

Office of Superintendent of Schools
Board Meeting of December 11, 2002

November 25, 2002

Paul R. Philip, Chief of Staff

**SUBJECT: PROPOSED AMENDMENT OF SCHOOL BOARD RULE: FINAL
READING 6Gx13- 7D-1.05, PREQUALIFICATION OF CONTRACTORS
FOR EDUCATIONAL FACILITIES CONSTRUCTION**

COMMITTEE: LEGISLATIVE RELATIONS AND POLICY DEVELOPMENT

The School Board of Miami-Dade County, Florida, announced on October 23, 2002, its intention to amend School Board Rule 6Gx13- 7D-1.05, Prequalification of Contractors for Educational Facilities Construction, in order to reflect organizational changes, include language from the State Requirements for Educational Facilities (1999), to clarify that the prequalification process applies to all Board construction projects, and to delete the Statement of Contractor's Qualification (the prequalification application), from the rule, at its meeting of December 11, 2002.

The Notice of Intended Action was published in the *Miami Daily Business Review* on October 28, 2002, posted in various places for public information, and mailed to various organizations representing persons affected by the amended rule and to individuals requesting notification.

The time to request a hearing or protest the adoption of this rule has elapsed.

In accordance with the provisions of the Administrative Procedure Act, this amended rule is presented to The School Board of Miami-Dade County, Florida, for adoption and authorization to file the rule in the official records of The School Board of Miami-Dade County, Florida.

Attached are the Notice of Intended Action and the rule proposed for amendment. Changes from the current rule are indicated by underscoring words to be added and ~~striking through~~ words to be deleted.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, adopt amended School Board Rule 6Gx13- 7D-1.05, Prequalification of Contractors for Educational Facilities Construction, and authorize the Superintendent to file the rule with The School Board of Miami-Dade County, Florida, to be effective December 11, 2002.

C-20

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA announced on October 23, 2002, its intention to amend Board Rule 6Gx13- 7D-1.05, Prequalification of Contractors for Educational Facilities Construction, at its meeting of December 11, 2002.

PURPOSE AND EFFECT: To amend the rule to reflect organizational changes; include language from the State Requirements for Educational Facilities (1999); clarify that the prequalification process applies to all Board construction projects; and to extract the Statement of Contractor's Qualification (the prequalification application), which is ministerial in nature.

SUMMARY: This rule amendment clarifies the Board's policy for implementing the contractor prequalification process, as required by Florida Statutes.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 230.22(2), 230.23(22) 230.23005(4): 235.31, F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 230.22(1); 230.23005(4); 235.31, 489.105(3)(4)(5)(6); 489.113; 489.522; 715.12, F.S.; Chapter 6A-2, F.A.C., Section 4.1(8), SREF (1999)

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF December 11, 2002, which begins at 1:00 p.m., in the School Board Auditorium, 1450 N.E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), F.S., must do so in writing by November 18, 2002, to the Superintendent of Schools, Room 912, at the same address.

ANY PERSON WHO DECIDES TO APPEAL THE DECISION made by The School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes).

A COPY OF THE PROPOSED AMENDED RULE is available for inspection and copying at cost by the public in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

Originator: Mr. Paul R. Philip
Supervisor: Mr. Merrett R. Stierheim
Date: October 9, 2002

Constructing**PREQUALIFICATION OF CONTRACTORS FOR EDUCATIONAL FACILITIES CONSTRUCTION****4. I. INTRODUCTION**

- A. In accordance with Section 235.31 of the Florida Statutes, and State Requirements for Educational Facilities (1999), this rule is adopted for the purpose of establishing procedures and criteria for prequalifying responsible and responsive contractors on school construction projects for The School Board of Miami-Dade County, Florida (Board).
- B. The application ("Statement of Contractor's Qualification"), properly and accurately executed, must be submitted to and approved for acceptance by the Board prior to submitting any bid on any construction project.
- C. No bid, proposal or submittal for a school construction project shall be accepted from a contractor who does not have a valid prequalification Certificate, as hereinafter prescribed, nor shall any bid, proposal or submittal be accepted from a contractor whose certificate has been revoked, suspended or declared delinquent.
- D. Prequalified contractors must be capable of fulfilling specific project requirements for bonding, insurance, staffing, completion dates, and work quality.

2. II. ACCEPTANCE OF CONTRACTOR'S QUALIFICATIONS

- A. The Superintendent of Schools will appoint a Contractor Prequalification Review Committee to evaluate the applicant's "Statement of Contractor's Qualification." After examination and evaluation of the submitted applications, the Committee shall recommend to the Board the acceptance or rejection of each applicant. The Board shall act upon the application for prequalification within sixty (60) days after the application is received.
- B. The Contractor Prequalification Review Committee shall be Chaired by the Director of Business Development and Assistance and composed of the following members individuals from the following district offices and organizations, and/or their designees:

1. one (1) representative from the contracting community at large;
2. one (1) representative from the architectural or engineering community at large;
3. one (1) representative from PTA / PTSA;
4. one (1) representative from School Operations;
- ~~5. one (1) representative from the Department of Business Development and Assistance;~~
- ~~6. one (1) representative from the Office of Facilities Planning & Construction Facilities Operations and Legislative Support;~~
- ~~7. one (1) representative from the Division of Educational Facilities Compliance to serve as chairperson for the committee; and,~~
- ~~8. one (1) representative from the Office of Management and Compliance Audits (non-voting).~~

The committee will evaluate all applications and make recommendations for the type of project, dollar volume and limits allowed within the scope of a contractor's the prequalification designation.

- C. Contractors shall be prequalified by the Board on the basis of the following criteria:
1. Proof that the contractor holds a contractor's license, which authorizes the contractor to supervise the work within the scope of the construction project. A construction contractor is hereby defined as the company that is qualified by a contractor, or the qualifier who holds a contractors license. For the purpose of determining the experience required of a contractor when applying for pre-qualification, the experience of the company, or that of the primary or secondary qualifier, gained while in the role of qualifier, may be considered.
 2. Evidence that the applicant has financial resources to start up and follow through on projects and to respond to damages in case of default as shown by written verification

of bonding capacity equal to or exceeding the amount of any project for which the contractor seeks prequalification. The written verification must be submitted by a licensed surety company rated "A-" or better in the current A.M. Best Guide and qualified to do business within the State of Florida. In the absence of such written verification, the Board may require the applicant to submit any audited financial information necessary to evaluate an applicant's financial ability to perform the project and to respond to damages in the event of default.

3. Evidence of experience with construction techniques, trade standards, quality workmanship, project scheduling, cost control, management of projects, and building codes for similar projects as shown by the successful completion of at least two (2) other projects of similar size within the past five (5) years.
4. Evidence of satisfactory resolution of claims filed by or against the contractor asserted on projects of the same or similar size within the five (5) years preceding the submission of the application. Any claim against a contractor shall be deemed to have been satisfactorily resolved if final judgment is rendered in favor of the contractor or any final judgment rendered against the contractor is satisfied within ninety (90) days of the date the judgment becomes final.
5. Type of work for which the contractor is licensed.

3III. **Application and Joint Venture Exception:** Each contractor, firm or person requesting prequalification shall submit separate applications ("Statement of Contractor's Qualifications"). When two (2) or more prequalified contractors wish to combine their assets for a specific project, they may do so by filing an affidavit of joint venture on Board-prescribed forms. Such affidavit shall be valid only for that specific project.

4IV. **Issuance of the certificate:** The Board shall issue a certificate that is valid for one (1) year or that is valid for a specific project. The certificate shall include:

- A. A statement indicating that the contractor may bid for projects during the time period specified.
- B. A statement establishing the total dollar value of work the contractor will be permitted to have under contract with the

Board at any one time will be determined by the contractor's bonding capacity or ten (10) times the net quick assets.

- C. A statement establishing the maximum dollar value of each individual project the contractor will be permitted to have under contract with the Board at any one time. The maximum value of each project may be up to twice the value of the largest project previously completed but shall not exceed the contractor's bonding capacity or ten (10) times the net quick assets.
- D. A statement establishing the type of work the contractor will be permitted to provide.
- E. The expiration date of the certificate.

5V. **Renewal of Certificate:** Certificates not for a specific project shall be renewed annually.

- A. Financial statements or written verification of bonding capacity on file with the Board shall be updated annually. Failure to submit a new statement or verification of bonding capacity, after at least thirty (30) days written notice by the Board, shall automatically revoke a prequalification certificate.
- B. The Board may allow prequalified contractors to request a revision of their prequalification status at any time they believe that the dollar volume of work under contract or the size and complexity of projects should be increased if experience, staff size, staff qualifications, and other pertinent data justify the action.

6VI. **Delinquency:** The decision to declare a contractor delinquent may only be made by the Superintendent and must be ratified by the Board at its next regular meeting following such decision by the Superintendent of Schools.

Should a contractor be determined to be delinquent, after notice and an opportunity for a fair hearing, the Board shall notify the contractor and his surety, in writing, that the contractor is disqualified from bidding work with the Board as long as the delinquent status exists. A delinquent condition may be determined to be in effect when one (1) or more of the following conditions occur without justifiable cause:

- A. ~~A~~Substantial or repeated failure to comply with contract documents after written notice of such non-compliance.
- B. ~~A~~Substantial or repeated failure to provide qualified supervision and coordination of subcontractor's work after written notice of such failure.
- C. Substantial deviation from project time schedules after written notice of non-compliance.
- D. Substantial or repeated failure to pay subcontractors after the Board has paid the Contractor for the work performed by the subcontractors and in accordance with approved requisitions for payment.
- E. Substantial or repeated failure to provide the quality workmanship compatible with the trades' standards for the community, after written notice of such failure.
- F. Substantial or repeated failure to comply with the warranty requirements of previous contracts after written notice of such failure.
- G. Failure to maintain the required insurance coverage after written notice of such failure.

7VII. **Suspension or Revocation:** The Board may, for good cause, suspend a contractor for a specified period of time or revoke the prequalification certificate. Causes for suspension or revocation shall include, but not be limited to, one or more of the following:

- A. Inaccurate or misleading statements included in the application ("Statement of Contractor's Qualification").
- B. Declared in default by the Board.
- C. Adjudged to be bankrupt.
- D. Performance, in connection with contract work, becomes unsatisfactory to the Board based on the Board asserting and recovering liquidated damages in an action against the contractor.
- E. Payment record, in connection with the contract work, becomes unsatisfactory to the Board based on the contractor's failure to comply with the Construction Contract

Prompt Payment Law (Section 715.12, F.S.).

- F. Becomes delinquent on a construction project pursuant to section (6) above.
- G. Contractor's license becomes suspended or is revoked.
- H. No longer meets the uniform prequalification criteria established in section (2) above.

§VIII. **Appeal:** A contractor whose application has been rejected or whose certificate has been suspended or revoked by the Board shall be given the benefit of reconsideration and appeal as follows:

- A. The aggrieved contractor may, within ten (10) days after receiving notification of such action, request reconsideration in writing. The contractor may submit additional information at the time of the appeal. The written request should be mailed to the Superintendent of Schools, Miami-Dade County Public Schools, 1450 N. E. Second Avenue, Miami, Florida 33132.
- B. The Board shall act upon a contractor's request within thirty (30) calendar days after the filing and shall notify the contractor of its action to adhere to, modify, or reverse its original action. The Board may require additional information to justify the reconsideration.

Specific Authority: 230.22(2); 230.23(~~2022~~); 230.23005(4); 235.31, F.S.
Law Implemented, Interpreted, or Made Specific: 230.22(1); 230.23005(4); 235.31; 489.105(3)(4)(5)(6); 489.113; 489.522; 715.12 F.S.; Chapter 6A-2, F.A.C., Section 4.1(8), SREF (1999)

History THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA
New: 12-9-98
Amended: 5-17-00



~~APPLICATION~~

~~Statement of Contractor's Qualification~~

A. ~~INSTRUCTIONS~~

~~This application "Statement of Contractor's Qualification" shall be clearly filled in, typewritten or in pen, properly executed by the applicant. Answer all the questions completely. Where additional space is necessary, attach supplementary sheets. No substitute form shall be used. Additional and supplementary information may be submitted as an Attachment to the application.~~

~~All applications shall be accompanied by the attached Letter of Intent from a Surety company meeting the established criteria, and authenticated by a seal. When completed, the application shall be verified, under oath, by the applicant before a Notary Public.~~

~~B. APPLICATION~~

~~1. Legal Name and Address:~~

~~Company Name: _____ Phone #: _____~~

~~Qualifying Agent: _____ Fax #: _____~~

~~Trade Category: _____ License #: _____~~

~~Address: _____~~

~~2. If a Corporation, state:~~

~~Date of Incorporation: _____~~

~~Attach a copy of the Corporate Certificate:~~

~~Name and Title of Qualifying Agent: _____~~

~~Name and Title of Principal Officers~~

~~Date of Inception~~

~~State Registration~~

~~3. If Partnership, state:~~

~~Date of Organization: _____~~

~~Nature of Partnership (General, Limited, or Association) _____~~

~~Name and Title of Qualifying Agent _____~~

Name and Title of Partners	Date of Inception	State Registration
_____	_____	_____
_____	_____	_____
_____	_____	_____

~~4. If an individual, state:~~

~~Name and Title of Principal Officers~~

~~Date of Inception~~

~~State Registration~~

_____	_____	_____
_____	_____	_____
_____	_____	_____

~~5. If a joint venture, state:~~

~~Name and Title of Principal Owners~~

~~Date of Inception~~

~~State Registration~~

_____	_____	_____
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~~6. Attach brief resume of key members of your organization, including: name, title, years of experience, type work experience, prior job description(s).~~

~~7. How long has your firm been in business as a General Contractor?~~

~~8. How many years has your organization been in business under its present business name?~~

~~9. Under what other or former names has your organization operated?~~

~~10. A. Has your firm ever failed to complete a bonded obligation?~~

~~YES~~

~~NO~~

~~B. If Yes, give the particulars including circumstances, where and when, name of the bonding company, name and address of the owner and disposition of the matter.~~

~~11. Within the last five years, has any officer, partner or qualifying agent of your organization ever been an officer, partner or qualifying Agent of another organization when it failed to complete a construction project?~~

~~YES NO~~

~~If so, attach a separate sheet of explanation.~~

~~12. Has your organization, any officer, partner or qualifying agent thereof ever been party to any criminal procedure as a result of or arising from contracting operations, which has resulted in a conviction, or plea bargain admitting guilt?~~

~~A. If the answer to question #12, above, is "yes", state the case number, court, nature of charge, sentence and fine, if any. Attach documents to this Form/Application.~~

~~13. Has your organization, any officer, partner or qualifying agent thereof, ever been party to any administrative complaint registered against you by the Department of Professional Regulations, Construction Industry Licensing Board for the State of Florida or any of its subdivisions resulting in a finding of guilt, fine, suspension or revocation of your license?~~

~~A. If the answer to question #13, above, is "yes", state the case number and final disposition. Attach documents to this Form/Application.~~

~~14. Has your firm previously constructed school projects in Florida?~~

~~YES NO~~

~~15. List all projects of similar size or larger than the proposed work, which your firm has completed within the last five (5) years.~~

~~A. Project and Brief Description: (include square footage, number of floors, basic construction, etc.)~~

~~Project Owner: _____ Phone: _____~~
~~Project Architect: _____ Phone: _____~~
~~Stage of Completion: _____~~
~~Construction Contract Amount: _____~~
~~Date Completed: _____~~

~~B. Project and Brief Description: _____~~

~~_____~~
~~_____~~

~~Project Owner: _____ Phone: _____~~
~~Project Architect: _____ Phone: _____~~
~~Stage of Completion: _____~~
~~Construction Contract Amount: _____~~
~~Date Completed: _____~~

~~C. Project and Brief Description: _____~~

~~_____~~
~~_____~~

~~Project Owner: _____ Phone: _____~~
~~Project Architect: _____ Phone: _____~~
~~Stage of Completion: _____~~
~~Construction Contract Amount: _____~~
~~Date Completed: _____~~

~~D. Project and Brief Description: _____~~

~~_____~~
~~_____~~

~~Project Owner: _____ Phone: _____~~
~~Project Architect: _____ Phone: _____~~
~~Stage of Completion: _____~~
~~Construction Contract Amount: _____~~
~~Date Completed: _____~~

~~E. Project and Brief Description: _____~~

~~_____~~
~~_____~~

~~Project Owner: _____ Phone: _____~~
~~Project Architect: _____ Phone: _____~~
~~Stage of Completion: _____~~
~~Construction Contract Amount: _____~~
~~Date Completed: _____~~

~~10. List contracts on hand, approximate amounts, and note whether fully bonded or not.~~

~~A. Project and Brief Description: _____~~

~~_____~~
~~_____~~

~~Project Owner: _____ Phone: _____~~
~~Project Architect: _____ Phone: _____~~
~~Stage of Completion: _____~~
~~Construction Contract Amount: _____~~

~~B. Project and Brief Description:~~ _____

~~Project Owner:~~ _____ ~~Phone:~~ _____
~~Project Architect:~~ _____ ~~Phone:~~ _____
~~Stage of Completion:~~ _____
~~Construction Contract Amount:~~ _____
~~Bond Amount:~~ _____

~~C. Project and Brief Description:~~ _____

~~Project Owner:~~ _____ ~~Phone:~~ _____
~~Project Architect:~~ _____ ~~Phone:~~ _____
~~Stage of Completion:~~ _____
~~Construction Contract Amount:~~ _____
~~Bond Amount:~~ _____

~~D. Project and Brief Description:~~ _____

~~Project Owner:~~ _____ ~~Phone:~~ _____
~~Project Architect:~~ _____ ~~Phone:~~ _____
~~Stage of Completion:~~ _____
~~Construction Contract Amount:~~ _____
~~Bond Amount:~~ _____

~~E. Project and Brief Description:~~ _____

~~Project Owner:~~ _____ ~~Phone:~~ _____
~~Project Architect:~~ _____ ~~Phone:~~ _____
~~Stage of Completion:~~ _____
~~Construction Contract Amount:~~ _____
~~Bond Amount:~~ _____

~~17. Certificates of insurance confirming current workers compensation, public liability and property damage insurance as required by law. (Attach copies of certificates as supplement to the application).~~

~~18. Indicate the highest construction value your firm wishes to be considered for:~~

- ~~\$2,000,000.00~~
- ~~\$3,500,000.00~~
- ~~\$7,500,000.00~~
- ~~\$12,000,000.00~~
- ~~\$16,000,000.00~~
- ~~\$20,000,000.00~~

~~Other Value:~~ _____

~~19. List all litigation within the past five (5) years, including an explanation of the disposition of each: (attach additional sheet, if necessary).~~

~~20. Bonding: Submit attached Bond Form labeled "Letter of Intent FROM SURETY COMPANY"~~

~~21. Submit attached Public Entity Crime statement labeled "Sworn Statement Pursuant to Section 287.133(3)(a), Florida Statutes, on Public Entity Crimes"~~

~~22. Submit attached Affidavit of Joint Venture, if applicable.~~

~~The undersigned guarantees the authenticity of the foregoing statements, as evidenced by this sworn affidavit and does hereby authorize and request any person(s), firm or corporation to furnish any information requested by the School Board of MIAMI-DADE County, Inc. and its authorized representative in verification of the recitals comprising this "Statement of Contractor's Qualification."~~

Signed: _____

~~FIRM~~

For the Firm: _____

~~NAME~~

~~TITLE~~

~~CORPORATE SEAL~~

~~Subscribed and sworn to before me this _____ day of _____
in the year of _____.~~

~~Notary Public:~~

~~My Commission Expires:~~

~~(Official Letterhead of the Company)~~

~~LETTER OF INTENT FROM SURETY COMPANY~~

~~The School Board of Miami-Dade County, Florida
1450 NE 2nd Avenue
Miami, Florida 33132~~

Gentlemen:

~~This is to advise that, until further notice in writing to you, we agree to provide suretyship on behalf of _____ covering construction in the amount of \$ _____ for any single contract and \$ _____ in the aggregate of outstanding contracts.~~

~~When more than one surety is included in this letter of intent, unless clearly indicated to the contrary on this letter of intent, and a separate limit indicated for the surety on this letter of intent, each surety agrees that it shall be jointly and severally liable with the other sureties included in this letter of intent.~~

~~Our BEST ratings for performance and financial size are:~~

~~PERFORMANCE RATING: _____ (A or better required) PERFORMANCE RATING: _____ (A or better required)~~

~~FINANCIAL SIZE: _____ FINANCIAL SIZE: _____~~

~~_____
Name of Surety~~

~~_____
Name of Surety~~

~~BY: _____
Title~~

~~BY: _____
Title~~

~~(Affix Seal)~~

~~(Affix Seal)~~

~~Sworn to and subscribed before me this _____ day
of _____.~~

~~Sworn to and subscribed before me this _____ day
of _____.~~

~~Notary Public State of _____~~

~~Notary Public State of _____~~

~~My commission expires: _____~~

~~My commission expires: _____~~

~~(Printed, typed or stamped commission name of notary public)~~

~~(Printed, typed or stamped commission name of notary public)~~

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

~~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 of 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 an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

4. I understand that an "affiliate" as defined in Paragraph 287.133(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)(a), 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. Base on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Indicate which statement applies.)~~

~~Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.~~

~~The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.~~

~~The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list. (Attach a copy of the final order.)~~

~~I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH ONE (1) 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)

Sworn to and subscribed before me this _____ day of _____.

Personally known: _____

OR Produced identification: _____ Notary Public State of _____

My commission expires: _____
(Type of identification)

(Printed typed or stamped commissioned name of notary public)

~~AFFIDAVIT OF JOINT VENTURE~~

~~State of Florida~~)
~~County of Miami-Dade~~) SS.

~~Before me, the undersigned authority, personally appeared~~
~~and~~ _____ ~~(called "Affiants"), who being first respectively duly sworn, depose~~
~~and say:~~

- ~~1. Affiants as officers or principals of the undersigned entities, are representatives of the joint venture known as _____ located at _____ and is duly authorized to file this affidavit on behalf of the joint venture.~~
- ~~2. Affiants state that the joint venture is registered or certified to engage in the construction business in the State of Florida and bears the registration or certification No. _____ dated _____ and issued at _____.~~
- ~~3. Affiants are filing this affidavit of joint venture as required for prequalification to bid on Miami-Dade County School Board Project No. _____.~~
- ~~4. A true copy of the Joint Venture Agreement is attached as Exhibit "A". Said Joint Venture Agreement is in full force and effect and has not been modified, amended, changed or rescinded in any manner and the sole parties having interest in said Joint Venture Agreement are Affiants and the entities they represent as indicated below:~~

~~Signature~~ _____ ~~Date~~
~~(Print name of company and title)~~

~~Signature~~ _____ ~~Date~~
~~(Print name of company and title)~~

~~Sworn to and subscribed before me this~~ _____ ~~day of~~ _____, _____.

~~Notary Public State of~~ _____
~~My commission expires~~ _____
~~(Printed, typed or stamped commissioned name of notary public)~~

~~(Notary Seal)~~