

ITB 2023-01

FLORIDA KEYS MOSQUITO CONTROL DISTRICT

SURPLUS EQUIPMENT

Submissions must be in an envelope separate from any express mail or courier envelopes, as those will be opened and discarded.

Be sure to include the name of the company submitting the proposal where requested.

Cut along the outer border and affix this label to your sealed envelope to identify it as a "Sealed Proposal".

**SEALED PROPOSAL •
DO NOT OPEN**

SOLICITATION NO: **ITB 2023-01**

SOLICITATION TITLE:

SURPLUS EQUIPMENT

SUBMISSION DUE DATE/TIME:

Wednesday, February 15, 2023
4:00 PM

SUBMITTED BY:

(Name of Company)

DELIVER TO:

Florida Keys Mosquito Control District
503 107th Street, Gulf
Marathon, FL 33050

ITB 2023-01

FLORIDA KEYS MOSQUITO CONTROL DISTRICT

INVITATION TO BID

Notice is hereby given that the Board of Commissioners for the Florida Keys Mosquito Control District, at 503 107th Street, Gulf, Marathon, FL 33050, will receive SEALED BIDS for the following:

SURPLUS EQUIPMENT

PROPERTY #	ITEM/DESCRIPTION	CONDITION	ESTIMATED VALUE*
2604	Veneer Table 96" X 30" Deep X 29"	GOOD	\$ 300.00
2609	Veneer Township Table 72" X 30" with Full Panel Ends	GOOD	\$ 1,000.00
2647	Grizzly OHV Smart Flow with RA Spray Unit S/N 102046 OPERATIONAL	FAIR	\$ 500.00
2742	Grizzly OHV Smart Flow Spray Unit S/N 102081 OPERATIONAL	FAIR	\$ 500.00
2743	Grizzly OHV Smart Flow Spray Unit w/RA S/N 102075 OPERATIONAL	FAIR	\$ 500.00
2893	Grizzly OHV Smart Flow with RA S/N 102355 OPERATIONAL	FAIR	\$ 500.00
2919	G383 Grizzly OHV Smart Flow GPS Serial # 102386	FAIR	\$ 500.00
2920	G382 Grizzly OHV Smart Flow GPS Serial # 102389	FAIR	\$ 500.00
3012	IGEBA TF34 Thermal Fogger/Generator, Water Conservation Kit	GOOD	\$ 1,900.00
3047	SD Titan 100 R Super Duty High Performance Mist Sprayer, 19", FKMCD Tag 262	POOR	UNKNOWN
2703	2006 Chevy 3500 6.0L, VIN 1GCJK33U16F145715, FKMCD Truck 354, Odometer 66,049, Rusted, Runs	FAIR	\$ 2,000.00
2711	2006 Chevy Silverado 1500 4.3, VIN 3GCEC14X56G178906, FKMCD Truck 369, Odometer 23,787, Rusted, Runs	POOR	\$ 200.00
2723	2006 Chevy Silverado 1500 4.3, VIN 3GCEC14X06G178909, FKMCD Truck 382, Odometer 29,380, Rusted, Runs	POOR	\$ 200.00
2724	2006 Chevy Silverado 1500 4.3, VIN 3GCEC14X16G178904, FKMCD Truck 383, Odometer 31,678, Rusted, Runs	POOR	\$ 200.00

2727	2006 Chevy Silverado VIN 3GCEC14X36G178936, FKMCD Truck 366, Rusted Underneath, Runs	POOR	\$ 1,500.00
2880	2010 Ford Ranger, VIN 1FTYR10D39PA31040, FKMCD Truck 414, Runs	POOR	\$ 500.00
2925	2010 Ford F150 VIN 1FTMF1CW8AKB68416, FKMCD Truck 420, TRUCK DOES NOT RUN	POOR	\$ 200.00
2931	2010 Ford F-150 4.6L, VIN 1FTMF1CW3AKB68422, FKMCD Truck 422, Odometer 129,622, Rusted, Runs	POOR	\$ 500.00
2944	2010 Ford Ranger VIN 1FTKR1AD6APA49654 FKMCD Truck 432, Runs	POOR	\$ 500.00
	2014 Suzuki DF90 Outboard engine VIN# 09003F-413214	FAIR	\$ 5,600.00
3015	2014 Ford F150, VIN 1FTMF1CM2EKF78388, FKMCD Truck 450, Runs	POOR	\$ 500.00

**Estimated Value was determined by FKMCD employees, not hired professionals. This amount does not necessarily represent a minimum bid amount. All bids submitted in the proper manner will be considered.*

INTERESTED PERSONS may obtain specifications by calling the Florida Keys Mosquito Control District Office at (305) 292-7190, email requests to rlmiller@keysmosquito.org or by download from the District website: www.keysmosquito.org.

SEALED BIDS WILL BE RECEIVED up to 4:00 PM on Wednesday, February 15, 2023 and OPENED on Thursday, February 16, 2023 at 10:00 AM at the Marathon Mosquito Control Office, 503 107th Street, Gulf, Marathon, FL 33050. Recommendations will be given to the Board of Commissioners at the Regular Meeting to be held on Tuesday, February 21, 2023, at the Marathon Mosquito Control Office, 503 107th Street, Gulf, Marathon, FL 33050. Bids must be clearly marked on the face of the envelope "SURPLUS EQUIPMENT." All Bidders are welcome to be present for the opening and/or the award of the bids.

THE BOARD reserves the right to reject any and all bids and/or to waive any and all irregularities in all bids.

BY ORDER of the Board of Commissioners, Florida Keys Mosquito Control District.

Phillip L. Goodman
Chairman

ATTEST:

Thomas McDonald
Secretary-Treasurer



ITB 2023-01

FLORIDA KEYS MOSQUITO CONTROL DISTRICT
SALE OF SEALED BIDS OF SURPLUS EQUIPMENT

----- INSTRUCTION TO BIDDERS-----

1. A list of the equipment offered for sale is on the Bid Sheet. All equipment is located throughout the District, at one of Florida Keys Mosquito Control District locations. Please call Rochele Miller at 305-292-7190, ext 122 or email rmiller@keysmosquito.org to set up an appointment.
2. Bid Sheets must be signed in ink by the bidder or bidder's authorized representative with name, address, email address and phone number legibly written on each Bid Sheet. Bidders must submit their bid in a sealed envelope, clearly marked "SURPLUS EQUIPMENT." Bids not submitted in this manner may be rejected as such.
3. By submitting a bid, the bidder makes an offer to enter into a legally binding contract with FKMCD to purchase an item at the bid price. If you are the high bidder, you have entered a legally binding contract to purchase. Do not bid unless you are willing and able to pay for your purchase.
4. ALL ITEMS ARE SOLD "AS IS, WHERE IS."

THERE ARE NO WARRANTIES EXPRESSED OR IMPLIED INCLUDING, BUT NOT LIMITED TO, MERCHANTABILITY OR FITNESS FOR USE REGARDING THE CONDITION OF ANY ITEM OFFERED FOR SALE.

Be sure to carefully inspect each item you are interested in.

5. Bids must be received no later than 4:00 PM on Wednesday, February 15, 2023 at the Marathon Mosquito Control Office located at 503 107th Street, Gulf, Marathon, FL 33050.
6. Bids will be opened at 10:00 AM on Thursday, February 16, 2023 at the Marathon Mosquito Control Office located at 503 107th Street, Gulf, Marathon, FL 33050. All bidders and the general public are invited to attend the bid opening. Recommendations will be given to the Board of Commissioners at the Regular Meeting to be held on Tuesday, February 21, 2023, at the Marathon Mosquito Control Office, 503 107th Street, Gulf, Marathon.

7. Cashier's checks, or money orders are the only acceptable means of payment; FKMCD can not accept credit cards or extend credit. Items may not be removed from FKMCD property until paid for.
8. Successful bidders must remove their items from FKMCD property no later than 2:00 PM on March 7, 2023. Failure to remove items by the deadline may, at the sole discretion of the Director, result in the bid being offered to the next highest bidder, or the cancellation of the bid. Items cannot be removed from FKMCD property prior to payment.
9. The purchaser agrees to indemnify and hold FKMCD harmless for all claims, suits and costs arising out of the use of the items sold.
10. FKMCD reserves the right to accept any bid or combination of bid alternates which, in the FKMCD's judgment will best serve the FKMCD's interest, or to reject any or all bids. FKMCD may waive any bid irregularities in its sole discretion, and to negotiate contract terms with bidders, and the right to disregard all nonconforming, non-responsive, unbalanced or conditional bids.

ALL ITEMS ARE SOLD "AS IS, WHERE IS."

ITB 2023-01
FLORIDA KEYS MOSQUITO CONTROL DISTRICT
SURPLUS EQUIPMENT

Bidder's Name: _____

Email Address: _____

Address: _____

Telephone: _____

Bidder's Signature: _____

Please circle the item or property # you are interested in and write the Bid Amount to the right of the item.

Please note: Estimated Current Value was determined by FKMCD employees, not hired professionals. This amount does not necessarily represent a minimum bid amount. All bids submitted in the proper manner will be considered.

PROPERTY #	ITEM/DESCRIPTION	CONDITION	ESTIMATED VALUE*	BID AMOUNT
2604	Veneer Table 96" X 30" Deep X 29"	GOOD	\$ 300.00	
2609	Veneer Township Table 72" X 30" with Full Panel Ends	GOOD	\$ 1,000.00	
2647	Grizzly OHV Smart Flow with RA Spray Unit S/N 102046 OPERATIONAL	FAIR	\$ 500.00	
2742	Grizzly OHV Smart Flow Spray Unit S/N 102081 OPERATIONAL	FAIR	\$ 500.00	
2743	Grizzly OHV Smart Flow Spray Unit w/RA S/N 102075 OPERATIONAL	FAIR	\$ 500.00	
2893	Grizzly OHV Smart Flow with RA S/N 102355 OPERATIONAL	FAIR	\$ 500.00	
2919	G383 Grizzly OHV Smart Flow GPS Serial # 102386	FAIR	\$ 500.00	
2920	G382 Grizzly OHV Smart Fow GPS Serial # 102389	FAIR	\$ 500.00	
3012	IGEBA TF34 Thermal Fogger/Generator, Water Conservation Kit	GOOD	\$ 1,900.00	
3047	SD Titan 100 R Super Duty High Performance Mist Sprayer, 19", FKMCD Tag 262	POOR	UNKNOWN	

ITB 2023-01
FLORIDA KEYS MOSQUITO CONTROL DISTRICT
SURPLUS EQUIPMENT

Bidder's Name: _____

Email Address: _____

Address: _____

Telephone: _____

Bidder's Signature: _____

Please circle the item or property # you are interested in and write the Bid Amount to the right of the item.

Please note: Estimated Current Value was determined by FKMCD employees, not hired professionals. This amount does not necessarily represent a minimum bid amount. All bids submitted in the proper manner will be considered.

PROPERTY #	ITEM/DESCRIPTION	CONDITION	ESTIMATED VALUE*	BID AMOUNT
2703	2006 Chevy 3500 6.0L, VIN 1GCHK33U16F145715, FKMCD Truck 354, Odometer 66,049, Rusted, Runs	FAIR	\$ 2,000.00	
2711	2006 Chevy Silverado 1500 4.3, VIN 3GCEC14X56G178906, FKMCD Truck 369, Odometer 23,787, Rusted, Runs	POOR	\$ 200.00	
2723	2006 Chevy Silverado 1500 4.3, VIN 3GCEC14X06G178909, FKMCD Truck 382, Odometer 29,380, Rusted, Runs	POOR	\$ 200.00	
2724	2006 Chevy Silverado 1500 4.3, VIN 3GCEC14X16G178904, FKMCD Truck 383, Odometer 31,678, Rusted, Runs	POOR	\$ 200.00	
2727	2006 Chevy Silverado VIN 3GCEC14X36G178936, FKMCD Truck 366, Rusted Underneath, Runs	POOR	\$ 1,500.00	

ITB 2023-01
FLORIDA KEYS MOSQUITO CONTROL DISTRICT
SURPLUS EQUIPMENT

Bidder's Name: _____

Email Address: _____

Address: _____

Telephone: _____

Bidder's Signature: _____

Please circle the item or property # you are interested in and write the Bid Amount to the right of the item.

Please note: Estimated Current Value was determined by FKMCD employees, not hired professionals. This amount does not necessarily represent a minimum bid amount. All bids submitted in the proper manner will be considered.

PROPERTY #	ITEM/DESCRIPTION	CONDITION	ESTIMATED VALUE*	BID AMOUNT
2880	2010 Ford Ranger, VIN 1FTYR10D39PA31040, FKMCD Truck 414, Runs	POOR	\$ 500.00	
2925	2010 Ford F150 VIN 1FTMF1CW8AKB68416, FKMCD Truck 420, TRUCK DOES NOT RUN	POOR	\$ 200.00	
2931	2010 Ford F-150 4.6L, VIN 1FTMF1CW3AKB68422, FKMCD Truck 422, Odometer 129,622, Rusted, Runs	POOR	\$ 500.00	
2944	2010 Ford Ranger VIN 1FTKR1AD6APA49654 FKMCD Truck 432, Runs	POOR	\$ 500.00	
	2014 Suzuki DF90 Outboard engine VIN# 09003F-413214	FAIR	\$ 5,600.00	
3015	2014 Ford F150, VIN 1FTMF1CM2EKF78388, FKMCD Truck 450, Runs	POOR	\$ 500.00	

287.133 PUBLIC ENTITY CRIME; DENIAL OR REVOCATION OF THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES.

(1) As used in this section:

(a) "Affiliate" 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.

(b) "Convicted" or "conviction" 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.

(c) "Convicted vendor list" means the list required to be kept by the department pursuant to paragraph (3)(d).

(d) "Department" means the Department of Management Services.

(e) "Person" means any natural person or any 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 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.

(f) "Public entity" means the State of Florida, any of its departments or agencies, or any political subdivision. (g)

"Public entity crime" 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 with the United States, including, but not limited to, any bid, proposal, reply, 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.

(2)(a) 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, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, 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 s. [287.017](#) for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list.

(b) A public entity may not accept any bid, proposal, or reply from, award any contract to, or transact any business in excess of the threshold amount provided in s. [287.017](#) for CATEGORY TWO with any person or affiliate on the convicted vendor list for a period of 36 months following the date that person or affiliate was placed on the convicted vendor list unless that person or affiliate has been removed from the list pursuant to paragraph (3)(f). A public entity that was transacting business with a person at the time of the commission of a public entity crime resulting in that person being placed on the convicted vendor list may not accept any bid, proposal, or reply from, award any contract to, or transact any business with any other person who is under the same, or substantially the same, control as the person whose name appears on the convicted vendor list so long as that person's name appears on the convicted vendor list.

(3)(a) All invitations to bid, requests for proposals, and invitations to negotiate, as defined in s. [287.012](#), and any contract document described by s. [287.058](#) shall contain a statement informing persons of the provisions of paragraph (2)(a).

(b) Any person must notify the department within 30 days after a conviction of a public entity crime applicable to that person or to an affiliate of that person. Any public entity which receives information that a person has been convicted of a public entity crime shall transmit that information to the department in writing within 10 days.

(c) If the department has reason to believe that a person or an affiliate has been convicted of a public entity crime, the department may issue a written demand upon that person or affiliate, concerning any such conviction or affiliation, to appear and be examined under oath, to answer interrogatories under oath, or to produce documents or other tangible evidence for inspection and copying. The department shall conduct any such inquiry in accord with applicable provisions of the Florida Rules of Civil Procedure.

(d) The department shall maintain a list of the names and addresses of those who have been disqualified from the public contracting and purchasing process under this section. The department shall publish an initial list on January 1, 1990, and shall publish an updated version of the list quarterly thereafter. The revised quarterly lists shall be electronically posted. Notwithstanding this paragraph, a person or affiliate disqualified from the public contracting and purchasing process pursuant to this section shall be disqualified as of the date the final order is entered.

(e)1. Upon receiving reasonable information from any source that a person has been convicted, the department shall investigate the information and determine whether good cause exists to place that person or an affiliate of that person on the convicted vendor list. If good cause exists, the department shall notify the person or affiliate in writing of its intent to place the name of that person or affiliate on the convicted vendor list, and of the person's or affiliate's right to a hearing, the procedure that must be followed, and the applicable time requirements. If the person or affiliate does not request a hearing, the department shall enter a final order placing the name of the person or affiliate on the convicted vendor list. No person or affiliate may be placed on the convicted vendor list without receiving an individual notice of intent from the department.

2. Within 21 days of receipt of the notice of intent, the person or affiliate may file a petition for a formal hearing pursuant to ss. [120.569](#) and [120.57\(1\)](#) to determine whether it is in the public interest for that person or affiliate to be placed on the convicted vendor list. A person or affiliate may not file a petition for an informal hearing under s. [120.57\(2\)](#). The procedures of chapter 120 shall apply to any formal hearing under this section except where they are in conflict with the following provisions:

a. The petition shall be filed with the department. The department shall be a party to the proceeding for all purposes.

b. Within 5 days after the filing of the petition, the department shall notify the Division of Administrative Hearings of the request for a formal hearing. The director of the Division of Administrative Hearings shall, within 5 days after receipt of notice from the department, assign an administrative law judge to preside over the proceeding. The administrative law judge, upon request by a party, may consolidate related proceedings.

c. The administrative law judge shall conduct the formal hearing within 30 days after being assigned, unless otherwise stipulated by the parties.

d. Within 30 days after the formal hearing or receipt of the hearing transcript, whichever is later, the administrative law judge shall enter a final order, which shall consist of findings of fact, conclusions of law, interpretation of agency rules, and any other information required by law or rule to be contained in the final order. Such final order shall place or not place the person or affiliate on the convicted vendor list.

e. The final order of the administrative law judge shall be final agency action for purposes of s. [120.68](#).

f. At any time after the filing of the petition, informal disposition may be made pursuant to s. [120.57\(4\)](#). In that event, the administrative law judge shall enter a final order adopting the stipulation, agreed settlement, or consent order.

3. In determining whether it is in the public interest to place a person or affiliate on the convicted vendor list, the administrative law judge shall consider the following factors:

a. Whether the person or affiliate committed a public entity crime.

b. The nature and details of the public entity crime.

c. The degree of culpability of the person or affiliate proposed to be placed on the convicted vendor list.

d. Prompt or voluntary payment of any damages or penalty as a result of the conviction.

e. Cooperation with state or federal investigation or prosecution of any public entity crime, provided that a good faith exercise of any constitutional, statutory, or other right during any portion of the investigation or prosecution of any public entity crime shall not be considered a lack of cooperation.

f. Disassociation from any other persons or affiliates convicted of the public entity crime.

g. Prior or future self-policing by the person or affiliate to prevent public entity crimes.

h. Reinstatement or clemency in any jurisdiction in relation to the public entity crime at issue in the proceeding.

i. Compliance by the person or affiliate with the notification provisions of paragraph (b).

j. The needs of public entities for additional competition in the procurement of goods and services in their respective markets.

k. Mitigation based upon any demonstration of good citizenship by the person or affiliate.

4. In any proceeding under this section, the department shall be required to prove that it is in the public interest for the person to whom it has given notice under this section to be placed on the convicted vendor list. Proof of a conviction of the person or that one is an affiliate of such person shall constitute a prima facie case that it is in the public interest for the person or affiliate to whom the department has given notice to be put on the convicted vendor list. Prompt payment of damages or posting of a bond, cooperation with investigation, and termination of the employment or other relationship with the employee or other natural person responsible for the public entity crime shall create a rebuttable presumption that it is not in the public interest to place a person or affiliate on the convicted vendor list. Status as an affiliate must be proven by clear and convincing evidence. If the administrative law judge determines that the person was not convicted or is not an affiliate of such person, that person or affiliate shall not be placed on the convicted vendor list.

5. Any person or affiliate who has been notified by the department of its intent to place his or her name on the convicted vendor list may offer evidence on any relevant issue. An affidavit alone shall not constitute competent substantial evidence that the person has not been convicted or is not an affiliate of a person so convicted. Upon establishment of a prima facie case that it is in the public interest for the person or affiliate to whom the department has given notice to be put on the convicted vendor list, that person or affiliate may prove by a preponderance of the evidence that it would not be in the public interest to put him or her on the convicted vendor list, based upon evidence addressing the factors in subparagraph 3.

(f)1. A person on the convicted vendor list may petition for removal from the list no sooner than 6 months from the date a final order is entered disqualifying that person from the public purchasing and contracting process pursuant to this section, but may petition for removal at any time if the petition is based upon a reversal of the conviction on appellate review or pardon. The petition shall be filed with the department, and the proceeding shall be conducted pursuant to the procedures and requirements of this subsection.

2. A person may be removed from the convicted vendor list subject to such terms and conditions as may be prescribed by the administrative law judge upon a determination that removal is in the public interest. In determining whether removal would be in the public interest, the administrative law judge shall give consideration to any relevant factors, including, but not limited to, the factors identified in subparagraph (e)3. Upon proof that a person's conviction has been reversed on appellate review or that he or she has been pardoned, the administrative law judge shall determine that removal of the person or an affiliate of that person from the convicted vendor list is in the public interest.

3. If a petition for removal is denied, the person or affiliate may not petition for another hearing on removal for a period of 9 months after the date of denial, unless the petition is based upon a reversal of the conviction on appellate review or a pardon. The department may petition for removal prior to the expiration of such period if, in its discretion, it determines that removal would be in the public interest.

(4) The conviction of a person for a public entity crime, or placement on the convicted vendor list, shall not affect any rights or obligations under any contract, franchise, or other binding agreement which predates such conviction or placement on the convicted vendor list. However, the administrative law judge in a proceeding instituted under this section may declare voidable any specific contract, franchise, or other binding agreement entered into after July 1, 1989, by a person placed on the convicted vendor list and a public entity, but only if the administrative law judge finds as fact that the person to be placed on the list has not satisfied the criteria set forth in sub-subparagraphs (3)(e)3.d., f., and g.

(5) The provisions of this section do not apply to any activities regulated by the Florida public Service Commission or to the purchase of goods or services made by any public entity from the Department of Corrections, from the nonprofit corporation organized under chapter 946, or from any accredited nonprofit workshop certified under ss. [413.032-413.037](#).

History.—s. 2, ch. 89-114; s. 1, ch. 90-33; s. 32, ch. 90-268; s. 259, ch. 92-279; s. 55, ch. 92-326; s. 217, ch. 95-148; s. 33, ch. 95-196; s. 4, ch. 95-420; s. 62, ch. 96-410; s. 58, ch. 99-13; s. 29, ch. 2002-207.

**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 _____
(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, 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 with the United States, including, but not limited to, any bid, proposal, reply, 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 (1) (b), Florida Statutes, means a finding of guilt of a conviction of 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 of information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea 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 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) ©, 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 public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, member, and agents who are active in management of an entity.

6. Based on information and belief, that 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, share holders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity has been charged with any 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, 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. 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 the sworn statement on the convicted vendor list. (Attached 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)

(Date)

STATE OF _____

COUNTY OF _____

PERSONALLY APPEARED BEFORE ME, the undersigned authority,

Who, after first sworn by me, affixed his/her signature in the space provided

(name of individual signing)

above on this _____ day of _____, 20_____

NOTARY PUBLIC

My commission expires: