

**REQUEST FOR PROPOSALS**

**EXTERNAL INDEPENDENT AUDITING SERVICES  
OF THE EDUCATIONAL FACILITIES IMPACT FEES**

**THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA**

**PROPOSAL RETURN DATE**

**JUNE 12, 2001**

**RFP: #180-AA10**

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA  
BUREAU OF PROCUREMENT AND MATERIALS MANAGEMENT  
1450 N.E. 2ND AVENUE, MIAMI, FLORIDA 33132

REQUEST FOR PROPOSALS #180-AA10

EXTERNAL INDEPENDENT AUDITING SERVICES  
OF THE EDUCATIONAL FACILITIES IMPACT FEES

Sealed proposals will be accepted in the Bureau of Procurement and Materials Management, at the above location, until 2:00 P.M. on JUNE 12, 2001 and may not be withdrawn for ninety (90) days from that date.

ANTI-COLLUSION STATEMENT

THE UNDERSIGNED PROPOSER HAS NOT DIVULGED TO, DISCUSSED, OR COMPARED HIS PROPOSAL WITH OTHER PROPOSERS AND HAS NOT COLLUDED WITH ANY OTHER PROPOSER OR PARTIES TO THE PROPOSAL WHATSOEVER.

PROPOSER ACKNOWLEDGES THAT ALL INFORMATION CONTAINED HEREIN IS PART OF THE PUBLIC DOMAIN AS DEFINED BY THE STATE OF FLORIDA SUNSHINE LAW.

CERTIFICATION AND IDENTIFICATION FOR CONTRACTORS SUBMITTING PROPOSALS.

I certify that this proposal is made without prior understanding, agreement or connection with any corporation, firm or person submitting a proposal for the same service, and is in all respects fair and without collusion or fraud. I agree to abide by all conditions of these proposal specifications and I certify that I am authorized to sign this proposal.

(Please Type or Print Below)

LEGAL NAME OF AGENCY OR  
CONTRACTOR SUBMITTING PROPOSAL : \_\_\_\_\_

MAILING ADDRESS : \_\_\_\_\_

CITY STATE, ZIP CODE : \_\_\_\_\_

TELEPHONE NUMBER : \_\_\_\_\_

BY: SIGNATURE : \_\_\_\_\_

BY: TYPED : \_\_\_\_\_

TITLE : \_\_\_\_\_

## **INSTRUCTIONS TO AGENCY/CONTRACTOR SUBMITTING PROPOSAL**

### **I. PREPARING OF PROPOSALS**

- A. THE PROPOSAL IS TO BE SUBMITTED, using 8-1/2" x 11" paper.
- B. IDENTIFICATION. Failure to indicate the contractor's EXACT legal name and an unsigned proposal may be considered non-responsive.

### **II. SUBMITTING OF PROPOSALS**

- A. Number of Proposal:

A total (10) of the Proposal must be submitted as follows:

- \* The original proposal in a sealed envelope or box marked "Original".
- \*\* (9) copies of the proposal in a separate sealed envelope or box marked "Copies".

The proposal number, proposal title and opening date must be clearly marked on all envelopes and boxes.

- B. Place, Date and Hour. Proposals shall be submitted to The School Board of Miami-Dade County, Florida, Bureau of Procurement and Materials Management, Room 352, 1450 N.E. 2nd Avenue, Miami, Florida, not later than 2:00 P.M., June 12, 2001.
- C. A Pre-Proposal Conference will be held at 10:00 a.m., at the School Board Administration Building, 1450 N. E. Second Avenue, Room 916, to answer questions.

### **III. CHANGE OR WITHDRAWAL OF PROPOSAL**

- A. PRIOR TO PROPOSAL OPENING. Should the agency or individual contractor withdraw its proposal they shall do so in writing. This communication is to be received by the Associate Superintendent, Bureau of Procurement and Materials Management, 1450 N.E. 2nd Avenue, prior to June 12, 2001. The agency or individual contractor's name and the proposal number should appear on the envelope.
- B. AFTER PROPOSAL OPENING. After June 12, 2001, proposals may not be changed; and they may not be withdrawn for ninety (90) days from that date.

#### IV. PROTEST OF SPECIFICATIONS

Any notice of protest of the specifications contained in a request for proposal shall be filed in writing with the Associate Superintendent, Bureau of Procurement and Materials Management no later than 48 hours prior to the date and hour specified in page i for receipt of proposals. Failure to file a timely notice of protest shall constitute a waiver of proceedings.

#### V. AWARDS

**RESERVATION FOR REJECTION OR AWARD.** The Board reserves the right to waive irregularities or technicalities, reject any or all proposals and to request re-bids.

**AWARD RECOMMENDATION.** Proposer information phone lines have been established in Procurement Management. Proposers may call 995-1375 each Friday to be advised of the recommended proposers and the time it is contemplated that the recommendation will be made. This information will be provided by school system staff as available. In no case will information as to a recommended proposer be available later than the Friday preceding the week when the award is scheduled to be made by the School Board or the Superintendent.

Proposers may file letters of protest no later than 48 hours prior to the Board Meeting for which the award is scheduled to be made. These letters of protest will be reviewed by Staff. Staff will offer the protesting proposer the opportunity for a meeting to discuss the protest. If the proposer is not satisfied with the response to the protest, he/she may request to address the School Board. Alternatively, proposers may invoke the provisions of §120.569, Fla. Stat. Petitions for hearings on protests pursuant to §120.569, Fla. Stat., must be filed in accordance with School Board Rule 6Gx13-8C-1.064. Protests filed later than the date specified herein are deemed waived. This provision supersedes and governs over any conflicting provision in this document.

#### VI. DEFAULT

In the event of default, which may include, but is not limited to non-performance and/or poor performance, the awardee shall lose eligibility to transact new business with the Board for a period of 14 months from date of termination of award by the Board. Proposers that are determined ineligible may request a hearing pursuant to §120.569, Fla. Stat., and School Board Rule 6Gx13-8C-1.064.

## **VII. PUBLIC ENTITY CRIMES**

**Section 287.133(2)(a) Florida Statute.** A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

## **VIII. COMPLIANCE WITH FEDERAL REGULATIONS**

All contracts involving Federal funds will contain certain provisions required by applicable sections of Title 34, Section 80.36(l) and Section 85.510 Code of Federal Regulations and are included by reference herein. The vendor certifies by signing the proposal that the vendor and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in Federally funded transactions and may, in certain instances, be required to provide a separate written certification to this effect.

During the term of any contract with the Board, in the event of debarment, suspension, proposed debarment, declared ineligible or voluntarily excluded from participation in Federally funded transactions, the vendor shall immediately notify the Associate Superintendent, Bureau of Procurement and Materials Management, in writing.

Vendors will also be required to provide access to records, which are directly pertinent to the contract and retain all required records for three years after the grantee (The Board) or sub-grantee makes final payment.

For all contracts involving Federal funds, in excess of \$10,000, The Board reserves the right to terminate the contract for cause as well as for convenience by issuing a certified notice to the vendor.



**Miami-Dade County Public Schools**  
*giving our students the world*

**REQUEST FOR PROPOSALS NO. 180-AA10**  
**FOR EXTERNAL INDEPENDENT AUDITING SERVICES**  
**OF THE EDUCATIONAL FACILITIES IMPACT FEES**  
**THE SCHOOL BOARD OF MIAMI-DADE**  
**COUNTY, FLORIDA**

**MAY 2001**

**PROPOSAL RETURN DATE: TUESDAY, JUNE 12, 2001**  
**BY 2:00 P.M. EASTERN STANDARD TIME**

**SEND TO:**  
**THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA**  
**BID CLERK, DIVISION OF PROCUREMENT MANAGEMENT**  
**AND MATERIALS TESTING**  
**1450 N.E. SECOND AVENUE, ROOM 352**  
**MIAMI, FLORIDA 33132**

**ANY QUESTIONS, CONTACT:**  
**GEORGE BALSA, CHIEF AUDITOR AT (305) 995-1436 OR**  
**ANA RIJO-CONDE, DISTRICT DIRECTOR,**  
**GOVERNMENTAL AFFAIRS AND LAND USE POLICY**  
**AND ACQUISITION, AT (305) 995-7285**

**REQUEST FOR PROPOSALS NO. 180-AA10  
FOR EXTERNAL INDEPENDENT AUDITING SERVICES OF THE  
EDUCATIONAL FACILITIES IMPACT FEES  
THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA  
MAY 2001**

**I. NAME AND ADDRESS OF REQUESTER**

Miami-Dade County Public Schools  
Mr. George Balsa, CPA, Chief Auditor  
Office of Management and Compliance Audits  
1450 N.E. 2<sup>nd</sup> Avenue, Room 415  
Miami, Florida 33132  
Phone: (305) 995-1436

**II. PURPOSE OF REQUEST FOR PROPOSALS**

The purpose of this Request For Proposals is to obtain the services by a public accounting firm, whose partners or officers are independent certified public accountants and are duly licensed to practice in the State of Florida, to perform an audit of the records of The School Board of Miami-Dade County, Florida (hereafter referred to as the School Board or the District), relating to the Educational Facilities Impact Fees established by the Interlocal Agreement between Miami-Dade County and the School Board. The audit shall be conducted in accordance with generally accepted governmental auditing standards by an independent certified public accountant. This audit was performed for the first five years of the program by the firm of Sharpton, Brunson & Company, P.A. Certified Public Accountants & Business Consultants. Copies of prior audits can be obtained by contacting the Office of Management and Compliance Audits.

**III. INSTRUCTIONS FOR SUBMISSION OF PROPOSALS**

Ten (10) copies of this proposal, one of which shall be an original, must be submitted by **Tuesday, June 12, 2001 at 2:00 p.m. (Eastern Standard Time)** to the following address:

The School Board of Miami-Dade County, Florida  
Bid Clerk, Division of Procurement Management and Materials Testing  
1450 N.E. Second Avenue, Room 351  
Miami, Florida 33132

The responsibility for submitting this proposal to the District on or before the stated time and date will be solely and strictly the responsibility of the proposer. The District will in no way be responsible for delays caused by the United States mail or any other delivery service or caused by any other occurrence. The proposal package must contain all the items described in Section X of this document. Failure to submit these items may render the proposal non-responsive. The proposal must be signed by an officer of the firm legally authorized to conduct business in its name. The proposal shall be submitted in a sealed envelope marked **"PROPOSAL FOR EXTERNAL INDEPENDENT AUDITING SERVICES OF THE EDUCATIONAL FACILITIES IMPACT FEES"**.

#### **IV. GENERAL INFORMATION ABOUT THE DISTRICT**

The School District of Miami-Dade County, Florida, is a political subdivision organized under Section 4, Article IX, of the State Constitution and Chapter 230, Florida Statutes. The District, which is coterminous with Miami-Dade County, is the fourth largest school system in the nation. The District has presently over 300 schools, approximately 368,000 students (in grades Pre-K to 12), and 46,000 full-time and part-time employees. Management of the District is totally independent of metropolitan and city governments. The School Board of Miami-Dade County, Florida, a public corporation existing under the Laws of the State of Florida, is the policy-making body of the District. The School Board consists of nine members elected for four-year terms. Among other duties, the School Board has broad financial responsibilities, including the approval of the annual budget, which for the 2000-01 fiscal year exceeded \$3.9 billion, and the establishing of a system of accounting and budgetary controls. The budgeted impact fees for the 2000-01 fiscal year, totaled \$15 million. The impact fees fund balance at June 30, 2000 was approximately \$80 million. The Chief Executive Officer is the Superintendent of Schools, Mr. Roger C. Cuevas, appointed by the Board, who is responsible for all financial transactions and records of the District.

The District's financial records are audited yearly by an independent "big 5" public accounting firm. KPMG LLP is currently the external auditing firm contracted to perform the audit of the District's financial statements. The financial records are centrally maintained at the administrative offices, Board Administration Building, 1450 Northeast Second Avenue, Miami, Florida. The principal administrators in charge of the financial and record keeping aspects of the District are:

1. Dr. Richard H. Hinds, Chief Financial Officer  
Financial Affairs
2. Dr. Paul Phillips, Deputy Superintendent  
Facilities Management and Construction
3. Dr. Daniel Tosado, Associate Superintendent  
Office of Information Technology
4. Mr. Stanley Corces, Chief Budget Officer  
Office of Budget Management
5. Ms. Connie Pou, Controller  
Office of the Controller
6. Mr. Eduardo Alfaro, Treasurer  
Office of Treasury Management

The Department of Governmental Affairs and Land Use Policy and Acquisition serves as the District's liaison to Miami-Dade County on matters dealing with quarterly transmittals of impact fee information by the county, and oversees compliance with the Interlocal Agreement between the County and the District. Ms. Sally Osborne is the department's designated staff on matters dealing with impact fee reporting and monitoring; Mrs. Ana Rijo-Conde, as the department head, oversees overall compliance.



## **V. PERIOD OF EXAMINATION AND LENGTH OF THE CONTRACT**

The audit engagement will cover the fiscal years ending June 30, 2001, 2002 and 2003 (three years) with an option to be exercised by the School Board to renew the contract for two additional years, at terms to be negotiated after completion and submission of the audit report for the fiscal year ending June 30, 2003. The contract shall not exceed a maximum audit period of five years.

## **VI. SCOPE OF EXAMINATION**

### **A. Financial Report**

An annual audit by an independent certified public accountant of the Educational Facilities Impact Fee Funds' financial statements for the School Board shall be completed in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. At a minimum, the financial statements shall include an independent auditor's report, a balance sheet, a statement of revenues, expenditures and changes in fund equity and combining statements, prepared in accordance with generally accepted accounting principles, for the benefit districts established in Section 10 of Ordinance 95-79. Required supplementary information from the School Board shall include a schedule of construction in progress to reflect annual activity by benefit district.

The independent auditor shall determine whether the School Board has complied with applicable laws and regulations including, but not limited to, Ordinance 95-79, the Impact Fee Manual, and the Interlocal Agreement. As required by *Government Auditing Standards*, the auditor shall prepare a report on the results of tests of compliance. This report, which may be included in the report on the financial audit or in the Management Letter, shall contain a statement of positive assurance on those items which were tested for compliance and negative assurance on those items not tested. It shall also include all material instances of noncompliance. The auditor shall also report on deficiencies noted in the internal control structure designed to provide reasonable assurance that the School Board is managing the impact fees in compliance with applicable laws, regulations, and contract terms; resources are safeguarded against waste, loss, and misuse and that reliable data are obtained, maintained, and fairly disclosed in reports. Any significant findings must be reported in a Management Letter, and appropriate administrative responses must be obtained and included in the report addressing each finding.

The draft of the audit report and the Management Letter are to be discussed with the various administrative departments, the Office of Management and Compliance Audits, and the Superintendent of Schools, or designee, before its issuance in final form.

### **B. Oral Report**

An oral presentation shall be made to the School Board Audit Committee and the School Board, if considered necessary, summarizing the audit report results.

## **VII. TIMING OF WORK**

The following is a timetable for selection of the accounting firm, award and contract execution, and audit of the records.

### **A. Selection of Accounting Firm**

1. May 8, 2001 - Draft of Request for Proposals presented to the School Board Audit Committee for their input.
2. May 16, 2001 - Request for Proposals presented to the School Board for approval.
3. May 21, 2001 - Request for Proposals available to public accounting firms.
4. May 27, 2001 - Request for Proposals advertised in newspapers.
5. June 6, 2001 - Pre-proposal conference with the administration at 10:00 a.m. (EST) to answer any questions related to the engagement. The meeting will be held in Room 916 of the School Board Administration Building, 1450 Northeast Second Avenue, Miami, Florida.
6. June 12, 2001 - Deadline to receive proposals at 2:00 p.m. (EST).
7. June 15, 2001 - Submittals reviewed by Selection Committee and accounting firms selected to be interviewed.
8. June 19, 2001 - Proposers interviewed by Selection Committee and recommendation made to the Superintendent of Schools.
9. July 11, 2001 - Recommendation submitted to the School Board for their consideration and approval. A professional services agreement will be entered into thereafter. The audit work is to commence immediately after the agreement is executed.

**Note:** Because Miami-Dade County is also required by the Interlocal Agreement to have an Impact Fees Audit of their collections and submittals to the School Board, the accounting firm selected will be precluded from conducting the Impact Fees Audit required by Miami-Dade County.

### **B. Audit Report Deadline and Distribution**

The first audit report and Management Letter, in final form, which shall include the independent auditor's reports, audited financial statements and any auditor's comments and observations with appropriate administrative responses, shall be bound together in **one single report** and be completed and received no later than **Thursday, November 8, 2001**. It shall be presented to the School Board Audit Committee at its November meeting, and subsequently, to the School Board at the next regularly scheduled meeting after the Audit Committee meeting. Once the report is received and filed by the School Board, it will be transmitted to Miami-Dade County, which in no event shall be later than one-hundred and eighty (180) calendar days following the fiscal year-end. One hundred and fifty (150) copies of the final audit report shall be prepared for the School Board and

shall also be received no later than **Thursday, November 15, 2001**. All printing and reproduction costs incurred by the accounting firm shall be considered in submitting the lump-sum fee proposal. The deadlines for submission in later years will be on and around the same dates, to assure report is presented to The School Board Audit Committee at its regularly scheduled yearly meeting on the last Tuesday of November.

C. Working Papers

For a period of four (4) years after completion of any work provided herein, the auditor's working papers shall be retained. The School Board and its representatives shall be entitled, at any time during such four (4) year period, to inspect and reproduce such documents deemed necessary.

**VIII. SUPPORT PERSONNEL**

Throughout the audit engagement, support personnel will be made available to provide assistance for tasks, such as identifying locations of required records and documentation, gathering needed records and supporting information, and such other tasks that will serve to expedite the audit, with the realization that support personnel must be given consideration to effectively perform their day-to-day job requirements. The following employees will be available to provide the necessary assistance:

1. The Chief Financial Officer responsible for the financial management of the school system.
2. The Deputy Superintendent of Facilities Planning and Construction responsible for the construction program.
3. The Chief Auditor of the Office of Management and Compliance Audits and staff responsible for the internal audit function.
4. The Controller and staff responsible for the preparation of the Annual Financial Report.
5. The District Director of Governmental Affairs and Land Use Policy and Acquisition responsible for the day-to-day administration of the impact fees.
6. Any and all employees responsible for the financial administration of the District.

**IX. COMPENSATION**

The submittal shall include a **total lump-sum fee (not-to-exceed amount) for each of the first three years of the engagement**. Payments for each year's audit by the School Board shall be made on three equal installments for services provided with a final payment to be made after

the final audit report is received and filed by the School Board. The total compensation for these services during the past five years was as follows:

<u>Fiscal Year</u> <u>Ended</u>	<u>Amount</u>
6/30/1996	\$ 10,000
6/30/1997	10,000
6/30/1998	13,000
6/30/1999	15,000
6/30/2000	15,000

**X. REQUIRED INFORMATION TO BE SUBMITTED BY PROPOSERS**

The accounting firm (proposer) shall provide the following information regarding the firm's desire and ability to conduct the audit:

A. Title Page

B. Table of Contents

C. Letter of Transmittal

Proposer shall include a statement of understanding of services requested and a commitment to perform these services shall be made.

D. Profile of the Proposer

1. Submit evidence that the firm is a legal entity in the State of Florida and has performed continuous certified public accounting services for a minimum of five (5) years.
2. Certify that the firm is a member in good standing of the American Institute of Certified Public Accountants and that the firm is independent.
3. Provide the number of employees by classification in the local office (particularly audit staff), as follows:

<u>Employee</u> <u>Classification</u>	<u>Ethnic</u> <u>Background</u> <u>W \ B \ H \ O</u>	<u>Total</u> <u>Number</u>	<u>Gender</u> <u>M or F</u>	<u>Number</u> <u>of</u> <u>CPAs</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
<b>TOTAL</b>	_____	_____	_____	_____

W = Non-Hispanic White   B = Non-Hispanic Black   H = Hispanic   O = Asian/American Indian/Alaska Native

See Section XIII of the Request For Proposals for Affirmative Action - Equal Employment Opportunity. Additionally, provide a brief job description of each professional employee classification along with experience requirements (if any) for each classification.

4. Describe the professional and/or academic qualifications for key personnel, such as partners and supervisory personnel, who will have primary responsibility for performance of required auditing services. **Specifically, identify the partner, manager and supervisory personnel that will be assigned to the audit and their experience in the governmental auditing sector.**
5. Disclose any potential impairments of independence, as defined by the American Institute of Certified Public Accountants, of the firm or employees assigned to the audit engagement.
6. Describe the firm's professional development program, including the approximate number of days per year of continuing education provided to members of the firm. Also, indicate the number of days of specialized training in governmental accounting and auditing received during the last two years by personnel who will be assigned to the audit engagement. Indicate whether the personnel to be assigned to the audit has met the continuing education requirements, as set forth in the *Government Auditing Standards* issued by the Comptroller General of the United States.
7. Provide a copy of the most recent external quality control review (peer review). Indicate whether the peer review included a review of the quality of governmental audits.
8. Describe the results of any desk reviews or field reviews performed by Federal or State agencies on recent governmental audits. Disclose whether any disciplinary action has been taken against the firm as a result of these reviews. Provide a current status report on the situation.
9. Provide a list of current or recent governmental audits performed by the firm, specially in the educational field, which are similar in nature. Provide names, addresses, and telephone numbers of current and recent clients that could be contacted. Include at least **three (3) references**. The District reserves the right to contact any or all references before or after the selection process.
10. Describe the firm's procedures in monitoring the progress of the audit and communicating same to the client while the audit is in progress.
11. Disclosure that, if selected, the accounting firm will not conduct the Impact Fees Audit required by Miami-Dade County.

**E. Audit Approach**

The proposer shall indicate its understanding of the scope of the examination and reporting requirements outlined in Sections VI and VII of the Request for Proposals.

**F. Availability of Proposer**

The proposer shall indicate as to the ability and willingness to commit and maintain staffing, both number and level, to successfully conclude the audit examination within the time constraints outlined in Section VII of the Request for Proposals. The proposal should mention the availability of the partners, managers or staff to meet with the administration, School Board Audit Committee and the School Board on any material matters that could affect these services.

**G. Compensation**

Total lump-sum fee (not-to-exceed amount) for each of the three years of the engagement for these auditing services to be provided to the School Board.

**XI. EVALUATION OF PROPOSALS**

Proposals will be evaluated by the Selection Committee in order to ascertain which proposer best meets the needs of the School Board. Evaluation considerations will include, but not be limited to the following:

- A. Responsiveness of the proposal in clearly stating an understanding of the work to be performed.
- B. Although a significant factor, cost may not be the dominant factor. Cost will be a particularly important factor when all the other evaluation criteria are relatively equal.
- C. Technical ability of the firm to perform the required services.
- D. Primary emphasis in the selection process will be placed on the independence, background, qualifications, experience and service of **local** office staff. Expertise in the area of auditing public organizations will be beneficial.

The Selection Committee will consist of one School Board Audit Committee member and one administrator from the following units/offices:

- Financial Affairs
- Facilities Planning and Construction
- Office of Management and Compliance Audits
- Governmental Affairs and Land Use Policy and Acquisition
- Division of Business Development and Assistance
- Division of Procurement Management and Materials Testing

The School Board reserves the right to interview or reject any and all proposals submitted. When the final selection is made and after the School Board has made the award on July 11, 2001, a professional services agreement that is acceptable to the School Board Attorney will be entered into with the successful proposer. No debriefing or discussion session will be held with the unsuccessful proposers. Among other matters, the agreement will require certificates of insurance for professional liability, commercial general liability, workers' compensation and automobile liability coverages, with limits as set forth by the School Board's Office of Risk and Benefits Management.

## **XII. OTHER**

Prospective firms are hereby notified that all information submitted as part of, or in support of, their proposal will be made available upon request for public inspection in compliance with Florida laws. Under the Florida Public Records Act and the Florida Sunshine Law, materials submitted by a proposer, the results of the evaluation, the proceedings of the contract negotiations are all open to public inspection. Proposers should take special notice of this as it relates to any proprietary information that might be included in their proposal package. The District assumes no liability for disclosure or use of data submitted in response to this Request for Proposals for any purpose and may consider that the proposal was not submitted in confidence, and therefore, can be released under the Florida Sunshine Law.

The School Board is not obligated in any manner to reimburse the proposers for any costs incurred in connection with the response to the Request for Proposals.

## **XIII. AFFIRMATIVE ACTION - EQUAL EMPLOYMENT OPPORTUNITY**

### **A. Equal Employment Opportunity**

It is the policy of the School Board that no one person will be denied access, employment, training, or promotion on the basis of gender, race, color, religion, ethnic, or national origin, political beliefs, marital status, age, sexual orientation, social and family background, linguistic preference, or disability, and that merit principles will be followed.

Each proposer shall be required to indicate its equal employment policy and provide a detailed breakdown by ethnicity, gender and occupational categories of its work force as required in Section X of the Request For Proposals.

### **B. Minority/Women Business Enterprises (M/WBE) Participation**

The School Board of Miami-Dade County, Florida has an active Minority/Women Business Enterprises (M/WBE) Program to increase contracting opportunity for M/WBE.

In keeping with this policy, each proposer is required to state its M/WBE utilization. If a minority firm, which is woman-owned and operated, or African American-owned and operated, is used to perform a scope of work, the firm is to indicate the M/WBE experience in providing this type of required services and experience of staff who will participate. All M/WBE must be certified by the Division of Business Development and Assistance prior to contract award. Certification application may be obtained by contacting the **Division of Business Development and Assistance, 1450 N.E. Second Avenue, Room 456, Miami, Florida 33132, at (305) 995-1494.**

Quarterly reports documenting efforts undertaken by the proposer to maintain the stipulated M/WBE participation will be required. The reports shall include the name of firms, contact persons, and expenditures paid each quarter, and shall be submitted to the Division of Business Development and Assistance at the address stated above.





**DADE COUNTY PUBLIC SCHOOLS  
AFFIRMATIVE ACTION  
EMPLOYMENT BREAKDOWN**

**FM-4859 (03-92)**



DADE COUNTY PUBLIC SCHOOLS  
COMMITMENT...PROGRESS...CHANGE

For office use only:

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

Reviewer: \_\_\_\_\_

M/WBE Code: \_\_\_\_\_

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

Vendor #: \_\_\_\_\_

## M/WBE CERTIFICATION APPLICATION

(Please Print/Type)

Type of Certification Requested: ☐ African American ☐ Woman  
☐ Hispanic

I.

Name of Firm: \_\_\_\_\_

( ) Telephone Number ( ) Fax Number

Address of Firm \_\_\_\_\_

Street \_\_\_\_\_

City State Zip Code

Mailing address, if different from above:

II. Legal Structure: (Check one and indicate date established)

☐ Sole Proprietorship \_\_\_\_\_ Date ☐ Joint Venture \_\_\_\_\_ Date

☐ Partnership \_\_\_\_\_ Date ☐ Corporation \_\_\_\_\_ Date

☐ Corporation/Profit \_\_\_\_\_ Date ☐ Non-Profit \_\_\_\_\_ Date

☐ Other (Specify, i.e., Limited Partnership, Trust) \_\_\_\_\_

Indicate if this firm or other firms with any of the same officers, owners, directors or management personnel have previously received, been denied, or had certification revoked as an MBE/DBE/WBE or SBA 8a Certified Contractor. Indicate the name of the certifying authority and date of such certification/denial/revocation.

Name of Agency

Determination

Date

\* Please submit copies of denial/revocation.

III. OWNERSHIP OF FIRM: Identify proprietor, all partners, and stockholders by name, gender, ethnic group, and percentage of ownership. If applicant owner(s) is a corporation, partnership, or other business entity please provide name of firm and percentage of ownership.

Name and Title	*U.S. Citizen	Gender	Ethnicity	Years Owned	% Owned	Voting %
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\* If owner(s) stipulated above is not a U.S. Citizen, proof of permanent residency is required.

If the entity is a Corporation, please complete the following regarding the corporate stock.

Number of Authorized Shares: \_\_\_\_\_ Issued Shares: \_\_\_\_\_

Number of Outstanding Shares: \_\_\_\_\_ Class of Stock: \_\_\_\_\_

Are there any outstanding stock purchase option agreements? Yes \_\_\_\_\_ No \_\_\_\_\_  
If Yes, please provide a copy of such option agreements.

IV. CONTROL OF FIRM: Identify by name, title, race/ethnic group, and gender those individuals in the firm (including owners and non-owners) with primary responsibility for:

Decisions	Name and Title	Race/Ethnicity/ Gender
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A. FINANCIAL DECISIONS:

1. Check signing

Cont. IV. CONTROL OF FIRM:

Name and Title

Race/Ethnicity/  
Gender

2. Payroll signing

3. Signing, co-signing  
and/or collateralizing  
loans

4. Acquisition of lines  
of credit

5. Surety Bonding

6. Major purchases or  
acquisitions

7. Signing contracts/  
change orders/payment  
requisitions

8. Job estimating and  
bidding

B. MANAGEMENT DECISIONS:

Name and Title

Race/Ethnicity/  
Gender

1. Marketing and sales  
operations

2. Hiring and firing of  
management personnel

3. Hiring and firing of  
non-management personnel

4. Supervision of field/  
production personnel

5. Supervision of  
Office Personnel

V. Personnel

Specify the total number of employees, including yourself, and the number of minority persons now employed by the firm in the following areas:

Please use the following to classify the minority persons: AM-African American Male, AF-African American Female, HM-Hispanic Male, HF-Hispanic Female, WF-Female.

Total Number  
of Employees

Total Number of  
Minority Employees

AM	AF	HM	HF	WF

Management \_\_\_\_\_

Administrative/Clerical \_\_\_\_\_

Professional/Technical \_\_\_\_\_

Craftsperson/Laborers \_\_\_\_\_

Please submit an Affirmative Action Statement, if available.

**VI. Business Relationships:**

a) Bonding Company: \_\_\_\_\_

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

Contact Person: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Bonding Limit: \_\_\_\_\_ Single Contract: \_\_\_\_\_ Aggregate: \_\_\_\_\_

b) Bank(s) Name: \_\_\_\_\_

Branch: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Lending Limits: \_\_\_\_\_

Letters of Credit, if any: \_\_\_\_\_

1) Specify outstanding loans/capital contributed to the firm:

<u>Lender</u>	<u>Guarantor/ Co-Guarantor</u>	<u>Address &amp; Telephone</u>	<u>Amount</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

c) Insurance Company: \_\_\_\_\_

Type of Insurance: \_\_\_\_\_ Insurance Limits: \_\_\_\_\_

d) List the three largest purchase orders/contracts executed by your firm, in the last three years, and the nature of work performed under those contracts/purchase orders.

<u>Work Performed</u>	<u>Contact Person</u>	<u>Telephone Number</u>	<u>Contract Amount</u>	<u>Prime(P) Sub (S)</u>	<u>Bonded (Yes/No)</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

VII. EQUIPMENT: Itemize major equipment owned (O) or leased (L) by the firm and its value.

<u>Equipment</u>	<u>O/L</u>	<u>Value</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

#### M/WBE JOINT VENTURE DISCLOSURE

Please complete only if firm is a Joint Venture.

JOINT VENTURE OWNERSHIP - If not provided in the Joint Venture Agreement, describe the following on a separate sheet of paper:

- (a) Profit and loss distribution
- (b) Capital contribution, including equipment, office space, etc.
- (c) Other ownership interests
- (d) Decision making

A) Specify the firms comprising the Joint Venture:

<u>Name of Firm</u>	<u>% of Ownership</u>	<u>M/WBE Code</u>	<u>Scope of Responsibility</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

B) What is the total percentage of M/WBE participation in the Joint Venture?

C) Describe the experience and business of each non-M/WBE Joint Venture member:

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AFFIDAVIT

STATE OF \_\_\_\_\_ :  
COUNTY OF \_\_\_\_\_ : SS

I hereby declare and affirm that I am the \_\_\_\_\_ (Title)  
of: \_\_\_\_\_ (Firm)

That I am duly authorized to execute the foregoing M/WBE Certification Application, and that the contents of said documents are complete, true and correct to the best of my knowledge and belief. I hereby certify that the documents include all material information necessary to identify the true and lawful owners of the subject business enterprise. Further, the undersigned is notified of their responsibility to submit an updated M/WBE Certification Application whenever a change occurs in ownership and management control of the applicant M/WBE or certified M/WBE. Any M/WBE applicant, certified M/WBE principal(s) and all related parties, who misrepresents the status of any concern as an M/WBE, or is a party to such misrepresentation to obtain business or contracts with the School Board under the Business Development and Assistance Program, will be suspended from doing business with the School Board for fourteen (14) months.

(Corporate Seal) if appropriate

\_\_\_\_\_  
Minority/Woman Owner's Signature

On this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, personally appeared before me, the undersigned officer authorized to administer oaths:

\_\_\_\_\_ known to be the person described in the foregoing affidavit, who acknowledged that he/she executed the same in the capacity stated and for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

SEAL



M/WBE  
Certification Check List

Please attach copies, not originals, of all applicable items. No action will be taken on an incomplete application. Failure to submit the following documents will delay the certification process.

1. M/WBE Certification by Public Agency:

If you have received M/WBE certification from any other Public Agency, please attach copy(s) of certification certificate(s)/letter(s).

2. Affidavit statement of M/WBE Certification Application (Page 7 of Application)
3. Dade County Public Schools Vendor Application
4. If not previously certified, please provide the following documents:

Please check if attached

- ( ) a) Lease/Purchase Agreement for business facilities. Please list all facilities used by the firm. Indicate if shared and with whom.
- ( ) b) Current Professional/Business license(s)
- ( ) c) Proof of citizenship or permanent/resident status if born outside the USA
- ( ) d) Resumes of owners and key personnel
- ( ) e) Lease/Purchase Agreements for major equipment utilized by the business
- ( ) f) Most current Bond application, if applicable
- ( ) g) Management Agreement(s)
- ( ) h) Current financial statements, audited or unaudited, including a Balance Sheet, Income Statement and accompanying notes if available
- ( ) i) Loan Agreement(s) or Promissory Note(s)
- ( ) j) Birth certificate, Drivers License, Passport or any other document(s) to substantiate ethnicity/race/gender

\*If any of the aforementioned documents are not available, please provide a written notarized statement of unavailability.

5. Sole Proprietor - Submit all applicable items above, plus the following three:
- ( ) U.S. IRS 1040-C Schedule

- ( ) Fictitious Name Affidavit, if applicable
  - ( ) Department of State Fictitious Name Registration
6. Partnerships - Submit all applicable items above, plus the following three:
- ( ) Partnership agreement(s)
  - ( ) U.S. IRS 1065, with all schedules
  - ( ) Profit sharing agreements
7. Corporations - Submit all applicable items above, plus the following eleven:
- ( ) Articles of Incorporation, with amendments
  - ( ) Corporate By-Laws, with amendments
  - ( ) U.S. IRS Corporate Tax Return 1120 or 1120S, with all schedules
  - ( ) Copies of all issued and cancelled stock certificates (front & back). If any authorized stock, of any class, has not been issued a notarized statement to that effect must be provided.
  - ( ) Minutes of First Shareholder's Meeting
  - ( ) Minutes of First Board of Director's Meeting
  - ( ) Minutes of meetings at which current Board of Directors and Officers were elected or appointed
  - ( ) Copy of Stock Transfer Ledger
  - ( ) Most current Annual Report filed with Department of State Division of Corporation
  - ( ) Profit sharing agreements
  - ( ) Agreements affecting management, control or rights of any stockholder(s)
8. ( ) Joint Venture Agreement(s)
9. ( ) Certificate(s) of Insurance
10. ( ) Sub-Contractual Agreement(s)
11. ( ) Stock/Voting Rights Agreements, Options, Restrictions, Sale and Transfer Options
12. ( ) Agreements restricting minority/woman owner(s)

NOTE: If after filing this application, and before an award is made, there is any significant change in the information submitted, you must inform the Division of Business Development and Assistance of the change, or decertification may occur.

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COMPLETE APPLICATION, INCLUDING VENDOR APPLICATION AND CATEGORY OF GOODS AND SERVICES LIST, SHOULD BE RETURNED TO:

DADE COUNTY PUBLIC SCHOOLS  
DIVISION OF BUSINESS DEVELOPMENT AND ASSISTANCE  
1450 N.E. 2ND AVENUE, ROOM 456  
MIAMI, FL 33132

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## DEFINITION OF MINORITY/WOMEN BUSINESS ENTERPRISES

- (1) "Minority/Women Business Enterprises" means any legal entity, which is organized to engage in commercial transactions and which is at least fifty-one (51) percent owned and controlled by a minority person or persons.
- (2) "Minority person" means a person who is a citizen or lawful permanent resident of the United States, and who is:
  - (a) An African American, a person having origins in any of the Black racial groups of Africa;
  - (b) An Hispanic, a person of Spanish or Portuguese culture including, but not limited to, persons with origins in Mexico, South America, Central America, or the Caribbean Islands, regardless of race, or
  - (c) A Woman

### WARNING

- (3) IT IS UNLAWFUL FOR ANY INDIVIDUAL TO FALSELY REPRESENT ANY ENTITY, AS A MINORITY/WOMEN BUSINESS ENTERPRISE, FOR THE PURPOSES OF QUALIFYING FOR CERTIFICATION UNDER A PROGRAM WHICH, IN COMPLIANCE WITH FEDERAL LAW, IS DESIGNED TO ASSIST MINORITY/WOMEN BUSINESS ENTERPRISES IN THE RECEIPT OF CONTRACTS FOR THE PROVISION OF GOODS OR SERVICES. ANY PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY OF THE SECOND DEGREE, PUNISHABLE AS PROVIDED IN S. 775.082 OR S. 775.084.

(102891)