

RFP # 2024-03 Audit and Tax Services

Request for Proposals for:

AUDITING AND TAX SERVICES

ISSUED ON **August 8, 2024**

RESPONSES DUE BY: AUGUST 29, 2024

NO LATER THAN 4:00 P.M., EST

ANY ALTERATION OF THE LANGUAGE OF THIS RFP OR ANY REPRESENTATION OF MODIFIED LANGUAGE AS THE OFFICIALLY RELEASED RFP WILL NOT BE PERMITTED AND WILL BE SUFFICIENT CAUSE FOR REJECTION OF A PROPOSAL. IN CASE OF ANY DISPUTE CONCERNING THE TERMS OR LANGUAGE IN THIS DOCUMENT, THE COALITION PRINTED FILE COPY OF THIS RFP WILL PREVAIL. **PLEASE REFER TO RFP #2024-03.**

**Early Learning Coalition of Orange County
Request for Proposals (RFP) to Provide Audit and Tax Services**

I. INTRODUCTION

The ORANGE COUNTY SCHOOL READINESS COALITION, INC. d/b/a EARLY LEARNING COALITION OF ORANGE COUNTY (Coalition) and the FOUNDATION FOR EARLY CHILDHOOD DEVELOPMENT, INC. (Foundation) located at 7700 Southland Blvd. Ste 100, Orlando, FL 32809 will accept Proposals with Statements of Qualifications from Certified Public Accounting (CPA) firms for auditing and tax services from qualified CPA firms serving the Central Florida area. Please consider this communication a formal Request for Proposals (RFP), responses to which will be used to determine the best-qualified firm for these services and will be the basis for negotiating a contract.

The Coalition and the Foundation are both not-for-profit corporations organized under the laws of the state of Florida and have been determined exempt by the Internal Revenue Service under the provisions of IRS Code, Section 501(c)(3). The Florida Office of Early Learning has certified the Coalition as a local early learning coalition for the purposes of implementing programs authorized by Florida Statute Chapter 411.01 and part V of Chapter 1002. Our principal function is the provision of oversight, and policy guidance to the early childhood School Readiness and Voluntary Prekindergarten Education systems in Orange County, Florida.

Renewal: Any award from this RFP will be based on an initial contract. The initial contract for services may have no more than three (3) possible renewals. Renewals shall be contingent upon the availability of funds, satisfactory performance evaluations by the Coalition, and at the discretion of the Coalition. Renewal must be in writing and is subject to the same terms and conditions set forth in the initial contract and any written amendments signed by the parties. The price of the commodity or contractual service to be renewed must be specified in the bid, proposal, or reply, except that an agency may negotiate lower pricing. A renewal contract may not include any compensation for costs associated with the renewal.

II. STATEMENT OF WORK

The Coalition funding sources for fiscal year ending June 30, 2023, were \$179,528,947 Federal Awards and \$34,099,804 State Financial Assistance. Our budget for the current 2023-24 fiscal year ending on June 30, 2024, is currently in excess of \$152 million. As a grantee of federal financial assistance exceeding \$750,000, we are subject to the single audit requirements of 2 CFR §200.501 (OMB Uniform Guidance).

It is anticipated that the Coalition will be prepared for an audit entrance conference for fiscal year ending June 30, 2024, to be held no later than the last week of October 2024, with fieldwork to begin the same week. The draft audit report must be completed and delivered no later than November 25, 2024. The final audit report must be presented to the Coalition's Board of Directors no later than December 12, 2024 so that it may be delivered to our funding sources and the federal audit-clearing house no later than March 10, 2025. The final schedule for the contract and for potential renewals of the contract will be a negotiated part of the audit contract.

III. SCHEDULE OF EVENTS AND DEADLINES*

All times listed reflect Eastern Standard Time (EST)

ACTIVITY	DATE	TIME	ADDRESS/METHOD
Request for Proposal Released	Thursday, August 8, 2024,	TBD	Coalition website: https://elcoforangecounty.org/procurement/ Orlando Sentinel La Prensa
Signed "Notice of Intent to Submit a Proposal" due no later than	Friday, August 16, 2024	12:00 pm	Email to: arichter@elcoc.org
Last day to submit written inquiries to the Coalition	Wednesday, August 21, 2024	12:00pm	Email to: arichter@elcoc.org
Coalition posts answers to written inquiries on the website	Thursday, August 22, 2024	3:00 pm	Coalition website: https://elcoforangecounty.org/procurement/
Proposals must be received by the Coalition (flash drive and email)	Thursday, August 29, 2024	4:00 pm	7700 Southland Blvd. Ste. 100 Orlando, FL 32809 and email to: arichter@elcoc.org
Opening of Proposals	<u>Tuesday, September 3, 2024</u>	TBD	
Meeting of Procurement Committee (as their availability allows)	TBD	TBD	
Award Posting	Within 24 hours after decision is reached	TBD	Coalition website: https://elcoforangecounty.org/procurement/

*** Times and locations are subject to change. Applicants who have submitted a "Notice of Intent to Submit" will be notified of any changes made to the Schedule of Events. Changes will be posted at <https://elcoforangecounty.org/procurement/>**

Point of Contact:

The point of contact for purposes of this RFP is:

Amy Richter

Director of Contracts and Procurement

Email: arichter@elcoc.org

INFORMATION WILL NOT BE PROVIDED BY TELEPHONE. Any information received through oral communication shall not be binding on the Coalition and shall not be relied upon by any respondent.

IV. SOLICITATION PROCESS

Should you be interested in providing these services, please include the following information in your response:

A. Notice of Intent to Submit a Proposal

As a condition of submitting a proposal, vendors are required to submit a Notice of Intent to Submit a Proposal form (**Exhibit 1**) which shall set forth the name and address of the firm participating in this solicitation, and which bears the original signature of an authorized agent of the Proposer no later than the date specified on Section III to the Point of Contact and address listed in Section III. The submission of the Notice of Intent is mandatory and will provide the Coalition with the address and contact person for each Proposer so that any notices of action can be forwarded appropriately. Failure to submit a Notice of Intent by the deadline may preclude a prospective Proposer from submitting a response for this solicitation and will render the proposer's reply non-responsive and will result in rejection of the respondent's proposal.

B. Firm Philosophy in Providing Services to Early Learning Coalitions

1. Provide a brief description of your CPA firm.
2. Provide the address of the local office from which the audit will be conducted.
3. Describe the engagements your firm currently has in the school readiness and/or with non-profit entities similar in size and complexity to the Coalition. If partners or other employees serve in an advisory capacity on any school readiness coalition or other non-profit groups, please list such positions.
4. Describe your firm's hiring philosophy and the levels of individuals who will be assigned to this engagement. Specifically explain how your firm can provide continuity of staff on our audit.
5. Describe your firm's basic approach to performing a Federal Single audit and the resulting advantages, which will benefit our organization. You should identify how an audit engagement is planned and scheduled; the level of partner and manager commitment; quality control mechanisms; and other areas you feel are important that could set your company above the rest.

C. Audit Approach

1. Provide information regarding your understanding of the work to be performed and indicate the time estimates for each area of audit, including but not limited to systems and internal control documentation, tests of transactions, audit of financial statement numbers, audit report generation, tax filings, and/or other areas to be performed.

D. Scheduling and Staffing of Engagement

1. Identify the engagement team which will be performing our audit and include a resume of the qualifications and experience for partners, managers and seniors, including years on the job and relevant educational background of each individual to be assigned to the audit. This should include seminars and courses attended within the past three years.
2. Comment on the impact of transition on our organization and any additional charges for startup.
3. Indicate the expected timing and completion of the audit and the expected delivery of the draft and final audit reports.

E. Fees

1. Provide information regarding your audit fee for our combined audit of Coalition and Foundation, including the estimated number of hours to be spent by each staff person and the expected rate per hour of each. State whether out-of-pocket expenses are included in your fee structure. Provide a separate Proposal to complete our Form 990 for the Coalition and 990-EZ for the Foundation for Early Childhood Development, Inc.
2. If you are able to provide your services for a fixed fee, state the fee and services included.
3. Must provide the costs for each year; a separate cumulative budget for the initial contract; and budgets for renewals for the 2nd and 3rd year.

F. References

1. Provide a list of clients of similar size and purpose as our organization.
2. Provide a list of a minimum of three clients we may contact. Clients listed should be of similar size and nature to our organization and be serviced by the same partner, manager and senior to be assigned to our audit. Please include specific contact name and telephone number with address, and the amount of dollars audited for a minimum of three nonprofit client references.
3. Provide a copy of your most recent peer review. Note: should your firm be selected, and your 3-year peer review expire anytime during the engagement, a new peer review documentation letter will be required prior to continued engagement or activation of options.
4. Disclose any disciplinary action taken within the last three years by the Florida State Board of Accountancy. If your firm has not been subject to disciplinary action, state "We have not been subject to disciplinary action within the last three years."

G. Other Information

1. Include any additional information not already requested that you consider essential to your response. If there is no additional information to include, in a blank sheet of paper write "There is no additional information we wish to present."
2. Please note that either party may cancel the audit engagement for the second and/or third year by written notice to the other party no later than February 1 of the year to be audited.
3. Bidders should note that the issuance of this solicitation does not require the Coalition to enter into an agreement with any party. Further, the Coalition reserves the right to withdraw or change this Request for Proposals at any time when doing so is in the best interest of the Coalition.

H. Format and Submission

1. Respondent shall submit to the Coalition one (1) copy of the response to arichter@elcoc.org as well as one (1) copy of the response submitted on a flash drive as PDF File viewable in Adobe Acrobat Reader. Flash drives are to be submitted to 7700 Southland Blvd. Unit 100, Orlando, FL 32809. The submission (envelope, flash drive and email), the application (Attachment A) and supporting documents (Attachments B-F) should have the name of the respondent, and the RFP number marked clearly.
2. The signature must be of the designated agent officially authorized to act as the contractual agent for the organization or collaborative partnership. Electronic signatures with proper date stamp are accepted.

3. All supporting documents must directly relate to the Application being submitted. Proposals may not exceed 18 pages (excluding the budget pages and mandated signed documents and/or certifications).

I. Inquiries

All inquiries regarding this solicitation must be made electronically to arichter@elcoc.org and must be received by the date on the Schedule of Events section. Any information received through oral communication shall not be binding on the Coalition and shall not be relied upon by any respondent. Responses to questions will be posted on the ELCOC website <https://elcoforangecounty.org/procurement/>.

1. Interested entities who submitted an "Intent to Submit a Proposal" form, must also submit a vendor registration application. Forms can be found at the Coalition website: <https://elcoforangecounty.org/procurement/>. On the Vendor Registration Form please ensure you state the Products and/or Services provided as: Auditing and Tax Services.
2. Respondents to this solicitation or persons acting on their behalf may not contact, between the release of the solicitation and the end of the 72-hour period following the Coalition posting the notice of intended award, any employee or Board Member concerning any aspect of this solicitation, except in writing to the sole Point of Contact or as provided in the solicitation documents. Violation of this provision may be grounds for rejecting a response.

J. Cost of Preparation of Proposal

The Coalition is not liable for any costs incurred by the Respondent in replying to this RFP.

K. Insurance. The Respondent is required to maintain commercial insurance of such a type and with such terms and limits as may be reasonable associated with the resulting contract.

L. Licenses, Permits and Taxes. The Proposer shall pay for all licenses, permits, and taxes required for this project. In addition, the Proposer shall comply with all federal, state and local codes, laws, ordinances, regulations and other requirements applicable to the work specified in this solicitation at no additional cost to the Coalition.

M. Special Provisions

1. Immigration and Nationalization Act. The Coalition shall consider the employment by any Respondent of unauthorized aliens a violation of section 274A (e) of the Immigration and Nationalization Act. If the contractor knowingly employs unauthorized aliens, such violation shall be cause for rejection of the proposal or, if subsequently discovered, for unilateral cancellation of the Contract.
2. Warranty of Authority. Each person signing the attachments and subsequent contract(s) warrants that he or she is duly authorized to do so and bind the respective party to the contract.
3. Convicted Vendors. A person or affiliate placed on the convicted vendor list following a conviction for a public entity crime is prohibited from doing any of the following for a period of 36 months from the date of being placed on the convicted vendor list:
 - submitting a bid on a contract to provide any goods or services to a public entity;
 - submitting a bid on a contract with a public entity for the construction or repair of a public building or public work;
 - submitting bids on leases of real property to a public entity;
 - being awarded or performing work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and

- transacting business with any public entity in excess of the Category Two threshold amount (\$25,000) provided in section 287.017 of the Florida Statutes.
 - any proposal received from a person or affiliate who has been placed on the convicted vendor list shall be rejected by the Coalition as an unresponsive proposal and shall not be further evaluated.
4. Discriminatory Vendors. An entity or affiliate placed on the discriminatory vendor list pursuant to section 287.134 of the Florida Statutes may not:
- i. submit a bid on a contract to provide any goods or services to a public entity;
 - ii. submit a bid on a contract with a public entity for the construction or repair of a public building or public work;
 - iii. submit bids on leases of real property to a public entity;
 - iv. be awarded or perform work as a contractor, supplier, sub-contractor, or consultant under a contract with any public entity; or
 - v. transact business with any public entity.
5. Failure to Perform Prior Contracts. Failure to have performed any contractual obligations with the Coalition in a manner satisfactory to the Coalition will be a sufficient cause for disqualification. To be disqualified as a Proposer under this provision, the Proposer must have:
- i. Previously failed to satisfactorily perform in a contract with the Coalition, been notified by the Coalition of the unsatisfactory performance, and failed to correct the unsatisfactory performance to the satisfaction of the Coalition; or,
 - ii. Had a contract terminated for cause by the Coalition, by any agency of the State of Florida, or by any Children's Services Council.
 - iii. The Proposer or any of its staff have participated in the development and review of the RFP documents for this Solicitation.
6. Respondent Representation and Authorization. In submitting a response, each respondent understands, represents, and acknowledges the following (if the respondent cannot so certify to any of following, the respondent shall submit with its response a written explanation of why it cannot do so):
- i. The respondent is not currently under suspension or debarment by the State or any other governmental authority.
 - ii. To the best of the knowledge of the person signing the response, the respondent, its affiliates, subsidiaries, directors, officers, and employees are not currently under investigation by any governmental authority and have not in the last ten (10) years been convicted or found liable for any act prohibited by law in any jurisdiction, involving conspiracy or collusion with respect to bidding on any public contract.
 - iii. Respondent currently has no delinquent obligations to the State, including a claim by the State for liquidated damages under any other contract.
 - iv. The submission is made in good faith, prices and amounts -actual or approximate- have been arrived at independently and not pursuant to any consultation, agreement or discussion with, or inducement from, or disclosed to, any firm or person to submit a complementary or other noncompetitive response. Nor they will be disclosed before the opening of the proposals.
 - v. The respondent has made a diligent inquiry of its employees and agents responsible for preparing, approving, or submitting the response, and has been advised by each of them that he or she has not participated in any communication, consultation, discussion, agreement, collusion, act or other conduct inconsistent with any of the statements and representations made in the response.

- vi. The respondent has fully informed the Coalition in writing of all convictions of the firm, its affiliates (as defined in section 287.133(1)(a) of the Florida Statutes), and all directors, officers, and employees of the firm and its affiliates for violation of state or federal antitrust laws with respect to a public contract for violation of any state or federal law involving fraud, bribery, collusion, conspiracy or material misrepresentation with respect to a public contract. This includes disclosure of the names of current employees who were convicted of contract crimes while in the employment of another company.
 - vii. Neither the respondent nor any person associated with it in the capacity of owner, partner, director, officer, principal, investigator, project director, manager, auditor, or position involving the administration of federal funds has:
 - o within the preceding three years been convicted of or had a civil judgment rendered against them or is presently indicted for or otherwise criminally or civilly charged for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state, or local government transaction or public contract; violation of federal or state antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; or
 - o within a three-year period preceding this certification had one or more federal, state, or local government contracts terminated for cause or default.
 - viii. The product or service offered by the respondent will conform to the specifications without exception.
 - ix. The respondent has read and understands the terms and conditions, and the submission is made in conformance with those terms and conditions.
 - x. If an award is made to the respondent, the respondent agrees that it intends to be legally bound to the Contract that is formed with the Coalition.
 - xi. The respondent shall indemnify, defend, and hold harmless the Coalition and its employees against any cost, damage, or expense which may be incurred or be caused by any error in the respondent's preparation of its bid.
 - xii. All information provided by, and representations made by, the respondent are material and important and will be relied upon by the Coalition in awarding the Contract. Any misstatement shall be treated as fraudulent concealment from the Respondent of the true facts relating to submission of the bid. A misrepresentation shall be punishable under law, including, but not limited to, Chapter 817 of the Florida Statutes.
7. Minor Irregularities/Right to Reject. The Coalition reserves the right to waive any minor irregularity, technicality, or omission and to accept or reject any and all bids, or separable portions thereof, if the Coalition determines that doing so will serve the State's best interests. The Coalition has, at its sole discretion, the absolute right to cancel, amend, modify, supplement or clarify this RFP solicitation at any time. The Coalition may reject any response not submitted in the manner specified by the solicitation documents.
8. Withdrawal of Proposal. A written request for withdrawal, signed by the Proposer, may be considered if received by the Coalition within 72 hours after the Proposal opening time and date indicated in the Calendar of Events. A request received in accordance with this provision may be granted by the Coalition upon proof of the impossibility to perform based upon an obvious error on the part of the Proposer.
9. Notice of Contract Award. The Contract(s) shall be awarded to the Proposer whose Proposal is determined to be the most advantageous to the Coalition, taking into consideration price and technical merits. The Coalition will post a Notice of its Intended Award at <https://elcoforangecounty.org/procurement/> following the selection of the Successful Proposer. If the notice of award is delayed, in lieu of posting the notice of

intended award, the Coalition will post a notice of the delay and a revised date for posting the notice of intended award.

10. Public Records/Proposer Trade Secrets. Article 1, Section 24 of the Florida Constitution and Chapter 119, F.S., guarantees every person access to all public records. All information contained within each Proposal submitted to the Coalition pursuant to this RFP is part of the public domain after the Contract is awarded. Proposers must invoke the exemptions to disclosure provided by law, in their Proposals by providing the specific statutory authority for the claimed exemption, identifying the data or other materials to be protected, and state the reason, in writing, why the exclusion from public disclosure is necessary. Such claimed exempt information shall be segregated from the remainder of the Proposal. The proposer agrees that no right or remedy for damages shall be had against the Coalition that arises from any disclosure made by Coalition herein, in good faith. Further, Proposer agrees that it shall indemnify, defend and hold the Coalition harmless from and against any losses, expenses, liabilities, costs, (including court costs and reasonable attorney's fees and costs), claims or actions by a third party that relates to Proposer's claimed exemptions herein.
11. No Discrimination/Identical or Tie Responses. The Coalition, in accordance with Title VII of the Civil Rights Act of 1964, ensures that in any Contract entered into pursuant to this solicitation, minority business enterprises will be afforded full opportunity to submit Proposals and will not be discriminated against on the grounds of race, color, or national origin in consideration of award. The Coalition will follow the laws set forth in §287.057, F.S., when evaluating identical responses from multiple Proposers. If two equal responses to an RFP are received and only one response is from a certified minority business enterprise, the Contract shall be awarded to the certified minority business enterprise pursuant to § 287.057(12), F.S.
12. Protests and Disputes. Any unsuccessful Proposer who is adversely affected by the Coalition's decision concerning a procurement solicitation or Contract award under this RFP may protest such decision by filing a protest in compliance with Section 120.57(3), F.S. The protest must be filed in writing within 72 hours after the posting of the notice of decision (or intended decision) and my file a formal written protest within 10 days after the date the notice of protest is filed as required by s. 120.57(3), F.S. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Any Applicant who desires to file a formal protest to this RFP, must accompany that protest with a bond payable to the Coalition in an amount equal to one percent (1%) of the Coalition estimate of the total volume of the Contract amount in accordance with s. 287.042(2)(C), F.S. The bond shall be conditioned upon the payments of all costs which may be adjudged against the Proposer in any administrative hearing in which the action is brought and in any subsequent appellate court proceedings. In lieu of a bond, the Coalition may accept a cashier's check or a money order in the amount of the bond. Failure to file the proper bond at the time of filing the formal protest will result in a denial of the protest. The notice of protest must be submitted to the Coalition's CEO at 7700 Southland Blvd., Ste. 100, Orlando, Florida, 32809 in writing within 72 hours of the Notification of Intent to Award. The formal written protest must be submitted within ten (10) days after the date of the notice of protest is filed and must fully identify the facts resulting in the contested issues. The protest procedure shall be governed by s. 120.57(3), F.S.

Exhibit 1

Notice of Intent to Submit a Proposal Form

Title of Proposal: RFP 2024-03 - AUDIT AND TAX SERVICES

Proposer Name

Services to be provided

Proposer FEID No. _____

Proposer Contact Person's Name and Title

Proposer Address

Telephone Number | Fax Number | Email Address | Website

Ph: _____ Fax _____ Email: _____

Website: _____

Name and email of Proposer's Project Director (if different from above)

Signature of Authorized Official*

FOR OFFICIAL USE ONLY

Name of Coalition Representative Receiving "INTENT TO SUBMIT A PROPOSAL" Form:

Date Received: _____ Time Received: _____

Delivery Method: Electronically submission

*An authorized official is an officer of the Proposer's organization who has legal authority to bind the Proposer to the provisions of the Proposal. This usually is the President, Chairman of the Board, or Owner of the entity. A document establishing delegated authority must be included with the Proposal if signed by other than the president, chairman, or owner.

APPLICATION COVER SHEET

Early Learning Coalition of Orange County

RFP #2024-03 | Auditing and Tax Services

of Pages included: _____ (no more than 18 for response not including attachments)

Date _____

Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Mailing Address (if different): _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Fax Number: _____

Email Address: _____

Website Address: _____

Date Entity/Business Established (Mo/Year) _____

Fiscal Year End (month): _____

Type of Business:

Private, For-Profit ___ Private, Not-for-Profit ___ Public/Government _____

Other _____ Federal I.D. #: _____

Cost Summary:

Total Amount Quoted- First year: \$ _____

Total Amount Quoted Year 2: \$ _____ Total Amount Quoted Year 3: \$ _____

Name/Position of Person Completing Application:

Email Address: _____

NON-COLLUSIVE AFFIDAVIT

State of Florida

County of _____

_____ being first duly sworn deposes and says that:

1. He/she is the (Owner, Partner, Officer, Representative or Agent) of the Respondent that has submitted the attached Proposal;
2. He/she is fully informed respecting the preparation and contents of the attached Proposal and of all pertinent circumstances respecting such Proposal;
3. Such Proposal is genuine and is not a collusive or sham Proposal;
4. Neither the said Vendor nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, have in any way colluded, conspired, connived or agreed, directly or indirectly with any other Respondent, firm, or person to submit a collusive or sham Proposal in connection with the Work for which the attached Proposal has been submitted; or to refrain from bidding in connection with such Work; or have in any manner, directly or indirectly, sought by agreement or collusion or communication, or conference with any Respondent, firm or person to fix the price or prices in the attached Proposal or any other Respondent or to fix any overhead, profit, or cost elements of the Proposal price or the Quote price of any other Respondent, or to secure through any collusion, connivance, or unlawful agreement any advantage against (Recipient), or any person interested in the proposed work;
5. The price or prices quoted in the attached response are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Respondent or any other of its agents, representatives, owners, employees or parties in interest, including this affiant.

On this the _____ day of _____, 20____, before me, the undersigned Notary Public of the State of Florida, personally appeared _____

Enter name of individual(s) who appeared before notary and whose name(s) is/are subscribed to within the instrument and he/she/they acknowledge that he/she/they executed it.

Sworn to and subscribed before me this _____ day of _____ 20_____.

Personally known _____ or produced identification _____

Notary Signature: _____

My commission expires: _____

(Seal)



STATEMENTS OF NO INVOLVEMENT and AUTHORIZATION

RFP #2023-04

I, _____, as an authorized
(Name and Title)
representative of _____, certify that no
(Name of Firm)
member of this firm nor any person having interest or ownership in this firm has:

- 1. Been awarded a Contract by the Early Learning Coalition of Orange County, Inc. on a noncompetitive basis to perform a perform a feasibility study concerning the scope of work contained in this Solicitation; or
- 2. Participated in drafting this Solicitation; or
- 3. Developed a program for future implementation with specific subject matter contained in this Solicitation.

Furthermore, I attest that:

- 1. As signatory on this Proposal, I hereby certify that I have the authority to submit this application. I agree to abide by all conditions of this Solicitation and I certify that I have the authority to execute this Solicitation.
- 2. I further certify that the response is in compliance with the requirements of the RFP including, but not limited to, the certification requirements.
- 3. I further acknowledge that I know I had the right to object to the form of the RFP but I have submitted without objection.

Print Name of Authorized Official:

Title: _____

Signature of Authorized Official:

Date: _____

CERTIFICATIONS AND ASSURANCES

The Coalition will not award a Contract where the prospective Contractor has failed to review and sign the CERTIFICATIONS contained in this section. In performing its responsibilities under this Contract, the Contractor hereby certifies the following:

- A. Debarment and Suspension Certification (29 CFR Part 95 and 45 CFR Part 74)**
- B. Certification Regarding Lobbying (29 CFR Part 93 and 45 CFR Part 93)**
- C. Drug free Workplace Certification (29 CFR Part 98 and 45 CFR Part 82)**
- D. Nondiscrimination & Equal Opportunity Assurance (29 CFR Part 37 and 45 CFR Part 80)**
- E. Certification Regarding Public Entity Crimes, section 287.133, F.S.**
- F. Compliance with Requirements of the Sarbanes-Oxley Act of 2002**
- G. Trafficking Victims Protection Act of 2000**

A. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS – PRIMARY COVERED TRANSACTION.

The undersigned Contractor certifies to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a Federal department or agency;
2. Have not within a three-year period preceding this Contract been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph A.2. of this certification; and/or
4. Have not within a three-year period preceding this application/Proposal had one or more public transactions (Federal, State, or local) terminated for cause of default.
5. Where the Contractor is unable to certify to any of the statements in this certification, such Contractor shall attach an explanation to this Contract.

B. CERTIFICATION REGARDING LOBBYING – Certification for Contracts, Grants, Loans, and Cooperative Agreements. The undersigned Contractor certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employees of Congress, or employee of a Member of Congress in connection with a Federal contract, grant, loan, or cooperative agreement, the undersigned shall also complete and submit Standard Form – LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions.

3. The undersigned shall require that language of this certification be included in the documents for all subcontracts at all tiers (including subcontracts, sub-grants and contracts under grants, loans and cooperative agreements) and that all sub-recipients and contractors shall certify and disclose accordingly.
4. This certification is a material representation of fact upon which reliance was placed when this Contract was made or entered into. Submission of this certification is a prerequisite for making or entering into this Contract imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

C. CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS.

Pursuant to the Drug-Free Workplace Act of 1988 and its implementing regulations codified at 29 C.F.R. 98, Subpart F. I, the undersigned Vendor, attest and certify that the Vendor will provide a drug-free workplace by the following actions:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Vendor's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
2. Establishing an ongoing drug-free awareness program to inform employees concerning:
 - a. The dangers of drug abuse in the workplace.
 - b. The policy of maintaining a drug-free workplace.
 - c. Any available drug counseling, rehabilitation and employee assistance programs.
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
3. Making it a requirement that each employee to be engaged in the performance of the resulting contract be given a copy of the statement required by paragraph C.1 of this certification.
4. Notifying the employee in the statement required by paragraph C.1 of this certification that, as a condition of employment under the contract, the employee will:
 - a. Abide by the terms of the statement.
 - b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction.
5. Notifying the Coalition in writing ten (10) calendar days after receiving notice under subparagraph 4.b. from an employee or otherwise receiving actual notice of such conviction. Provide such notice of convicted employees, including position title, to every Contract officer on whose Contract activity the convicted employee was working. The notice shall include the identification number(s) of each affected Contract.
6. Taking one of the following actions, within thirty (30) calendar days of receiving notice under subparagraph 4.b., with respect to any employee who is so convicted.
 - a. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973 as amended.
 - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local, health, law enforcement, or other appropriate agency.
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of this entire certification. The following are the sites for the performance of work done in connection with the specific contract including street address, city, county, state, and zip code:

Check () if there are workplaces on file that are not identified here.

Check () if an additional page was required for the listing of the workplaces.

The Vendor will inform the Coalition of any changes in work sites within 24 hour of such a change.

D. NON DISCRIMINATION & EQUAL OPPORTUNITY (29 C.F.R. PART 37 AND 45 C.F.R. PART 80).

As a condition of the Contract, the Contractor assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

1. Section 188 of the Workforce Investment Act of 1998 (WIA), (Pub. L. 105-220), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex national origin, age, disability, political affiliation, or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title I-financially assisted program or activity;
2. Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45, C.F.R. Part 80), to the end that, in accordance with Title VI of that Act and the Regulation, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Respondent receives Federal financial assistance from the Department.
3. Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112) as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 C.F.R. Part 84), to the end that, in accordance with Section 504 of that Act, and the Regulation, no otherwise qualified handicapped individual in the United States shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity for which the Respondent receives Federal financial assistance from the Department.
4. The Age Discrimination Act of 1975 (Pub. L. 94-135), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 C.F.R. Part 91), to the end that, in accordance with the Act and the Regulation, no person in the United States shall, on the basis of age, be denied the benefits of, be excluded from participation in, or be subjected to discrimination under any program or activity for which the Respondent receives Federal financial assistance from the Department.
5. Title IX of the Educational Amendments of 1972 (Pub. L. 92-318), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 C.F. R. Part 86), to the end that, in accordance with Title IX and the Regulation, no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any education program or activity for which the Respondent receives Federal financial assistance from the Department.
6. The American with Disabilities Act of 1990 (Pub. L. 101-336), prohibits discrimination in all employment practices, including, job application procedures, hiring, firing, advancement, compensation, training, and other terms, conditions, and privileges of employment. It applies to recruitment, advertising, tenure, layoff, leave, fringe benefits, and all other employment-related activities, and;
7. Executive Order 11246, as amended by Executive Order 11375, requires that Federal contractors and subcontractors not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. It also requires the contractor/subcontractor to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin.

E. CERTIFICATION REGARDING PUBLIC ENTITY CRIMES, SECTION 287.133, F.S.

The Contractor hereby certifies that neither it, nor any person or affiliate of the Contractor, has been convicted of a Public Entity Crime as defined in section 287.133, Florida Statutes, nor placed on the convicted vendor list. The Contractor understands and agrees that it is required to inform the Coalition immediately upon any change of circumstances regarding this status.

F. COMPLIANCE WITH REQUIREMENTS OF THE SARBANES-OXLEY ACT OF 2002. At a minimum:

- It is illegal for any entity to punish whistleblowers or retaliate against any employee who reports suspected cases of fraud or abuse ([SOX, Section 1107, Section 1513 of Title 18](#), USC.)
- It is a crime to alter, cover up, falsify, or destroy any document that may be relevant to an official investigation ([SOX, Section 1102, section 1512 of Title 18](#), USC).

G. TRAFFICKING VICTIMS PROTECTION ACT OF 2000

In accordance with the Terms and Conditions of the Health and Human Services Administration for Children and Families Child Care and Development Fund, the Respondents shall comply with section 106(g) of the Trafficking Victims Protection Act of 2000. In each awarded contract, under which funding is provided to a private entity, section 106(g) of the Trafficking Victims Protection Act of 2000, as amended, requires the Coalition to include a condition that authorizes the Coalition to terminate the contract, without penalty, if the Contractor (a) Engages in severe forms of trafficking in persons during the period of time that the contract is in effect; (b) Procures a commercial sex act during the period of time that the contract is in effect; or (c) Uses forced labor in the performance of the contract.

By signing below, the Contractor, through the duly appointed undersigned representative, certifies and assures that it will fully comply with the applicable assurances outlined above.

Name and Title of Authorized Representative

Signature

Vendor

Date

End of Attachment D

DISCLOSURE OF CONFLICT OF INTEREST

The award hereunder is subject to the provisions of Chapter 112, Florida Statutes. Respondents must disclose with their bids whether any officer, director, employee or agent is also an officer or an employee of the Coalition, the State of Florida, or any of its agencies. All firms must disclose the name of any state officer, Board Member, or employee who owns, directly or indirectly, an interest of five percent (5%) or more in the Respondent’s firm or any of its branches or affiliates.

All Respondents must also disclose the name of any employee, agent, lobbyist, previous employee of the Agency, or other person, who has received or will receive compensation of any kind, or who has registered or is required to register under Section 112.3215, Florida Statutes, in seeking to influence the actions of the Agency in connection with this procurement.

The following persons are officers, director, employee, etc., of the Coalition who have a 5% interest in the Respondent’s firm:

The following persons are a state officer or employee who owns 5% or more in the Respondent’s firm:

The following persons have sought to influence the Coalition in this procurement on behalf of the Respondent.

_____The Respondent has had no person seeking to influence the Coalition in connection with this procurement.

***Authorized Signature**

***Authorized Signature (Printed), Title**

***This individual must have the authority to bind the Respondent.**

**CERTIFICATION REGARDING
DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION
CONTRACTS/SUBCONTRACTS**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, signed February 18, 1986. The guidelines were published in the May 29, 1987, Federal Register (52 Fed. Reg., pages 20360-20369).

INSTRUCTIONS

1. Each provider whose contract/subcontract equals or exceeds \$25,000 in federal monies must sign this certification prior to execution of each contract/subcontract. Additionally, providers who audit federal programs must also sign, regardless of the contract amount. The Coalition cannot contract with these types of providers if they are debarred or suspended by the federal government.
2. This certification is a material representation of fact upon which reliance is placed when this contract/subcontract is entered into. If it is later determined that the signer knowingly rendered an erroneous certification, the Federal Government may pursue available remedies, including suspension and/or debarment.
3. The provider shall provide immediate written notice to the contract manager at any time the provider learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "debarred," "suspended," "ineligible," "person," "principal," and "voluntarily excluded," as used in this certification, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the contract manager for assistance in obtaining a copy of those regulations.
5. The provider agrees by submitting this certification that, it shall not knowingly enter into any subcontract with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this contract/subcontract unless authorized by the Federal Government.
6. The provider further agrees by submitting this certification that it will require each subcontractor of this contract/subcontract, whose payment will equal or exceed \$25,000 in federal monies, to submit a signed copy of this certification.
7. The Coalition may rely upon a certification of a provider that it is not debarred, suspended, ineligible, or voluntarily excluded from contracting/subcontracting unless it knows that the certification is erroneous.
8. This signed certification must be kept in the contract manager's contract file. Subcontractor's certifications must be kept at the contractor's business location.

CERTIFICATION

- (1) The prospective contractor certifies, by signing this certification, that neither he nor his principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this contract/subcontract by any federal department or agency.
- (2) Where the prospective contractor is unable to certify to any of the statements in this certification, such prospective provider shall attach an explanation to this certification.

***Authorized Signature**

***Authorized Name (Printed) and Title**

***This individual must have the authority to bind the prospective Contractor.**

SUBMISSION CRITERIA FOR RFP 2024-03
AUDIT AND TAX SERVICES

Proposer Name:

(Legal name from Application Page)

SECTION A: FATAL CRITERIA

	Proposer Check (v)	Coalition Check (v)
1. The application was received by 3:00 p.m. on May 11, 2020 (EST) which was the time and date specified in the solicitation.		
2. The response contains all attachments fully executed in BLUE ink.		

If all responses to Section A are “yes”, continue to next section. If one or more are “no”, the response/ application is disqualified. No further evaluation is to be done.

SECTION B: ASSURANCES AND CERTIFICATIONS:

	Proposer Check (v)	Coalition Check (v)
1. Was the Original application signed by a duly authorized officer of the applying organization form indicating the total number of pages in the application and budgets for the periods requested? (Attachment A)		
2. Did the response include a signed Non-collusive Affidavit? (Attachment B)		
3. Was the Statement of No involvement and Authorization to sign acknowledgement included? (Attachment C)		
4. Did the response include the signed Certifications and Assurances form? (Attachment D)		
5. Did the response include the signed Disclosure Statement/Conflict of Interest form? (Attachment E)		
6. Did the response include the signed Debarment Suspension, Ineligibility and Voluntary exclusion form? (Attachment F)		

FOR Coalition use ONLY

Name of Reviewer: _____

Date Received: _____ Time Received: _____

Delivery Method: _____ Electronic Submittal