

Board of County Commissioners Agenda Request

Date of Meeting: May 19, 2015

Date Submitted: May 5, 2015

To: Honorable Chairperson and Members of the Board

From: Robert M. Presnell, County Administrator
Clyde Collins, Building Official

Subject: Request Board Approval to Award the Bid and Allow the Chairperson to Sign the Contract for the Replacement of Three (3) High Efficiency Commercial Water Heaters at the Capital Regional Medical Center, Gadsden Campus.

Statement of Issue

This agenda item seeks Board approval to award the lowest bid and allow the Chairperson to sign and the contract to replace three (3) high efficiency commercial water heaters at the Capital Regional Medical Center, Gadsden Campus. Chairperson will sign the contract once the bid is awarded.

Background

The new water heaters will replace the three (3) original ones which were installed in 2006. These water heaters are no longer manufactured and replacement parts are no longer available for repairs. Currently, we are operating with only one water heater; the other two (2) have completely stopped working. The Gadsden Campus operates twenty-four (24) hours seven (7) days a week; therefore, it is deemed necessary to replace the water heaters right away.

Analysis

Staff solicited sealed bids from qualified providers for the water heater replacement project. The bid tabulation form is attached. Clyde Collins, Building Official, prepared the specifications for this project and upon review of the bids, recommends the award of bid to the lowest bidder, Keith Lawson Services.

Fiscal Impact

Gadsden County will pay for the three (3) high efficiency commercial water heaters at a cost of \$43,558. These funds will come from Department 0050 (Hospital), Account 56400 (Repair/Maintenance).

Options

1. Approve award of bid to Keith Lawson Services and allow Chairperson to sign the contract for the water heaters replacement and installation project at the Capital Regional Medical Center, Gadsden Campus. Chairperson will sign the contract once the bid is awarded and contractor submits the contract.
2. Do not approve the bid award.
3. Board Direction.

County Administrator's Recommendation

Option 1.

Attachment

Bid Report

Bid Tabulation Form

Bid Proposals (3)

BID REPORT
Bid No. 15-06
3 High Efficiency Commercial Water Heaters

DATE: 5-1-15

TIME: 10:30 a.m.

PRESENT: Arthur Lawson, Sr.; MSD
Shelia Faircloth, MSD
Ken Strickland, Keith Lawson Services

Three bids were submitted:

Keith Lawson Services	\$43,558.00
Tallahassee, FL	

Benson's Heating and Air	\$75,942.00
Tallahassee, FL	

Keith McNeill Plumbing	\$62,787.00
Tallahassee, FL	

The bids will be reviewed and a recommendation will be made to the Board. The Board will award this bid to the company that best meets the requirements of the specifications in the bid.

Meeting adjourned at 10:45 a.m.

BID TABULATION FORM

BID TITLE: Commercial Water Heaters BID NUMBER: 15-06 OPENING DATE: 5-1-2015 TIME OF OPENING: 10:30 a.m.	OPENED BY: Shelia Faircloth TABULATED BY: Shelia Faircloth VERIFIED BY: Arthur Lawson, Sr. Page 1
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BIDDER LIST	BID AMOUNT	MET SPECS	NOTES
Keith Lawson Services P O Box 37309 Tallahassee, FL 32315	\$43,558.00		
Benson's Heating & Air 5402 Tower Road Tallahassee, FL 32303	\$75,942.00		
Keith McNeill Plumbing 3505 N Monroe Street Tallahassee, FL 32303	\$62,787.00		
Adjourned @ 10:45			



KEITH LAWSON COMPANY, INC.

Plumbing • Mechanical Contractor
Proudly Serving the Southeast
Since 1980

FL • CFC033793 • CMC041104
GA • MP000326 • CN210764
AL • MP847 • 13002 • GC47806

April 30, 2015

Proposal – RE: Bid NO. 15-06

Company Name: Gadsden County Board Of Commissioners
Project: Bid No. 15-06

Keith Lawson Company proposes to furnish labor, material and equipment as required for the plumbing and mechanical scopes of work per plans, specifications and clarifications as stated herein.

PLUMBING \$43,558.00

We acknowledge 0 addendums / amendments.

Clarifications The following clarifications have been taken into consideration:

- 1) All work to be performed during regular business hours.
- 2) This proposal, in its entirety, must be made a part of the contract.

Inclusions

- 1) Three new replacement units in same location (AVWH75000N100000)
- 2) Equipment per site visit.
- 3) All domestic water pipe to units..
- 4) All gas piping from meter to units.
- 5) All flue piping from water heaters.
- 6) Removal, and disposal of old units.

Exclusions

- 1) Performance and Payment Bond. Add 1.8% if required.
- 2) Full time QA/QC personnel.
- 3) Overtime, shift-time and fast-track development premiums.
- 4) Owner or Contractor Controlled Insurance Program (OCIP and/or CCIP).
- 5) All formed concrete and supplemental steel supports or structures as required for our equipment.
- 6) Coordination drawings.

Panama City Office

Post Office Box 35816
Panama City, FL 32412-5816
(850) 257-5195 Phone
(850) 257-5346 FAX
pcconstruction@keithlawson.com

Tallahassee Office

Post Office Box 37309
Tallahassee, FL 32315-7309
(850) 562-2600 Phone
(850) 562-3795 FAX
construction@keithlawson.com

Columbus Office

Post Office Box 8368
Columbus, GA 31908-8368
(706) 940-0290 Phone
(706) 940-0292 FAX
gaconstruction@keithlawson.com

- 7) All demolition, cutting and patching/replacement of floors, walls, ceilings, roofs, etc. as may be required for our work.
- 8) Insulation of domestic water piping.

We appreciate the opportunity to submit this proposal. This proposal is firm for 30 days.

Sincerely,



Kenny Strickland
Plumbing Service supervisor – Tallahassee Office
kenny@keithlawson.com (850) 558-2609

Panama City Office
Post Office Box 35816
Panama City, FL 32412-5816
(850) 257-5195 Phone
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(706) 940-0292 FAX
gaconstruction@keithlawson.com



3505 N. Monroe St.
Tallahassee, Florida 32303
(850) 562-5504
FEIN 59-1876315
License # CFCO 43067

Proposal #: J-5650km

CONTRACT FOR PLUMBING SERVICES AND MATERIALS

Name of Customer:	Gadsden County BOCC	Phone:	Date: 4-28-15
Address of Customer:	Management Services Dept 5-BE Quincy, Florida 32351	Job Name:	Capital Regional Medical Center, Gadsden
		Job Address:	23186 Blue Star Hwy- Quincy

****Bid will no longer be valid after 45 days****

Labor and material to complete the following:

- Furnish and install (3) AVWH75000 N100,000 natural gas boilers (per specifications) 3-4 weeks lead time.
- Remove all (3) existing boilers and haul off site.
- Disconnect and reconnect electrical as needed. Disconnect all flue piping and reconnect as needed.
- Repipe plumbing and mechanical piping, as needed, to remove and replace boilers. Reinsulate piping after testing pipe and fittings for leaks are complete.
- Remove and replace gas piping as needed. Test all new pipe and fittings as needed.
- Pull plumbing, mechanical and electrical permits as needed.
- Clean up and haul off all debris after job is complete.
- Test all (3) boilers and make any adjustments necessary at that time.
- All work is guaranteed for a (1) year period.

Price: \$62,787.00

Contract Price:

This offer may be withdrawn by Keith McNeill Plumbing Contractor, Inc., if not accepted by customer on or before 30 days.
When signed by customer, this offer shall become a legally-binding contract.

ADDITIONAL TERMS OF CONTRACT

Payment is due upon completion of job. If the invoice is not paid in full when due, customer agrees to pay Keith McNeill Plumbing Contractor, Inc., in addition to all other remedies allowed by law: (1) interest on the unpaid balance at the rate of 1-1/2 percent per month from the date of the invoice; and (2) all reasonable attorney's fees, costs and expenses of collection incurred by Keith McNeill Plumbing Contractor, Inc., whether or not suit is filed including all pre-suit, trial, post-judgment and appellate court proceedings, any arbitration, mediation and bankruptcy court proceedings, and including legal assistant time and all other charges billed by the attorney to Keith McNeill Plumbing Contractor, Inc., even if not taxable as court costs. Customer also stipulates and agrees that venue for any legal proceedings shall be in Leon County, Florida.

I hereby accept and agree to be bound by all terms of this contract.

Signed at Tallahassee, Florida on _____, 200

Signature of Customer or Authorized Agent

PERSONAL GUARANTEE

In consideration of Keith McNeill Plumbing Contractor, Inc., extending credit to customer,

the undersigned, individually, guarantees and promises to pay all amounts due by customer to Keith McNeill Plumbing Contractor, Inc. under this contract including, but not limited to, interest on the outstanding balance from the date of each invoice and all costs of collection incurred by Keith McNeill Plumbing Contractor, Inc., including all reasonable attorney's fees, costs and expenses, as more fully described on this contract.

I hereby accept and agree to be bound by all terms of this contract and this personal guarantee.

Signed at Tallahassee Florida on _____, 200

Signature of Personal Guarantor

Printed name of Personal Guarantor

Invitation to Bid
Bid No. 15-06

The Gadsden County Board of County Commissioners is seeking sealed bids for three (3) High Efficiency Commercial Water Heaters. Bids will be received until 10:30 a.m., Friday, May 1, 2015 in the Management Services Department, 5-B E. Jefferson Street, Quincy, FL 32351 and opened immediately thereafter in the County Administrator's Conference Room, 9-B E. Jefferson Street, Quincy, FL 32351. Specifications may be obtained from the Management Services Department at 5-B E. Jefferson Street, Quincy, FL or by dialing 850-875-8660. Bid document is available for download on our website at www.gadsdengov.net. Questions concerning the specifications should be directed to Clyde Collins, Building Official at 850-875-8665. Bids will not be valid if not sealed in an envelope marked "SEALED BID" and identified by the name of the firm, bid number and time of opening. The Gadsden County Board of County Commissioners reserves the right to reject any one bid or all bids, any part of any bid, to waive any informality in any bid, and to award the purchase in the best interest of the County.

EEO/AA

Date issued: 4-16-15

The purpose of this Invitation to Bid is to replace three (3) existing water heaters at Capital Regional Medical Center, Gadsden Campus. This property is located at 23186 Blue Star Highway, Quincy, FL, 32351.

The successful bidder must bid on AO Smith (or suitable equivalent model) water heaters model #VWH0750N, BTU 750,000, 790 gallons per hour, and run on natural gas. Features are as follows:

ADVANCED HIGH EFFICIENCY, LOW NO_x COMBUSTION TECHNOLOGY

- Venturi-mixing gas/air ratio system – Works with variable speed blower to precisely mix gas and air through firing range.
- 4:1 Turndown – Fully modulating capability prevents energy-stealing short cycling and provides smooth system operation with higher overall system efficiencies.

LOW NO_x OPERATION

- Complies with SCAQMD Rule 1146.2 and other Air Quality Management Districts with similar requirements for low NO_x emissions.

ADVANCED MODULATING CONTROL

- Includes remote tank temperature sensor to install in the storage tanks – allows the tank temperature to be set at the water heater.
- Modulates the burner to maintain the desired tank temperature within +/-1 degree.
- Infinite burner firing rate, modulates between 25% and 100% fire
- Building Management System (BMS) integration with 1 -10 VDC Input allows BMS to control water heater firing rate.

ALL BRONZE FACTORY SIZED PUMP STANDARD

- Integrally pump control maximizes overall system efficiency by eliminating standby heat loss and converts residual heat into useable hot water.
- Factory sized for proper flow between the water heater and storage tank.
- Allows 50 equivalent feet of piping between the water heater and tank.

HIGH EFFICIENCY COPPER FIN TUBE HEAT EXCHANGER

- Vertical heat exchanger design encircles the burner with a combustion chamber that is a 360 degree wall of copper fin tubes.
- Rust-resistant operation – All internal heat exchanger non-copper surfaces are glass lined or suitable equivalent model with A. O. Smith's proprietary porcelain glass coating.
- Impervious to thermal shock.

- Heavy-Duty gasket less heat exchanger design.

COMPACT, LOW-PROFILE DESIGN

- Zero clearance on sides vertical heat exchanger design allows small footprint and units that can fit through doors into elevators.
- Ideal for multiple water heater installations and side by side installation.

FLEXIBLE VENTING SOLUTIONS

- Multiple Category II and IV direct and sidewall venting options.
- Common Venting possible with engineered vent systems.

FACTORY START-UP INCLUDED

- Required for activating warranty and assuring maximum operating performance.

CATEGORY II AND IV LISTED

- Requires AL29-4C gas tight rust resistant venting material.

PROFESSIONAL START-UP SERVICE INCLUDED

- Assures optimum performance for each installation.

MEETS THE THERMAL EFFICIENCY AND STANDBY LOSS REQUIREMENTS OF THE U S DEPARTMENT OF ENERGY AND CURRENT EDITION OF ASHRAE/IESNA 90.1

5-YEAR LIMITED HEAT EXCHANGE WARRANTY

- For complete information, consult written warranty or contact A O Smith.

OTHER VF™ WATER HEATER FEATURES:

- ASME CERTIFIED "HLW" STAMPED 160# W.P.
- ASME RATED PRESSURE RELIEF VALVE, 125 PSI
- FACTORY MOUNTED FLOW SWITCH
- CONTACTS FOR 0-10 VDC BMS EXTERNAL CONTROL
- CONTACTS FOR ALARM OR ANY FAILURE
- DIGITAL INLET/OUTLET TEMPERATURE READOUT
- MANUAL RESET HI-LIMIT
- ALL BRONZE FACTORY SUPPLIED PUMP

VF™ OPTIONS:

- SEQUENCING PANEL – can manage 1 to 4 modulating units
 - Includes remote Tank sensor and sensor well
 - Uses the 0-10Vdc to control the water heater's firing rate
 - Modulates the water heater(s) firing rate to meet system demand

- Provides Cascade/Lead-Lag operation when multiple units are connected
- **ALARM BELL**
- **LOW WATER CUTOFF W/MANUAL RESET AND TEST**
- **PROPANE (LP) GAS**
- **VENT KITS:**
 - Horizontal Exhaust Cap
 - Horizontal Air Intake Cap
 - Horizontal Direct Vent Kit
 - Category II Conversion Kit (Required for Common Venting)
- **INTERNATIONAL VOLTAGE (230v 50Hz)**

DRUG-FREE WORKPLACE CERTIFICATION

The undersigned vendor, in accordance with Florida Statute 287.087 hereby certifies that
KATH MINAM RUMANG does:
Name of Business

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance program, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
4. In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of chapter 893 or of any controlled substance law of the United States or any state, for a violation of chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirement.

Company Name KATH MINAM RUMANG Vendor's Signature

[Signature] President

Must be executed and returned with attached bid at time of bid opening to be considered.

PUBLIC ENTITY CRIMES
(For Information Purposes Only)

Section 287.133, Florida Statutes, was revised by deleting the requirement for vendors to file a public entity crime statement. The following paragraph contains a statement informing persons of the provisions of paragraph (2)(a) of Section 287.133, Florida Statutes:

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 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 Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

The bidder certifies by submission of this bid, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any State or Federal department/agency.

SIGNATURE FORM

K9ITH M. Nam Pennawo Cont. Inc
Name of Company

3505 N. Monroe St
Mailing Address

Tallahassee FL 32303
City State Zip

Chris McNeil McNeil President
Authorized Signature, Title

Chris McNeil 4/30/15
Name (Typed or Printed) Date

850 562-5504
Phone Number (Including Area Code)

562-8765
Fax Number (Including Area Code)

mcneillplumbing.com
Website/Email Address

4/30/15
Date

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

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

1. This sworn statement is submitted to Leon County Board of County Commissioners by:

CHRIS MINNELL, President for:
[print individual's name and title]

KEITH MINNELL PLUMBING CO., INC
[print name of entity submitting sworn statement]

whose business address is 3505 N. MONROE ST
TALLAHASSEE FL 32303

and (if applicable) its Federal Employer Identification Number (FEIN) is 59-1876315.
(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 or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
3. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without 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(1)(a), Florida Statutes, means:
1. A predecessor or successor of a person convicted of a public entity crime: or
 2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes

those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

5. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which 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.


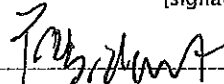
6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Indicate which statement applies)

☒ Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor any affiliate of the entity have 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 the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in 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, AND (Please indicate which additional statement applies.)

☐ The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in 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, AND (Please indicate which additional statement applies.) 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 not 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 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]


Gadsden County BOCC
ITB 15-06
10

[date]

STATE OF Florida

COUNTY OF Leon

PERSONALLY APPEARED BEFORE ME, the undersigned authority,

Chase McNeill who, after first being sworn by me, affixed his/her signature in the space
(name of Individual signing)

provided above on this 30 day of April, 2015

Cheryl Mathers
NOTARY PUBLIC

My commission expires:





PROPOSAL

April 30, 2015

The Gadsden County Board of County Commissioners
5-B E. Jefferson Street
Quincy Florida 32351

Re: Bid No. 15-06 Three High Efficiency Commercial Water Heaters

Per your request we propose to supply and install new water heaters per the bid invitation no # 15-06
Included will be demolition and removal of existing systems, installing new AO Smith AVWH75000N100000
natural gas water heaters, pipe connections, electrical connections, re-insulation where removed by us, flue
connections, start up and warranty service is included.

Total \$ 75,942.00

Let me know if you have any questions,

Sincerely,

Wesley Merritt
Vice President
Bensons Heating and Air Conditioning Inc.

Invitation to Bid

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FACTORY START-UP INCLUDED

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CATEGORY II AND IV LISTED

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PROFESSIONAL START-UP SERVICE INCLUDED

- Assures optimum performance for each installation.

MEETS THE THERMAL EFFICIENCY AND STANDBY LOSS REQUIREMENTS OF THE U S DEPARTMENT OF ENERGY AND CURRENT EDITION OF ASHRAE/IESNA 90.1

5-YEAR LIMITED HEAT EXCHANGE WARRANTY

- For complete information, consult written warranty or contact A O Smith.

OTHER VF™ WATER HEATER FEATURES:

- ASME CERTIFIED "HLW" STAMPED 160# W.P.
- ASME RATED PRESSURE RELIEF VALVE, 125 PSI
- FACTORY MOUNTED FLOW SWITCH
- CONTACTS FOR 0-10 VDC BMS EXTERNAL CONTROL
- CONTACTS FOR ALARM OR ANY FAILURE
- DIGITAL INLET/OUTLET TEMPERATURE READOUT
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- **ALARM BELL**
- **LOW WATER CUTOFF W/MANUAL RESET AND TEST**
- **PROPANE (LP) GAS**
- **VENT KITS:**
 - Horizontal Exhaust Cap
 - Horizontal Air Intake Cap
 - Horizontal Direct Vent Kit
 - Category II Conversion Kit (Required for Common Venting)
- **INTERNATIONAL VOLTAGE (230v 50Hz)**

DRUG-FREE WORKPLACE CERTIFICATION

The undersigned vendor, in accordance with Florida Statute 287.087 hereby certifies that

Bensons Handy & Air does:
Name of Business

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.

2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance program, and the penalties that may be imposed upon employees for drug abuse violations.

3. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).

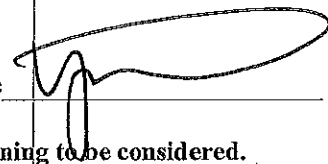
4. In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of chapter 893 or of any controlled substance law of the United States or any state, for a violation of chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.

5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.

6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirement.

Company Name Bensons Handy & Air Vendor's Signature



Must be executed and returned with attached bid at time of bid opening to be considered.

PUBLIC ENTITY CRIMES
(For Information Purposes Only)

Section 287.133, Florida Statutes, was revised by deleting the requirement for vendors to file a public entity crime statement. The following paragraph contains a statement informing persons of the provisions of paragraph (2)(a) of Section 287.133, Florida Statutes:

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 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 Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

The bidder certifies by submission of this bid, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any State or Federal department/agency.

SIGNATURE FORM

Bensons Heating and Air Conditioning Inc.

Name of Company

5402 Tower Road

Mailing Address

Tallahassee FL 32303

City State Zip

Wesley Merritt Vice President

Authorized Signature, Title

Wesley Merritt

7/29/15

Name (Typed or Printed) Date

850-562-3132

Phone Number (Including Area Code)

850-562-6546

Fax Number (Including Area Code)

www.bensons HVAC.com

Website/Email Address

7/29/15

Date

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

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

1. This sworn statement is submitted to Gadsden Leon County Board of County Commissioners by:

Wesley Merritt Vice President

[print individual's name and title]

for:

Bensons Hunting and Air Conditioning Inc.

[print name of entity submitting sworn statement]

whose business address is 5402 Town Rd Tallahassee FL 32303

and (if applicable) its Federal Employer Identification Number (FEIN) is 59-2893444
(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 or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
3. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without 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(1)(a), Florida Statutes, means:
1. A predecessor or successor of a person convicted of a public entity crime: or
 2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes

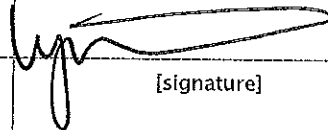
those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

5. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which 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.

6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Indicate which statement applies)

- ☒ Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor any affiliate of the entity have 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 the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in 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, AND (Please indicate which additional statement applies.)
- ☐ The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in 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, AND (Please indicate which additional statement applies.) 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 not 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 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]

Gadsden County BOCC
ITB 15-06
10

STATE OF Florida

[date]

4/24/15

COUNTY OF Leon

PERSONALLY APPEARED BEFORE ME, the undersigned authority,

Wash McNeill
(name of individual signing)

who, after first being sworn by me, affixed his/her signature in the space

provided above on this 24 day of April, 2015

Tiffany Rudd
NOTARY PUBLIC

My commission expires:

