated this _____ day of _____, 2021.

Name of Bidder

Signature of President/Partner/Owner/Manager

Form 6. Certification to Accuracy of Bid

(continued)

Signature Instructions:

All signatures must be in **BLUE** ink.

If the Bidder is a CORPORATION, the name of the corporation must be listed, in full, and both the President and Secretary must sign the form, OR if one signature is permitted by the corporation's by-laws, a copy of the by-laws must be furnished to the City as part of the Bid.

If the Bidder is a LIMITED LIABILITY CORPORATION, the name of the limited liability corporation must be listed in full, and the Manager or Managing Members must sign the form.

If the Bidder is a PARTNERSHIP, the full name of each partner should be listed, followed by the name that the Bidder is doing business as. Any partner may sign the form.

If the Bidder is operating as any other type of business entity, the name(s) of the Bidder's authorized representative(s) must be listed and the authorized representative(s) must sign the form. A copy of the appropriate documents evidencing legal binding authority to sign on behalf of the Bidder must be furnished to the City as part of the Bid.

Form 7. City of Hialeah Disclosure Affidavit

**PURCHASING DIVISION
CITY OF HIALEAH DISCLOSURE AFFIDAVIT**

I _____ being first duly sworn, state:

The full legal name and business address* of the Person or entity contracting or transacting business with the City of Hialeah are:

Phone Number: _____ Fax Number: _____

If the contract or business transaction is with a corporation, the full legal name and business address* shall be provided for each officer and director and each stockholder who holds directly or indirectly five percent (5%) or more of the corporation’s stock. If the contract or business transaction is with a partnership, the full legal name and business address* shall be provided for each partner. If the contract or business transaction is with a trust, the full legal name and address* shall be provided for each trustee and each beneficiary. All such names and addresses are:

The full legal names and business addresses* of every other individual (other than subcontractors, material men, suppliers, laborers, or lenders) who have, or will have, any interest (legal, equitable, beneficial or otherwise) in the contract or business transaction with the City of Hialeah are:

Bidder’s Tax ID Number (F.E.I.N) or Social Security Number: _____ - _____

PROOF OF CORPORATE STATUS

Please provide proof of corporate status. Each corporate Bidder must demonstrate it is an active corporation in good standing in the State of Florida or any other State. If incorporated in a state other than Florida, then please provide proof that the corporation is registered to do business in the State of Florida in addition to proof of active corporate status. If incorporated in Florida, a computer print-out from the Department of State will be sufficient proof of corporate status. Proof of good standing also is required for all partnerships, limited partnerships, joint-ventures, etc.

LEGAL SIGNATURE OF AFFIANT (Print or Type Legal Name of Affiant)

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

Notary Public - State of: _____

My Commission Expires: _____

Print/Type and Stamp commissioned name of Notary Public

NOTARY SEAL

Personally known _ or Produced Identification __

Type of Identification Produced _____

****Post office box addresses are not acceptable.**

Form 8. Assignment of Antitrust Claims

For, and in recognition of, good and valuable consideration, receipt of which is hereby acknowledged,

Company Name

acting herein by and through _____,
Individual Name

its _____ and duly authorized agent,
Title of Individual's Position

hereby conveys, sells, assigns and transfers to the City of Hialeah, Florida, all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of Florida for price fixing, relating to the particular goods or services purchased or acquired by the City of Hialeah, Florida pursuant to the City's RFP NO.: 2020-21-8500-00-003.

		Date
Name	_____	
	Signature	
Title	_____	
	Name of Company	

(signature)

Sworn to and subscribed before me this _____ day of _____, 2021.

Personally known _____

OR Produced Identification _____ Notary Public - State of _____

(Type of identification)

(Printed typed or stamped
commissioned name of notary public)

Form 9. E-Verify Sworn Statement

SWORN STATEMENT PURSUANT TO SECTION 448.095, FLORIDA STATUTES, ON THE CONTRACTING OR EMPLOYMENT OF UNAUTHORIZED ALIENS

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted to the City of Hialeah, Florida, by _____
(name of individual and title)

for _____
(name of contractor, vendor entity submitting sworn statement)

whose business address is:

_____ and its Federal Employer Identification Number (FEIN) is _____.

If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement.

2. I understand that pursuant to section 448.09(1), Florida Statutes, it is unlawful for any person knowingly to employ, hire, recruit or refer, whether for herself or himself or on behalf of another for private or public employment within the state, an alien who is not duly authorized to work by the immigration laws of the United States.

3. I understand that an “unauthorized alien” as defined by section 448.095(1)(k), Florida Statutes, means a person who is not authorized under federal law to be employed in the United States, as described in 8 U.S.C. section 132a(h)(3), as interpreted by any applicable federal rule or regulation.

4. I understand that the “E-verify system” as defined by section 448.095(1)(e), Florida Statutes, means an internet-based system operated by the United States Department of Homeland Security that allows participating employers to electronically verify the employment eligibility of newly hired employees.

5. The person attesting to the statements made in this affidavit has the requisite power and authority within the organizational structure of the entity submitting this sworn statement sufficient to possess direct knowledge of or ascertain the existence, accuracy and completeness of the facts stated in this affidavit on behalf of the entity.

6. The entity is a “Contractor” or “Subcontractor” of the City of Hialeah, Florida, a “Public Employer”, as those terms are defined in section 448.095(1), Florida Statutes, who provides labor, supplies or services in exchange for remuneration to the City of Hialeah, Florida.

7. I understand the City of Hialeah, Florida may not contract with any party unless such party registers with and uses the E-verify system.

8. The Contractor-entity or Subcontractor-entity, as applicable, making this affidavit, does not contract with, subcontract with, employ, hire or retain any unauthorized alien.

9. The Contractor-entity or Subcontractor-entity, as applicable, making this affidavit, is registered with and uses the E-verify system to verify the work authorization status of all newly hired employees and will continue to use the E-verify system for this purpose while under contract with the City of Hialeah, or under contract with any contractor of the City of Hialeah.

10. I understand that, as applicable, I will require an affidavit, from all persons or entities who may qualify as “Subcontractors” affirming their registration and use of the E-verify system and disclaiming the contracting, employment or hiring of unauthorized aliens, consistent with the requirements of section 448-095(2)(b)1. and (b)2. for the duration of the contract.

11. I understand that if I violate the provisions of section 448.091(1), Florida Statutes, the City of Hialeah shall terminate our contract, if the entity submitting this affidavit is a Contractor of the City of Hialeah.

12. I understand that if any person or entity I subcontract with to provide labor, services or goods to the City of Hialeah, violates the provision of section 448.091(1), I will be ordered by the City of Hialeah to terminate such contract immediately.

13. I understand that violating the provisions of section 448.091(1) will be a breach of my contract with the City of Hialeah subject to termination or any other remedy provided by the contract or law.

14. This sworn statement is provided to comply with the requirements of section 448.095, Florida Statutes, and the statements are accurate, complete and truthful as of the date of its making. I will inform the City of Hialeah, Florida of any change in circumstances that affects the validity of this affidavit or the accuracy, truthfulness or completeness of the statements contained in this affidavit.

By: _____
Name: _____
Title: _____

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

Personally known _____
Or produced identification _____
Type: _____

Notary Public-State of _____
Seal: