



THE CITY OF DAYTONA BEACH
OFFICE OF THE PURCHASING AGENT

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Daytona Beach, Florida 32115-2451

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ADDENDUM NO. 1

DATE: April 24, 2020
PROJECT: RFP 20314
DERBYSHIRE SIDEWALKS PHASE II - CEI SERVICES
OPENING DATE: May 15, 2020

This addendum is hereby incorporated into the RFP Documents for the project referenced above. The following items are clarifications, corrections, additions, deletions and/or revisions to and shall take precedence over the original documents. Additions are indicated by underlining, deletions are indicated by ~~striketrough~~.

1. The Pre-Proposal Agenda posted online incorrectly stated that Local Preference applied to the RFP. ***Local Preference does not apply to this solicitation.***
2. The Pre-Proposal Agenda posted online included the following language regarding minority and women owned business participation; "M/WBE: Proposers should be aware of The City of Daytona Beach's Minority Business Enterprise (MBE) requirements contained in Chapter 30, Purchasing Code."

Minority and women owned business participation does not apply to this solicitation.

3. The following Special Instructions is hereby ADDED to the RFP following page 12 of 45 and supersedes General Conditions where applicable.

SPECIAL INSTRUCTIONS

ELECTRONIC SUBMITTALS. The City will only accept on-line, electronic submittals for this solicitation. Any place in this document that states "...sealed Proposals..." is hereby replaced with "...sealed on-line Proposals..." On-line electronic Proposals must be submitted on the City's Web Based Bid Platform. The City's only acceptable Web Based Bid Platform is Vendor Registry accessible through the City's Purchasing web page: www.codb.us/841/Purchasing under "Public Solicitation", then selecting the desired solicitation and clicking "Submit Bid". No other forms of electronic submittals are acceptable.

Proposers must submit on-line Proposals to the Purchasing Division on the Web Based Bid Platform. Proposers who send their Proposal through email will be found non-responsive and ineligible for award.

Proposers may also submit questions online through the City's Web Based Bid Platform. The City will post all responses in the form of an addendum issued through the Bid Platform. The Proposer is responsible for ensuring their submittal reflects all addenda so issued.

"Definitions"

Web Based Bid Platform means the software package currently use by the City of Daytona Beach; Vendor Registry. All communications regarding solicitations will be posted at www.codb.us/841/Purchasing under the link to "Public Solicitations".

4. The "Sworn Statement Pursuant to Section 287.133(3)(A), Florida Statutes, on Public Entity Crimes", pages 15 through 17 of 45 are hereby REPLACED with the attached Sworn Statement Pursuant to Section 287.133(3)(A), Florida Statutes, on Public Entity Crimes.
5. All other terms and conditions remain the same.

The Proposer shall acknowledge receipt of this addendum in the transmittal letter in their Proposal.

The City of Daytona Beach
Joanne Flick, CPPO, CPPB

Posted online at <https://www.codb.us/841/purchasing>

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

1. This sworn statement is submitted to The City of Daytona Beach 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, insert the Social Security Number of the individual signing this sworn statement above:

2. I understand that a "public entity crime" as defined in Paragraph 287.133(l)(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, any lease for real property, or any contract for the construction or repair of a public building or public work, involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
3. I understand that "convicted" or "conviction" as defined In Paragraph 287.133(l)(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, nonjury trial, or entry of a plea of guilty or nolo contendere.
4. I understand that an "affiliate" as defined in Paragraph 287.133(l)(a), Florida Statutes means:
- (a) A predecessor or successor of a person convicted of a public entity crime, or
 - (b) 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, will 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 will be considered an affiliate.

5. I understand that a "person" as defined in Paragraph 287.133(l)(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 bids 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.

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.

_____ 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 a Hearing Officer of the State of Florida, Division of Administrative Hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the 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.

VERIFICATION

Under penalties of perjury, I declare that I have read the foregoing Sworn Statement Pursuant To Section 287.133(3)(A), Florida Statutes, On Public Entity Crimes and that the facts stated in it are true.

Print Name

Signature

Date