



## THE CITY OF DAYTONA BEACH OFFICE OF THE PURCHASING AGENT

Post Office Box 2451  
Daytona Beach, Florida 32115-2451

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### ADDENDUM NO. 1

DATE: **April 1, 2020**

PROJECT: **ITB 20403  
WESTSIDE REGIONAL WRF BIOSOLIDS DEWATERING SYSTEM  
IMPROVEMENTS**

OPENING DATE: ~~April 31, 2020~~ May 1, 2020

This addendum is hereby incorporated into the Bid 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 ~~strikethrough~~.

1. The Bid Opening Date is hereby CHANGED from ~~April 31, 2020~~ to May 1, 2020 at 2:00 p.m.
2. The Submittal Checklist on page Bid Proposal Letter-1 is hereby REPLACED with revised Page Bid Proposal Letter-1, attached.
3. Pages Bid Proposal Letter-3, "Noncollusion Affidavit of the Prime Bidder", and Bid Proposal Letter-8, "Affidavit on Public Entity Crimes" are hereby REPLACED with modified "Noncollusion Affidavit of the Prime Bidder" and "Affidavit on Public Entity Crimes" eliminating the notary public requirement during the COVID-19 crisis to comply with on-line bidding requirements. Failure to include these and other required forms will render the Bid non-responsive and ineligible for consideration for award.
4. Page Bid Proposal Letter-19, "Minority and Women Owned Business Enterprise Officer Certification Form", attached, is hereby ADDED to the ITB.

All other terms and conditions remain the same.

The Bidder shall acknowledge receipt of this addendum on the Bid Proposal Form.

The City of Daytona Beach  
Joanne Flick, CPPO  
Purchasing Agent

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

## SUBMITTAL CHECKLIST

*The following items will be submitted with the Bid Proposal Letter. Each blank on the form will be filled out. Use NA (not applicable) rather than leaving blank.*

<b>Item(s) Required with Submittal</b>	
	BID PROPOSAL LETTER
	BID SCHEDULE
	NONCOLLUSION AFFIDAVIT OF PRIME BIDDER
	DRUG-FREE WORKPLACE CERTIFICATION
	AFFIDAVIT ON PUBLIC ENTITY CRIMES
	<del>MINORITY AND WOMEN OWNED BUSINESS ENTERPRISES CERTIFICATION FORM</del> REFERENCE PACKAGE
	MINORITY AND WOMEN OWNED BUSINESS ENTERPRISE OFFICER CERTIFICATION FORM
	Bid Security (10% for all construction bids)
<b>Label the outer most package with the following:</b> Bid Number Date of the Opening Bidder's Name and Address	
<b>Item(s) Required after Issuance of Notice of Intent to Award</b>	
CERTIFICATE OF INSURANCE indicating the coverages outlined in this solicitation, including naming the City as additional insured	
Contract signed by Authorized Representative of the Bidder	
Payment & Performance Bonds to be returned as instructed within 15 days after the Notice of Award is issued ( <i>Bond forms acceptable to the City will be sent with Notice of Award</i> )	
Attachment E – Minority and Woman Owned Business Enterprise Usage Form with each pay application	
<b>Voluntary MBE/WBE Reporting</b>	
Attachment A - Good Faith Effort Documentation	
Attachment B – MBE/WBE Contract Participation	
Attachment C – Bidder Employment Levels	
Attachment D – Subcontractor/Supplier Employment Levels	
MBE/WBE Subcontracts and Purchase Orders	

## NONCOLLUSION AFFIDAVIT OF PRIME BIDDER

I, \_\_\_\_\_, depose and state:

(1) I am, \_\_\_\_\_ of \_\_\_\_\_, the  
Title Company

Bidder that has submitted the attached Bid;

(2) I am 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, agent, 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 Bidder, firm or person to fix the price or prices or cost element of the Bid price or the Bid price of any other Bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the City of Daytona Beach, FL (Local Public Agency) or any person interested in the proposed Contract;

(5) 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.

### VERIFICATION

Under penalties of perjury, I declare that I have read the foregoing Non-collusion Affidavit of Prime Bidder and that the facts stated in it are true.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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

1. This sworn statement is submitted to \_\_\_\_\_  

*(print name of the public entity)*

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

**MINORITY AND WOMEN OWNED BUSINESS ENTERPRISE OFFICER  
CERTIFICATION FORM**

I, \_\_\_\_\_,  
Name of Executive Officer  
certify that \_\_\_\_\_  
Name of MBE Officer

has been named Minority and Women Owned Business Enterprise Officer for

\_\_\_\_\_  
\_\_\_\_\_

☐

Company

☐

Corporation

Date: \_\_\_\_\_

By: \_\_\_\_\_

Name Typed: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

BID PROPOSAL LETTER-19