

CITY OF DELRAY BEACH, FLORIDA

REQUEST FOR PROPOSALS (RFP) No. 2025-034

FOR

INVESTMENT BANKING SERVICES

RFP Dated: March 27, 2025

RFP Due Date: 2:00 P.M. ET on April 17, 2025

OVERVIEW

1-1 REQUEST FOR PROPOSAL

The City of Delray Beach, Florida (the “City”) hereby requests proposals from investment banking firms to assist the City with the issuance of one or more series of water and sewer revenue bonds to fund the construction of a new water treatment plant. The City intends to select senior managing underwriter(s) and co-manager(s). The City, in its sole discretion, will determine the number of underwriters to use on any future negotiated financings and who will serve as senior manager(s) or co-manager(s), if any, for each transaction. The minimum qualifications to respond to serve as senior manager include serving as senior manager on at least five (5) transactions in the State of Florida during the last three (3) years with a combined aggregate par amount of at least \$250,000,000. If responding to serve as co-manager, the minimum qualifications to respond include serving as co-manager on at least three (3) transactions in the State of Florida during the last three (3) years with an aggregate par amount of at least \$100,000,000.

1-2 BACKGROUND

The City owns and operates a 26 million gallons per day (MGD) capacity conventional lime softening water treatment plant (WTP). The facility is subject to State and Federal drinking water quality regulations. The WTP was originally constructed in 1972 and later expanded in 1992. As part of the “Water Supply and Treatment Feasibility Study Update” prepared by Kimley Horn and issued in January 2022 (the “2022 Study Update”), a condition assessment of the existing WTP was performed. This assessment identified that the majority of the existing infrastructure had reached the end of its useful life.

The 2022 Study Update recommended the initial construction of a 14.0 MGD Nanofiltration (NF) water treatment plant in addition to the existing lime softening facility. It was expected that the NF permeate would be blended with the lime softened water to meet the proposed PFAS (per- and polyfluoroalkyl substances maximum contamination levels (MCLs) at the time. It is important to note that the 2022 Study Update was completed prior to the issuance of the MCLs by the USEPA in April 2024. The original analysis that concluded the required PFAS treatment could be achieved through blending of the NF permeate with lime softened water was based on the finished water PFAS industry expectation at that time of 20 ppt (parts per trillion).

In April 2024, the EPA established legally enforceable limits MCLs PFAS of 8 ppt in drinking water.

Because the actual MCLs released in April 2024 were substantially lower than the goals used in the 2022 Study Update, the concept for the water treatment plant upgrades to achieve compliance with the proposed PFAS regulations had to be modified to evaluate the treatment technology alternatives available to the City for achieving compliance with the final PFAS at the City’s WTP. Furthermore, the blending issue was no longer an option, and the design was modified to a new 22 MGD nanofiltration water treatment plant.

Based on the 90% design, construction costs are estimated at \$280,000,000 with the City expecting to utilize bond funding for all or portion of the project. The remaining portion of the funding will come from a combination of grants, State Revolving Fund (SRF) loans, and existing revenues/reserves. For purposes of answering the bond structuring questions in Section 2-1, assume bond funding of the full \$280,000,000 for the project. The currently estimated closing date of the bond financing is July 1, 2025.

1-3 OBJECTIVE

The City will contract with a team of investment banking firms that in its sole discretion can provide the services outlined below and result in the issuance of revenue bonds at the lowest overall cost.

1-4 SCOPE OF SERVICES

The services listed below will be required of the senior managing underwriter(s) on the future negotiated financing. Co-managing underwriters will provide assistance if requested and may support the marketing, distribution and underwriting of the bonds.

- Review and comment on the bond documents, including the Preliminary Official Statement, the Final Official Statement and Bond Purchase Agreement.
- Assist in preparation and discussions with rating agencies and bond insurers, if requested.
- Make recommendations for important aspects of the proposed financing, including, but not limited to, the timing of the sale, the overall sales approach, the structure of the bonds, the call provisions, the use of credit enhancement and the pledge of System Development Charges (impact fees).
- Lead the underwriting team in marketing and distributing the bonds to both retail and institutional investors, in an attempt to access the largest possible selection of investors.
- Underwrite the financing based upon terms and conditions agreed to by both the City and the underwriters in the Bond Purchase Agreement.
- If requested, provide detailed and specific information as it relates to the orders and allotments on the specific financing.
- Assist with the closing of the bonds, including reviewing and providing comments (if any) on closing documents and providing a post-financing report to the City which highlights the key characteristics of the financing.

The selected senior managing underwriter(s) will be part of the City's financing team and it is expected that such firms work cooperatively with City staff, City's Bond/Disclosure Counsel (Greenberg Traurig, P.A.) and the City's Financial Advisor (PFM Financial Advisors LLC) to refine the City's plan of finance and assists in the development and review of the financing documents.

1-5 SCHEDULE (Tentative dates, subject to change)

Below is a proposed schedule of events.

| | |
|------------------------|---|
| March 27, 2025 | RFP Circulated |
| April 17, 2025 | Deadline for Receipt of Proposals – Due by 2:00 PM EST |
| Week of April 21, 2025 | Selection Committee Meeting to Review Proposals and Select Underwriting Team (Subject to Public Meeting Requirements) |

PROPOSAL SUBMITTAL REQUIREMENTS

2-1 SUBMISSION OF PROPOSALS

Proposer shall submit an electronic copy of their proposal in PDF format. **Responses shall be submitted via email to the contacts listed below no later than 2:00 P.M. ET on April 17, 2025.**

- City of Delray Beach, Florida – Henry Dachowitz, Chief Financial Officer (dachowitzh@mydelraybeach.com)
- PFM - Jay Glover (gloverj@pfm.com)
- PFM – Mara Lugo (lugom@pfm.com)
- PFM – Logan Hauser (hauserl@pfm.com)

Any inquiries or requests for clarification or additional information shall be submitted by email to the City’s Financial Advisor, Jay Glover (gloverj@pfm.com) no later than April 10, 2025.

All proposals shall include the following information and should use the following format when compiling their proposals. Sections should be labeled with sequential page numbers at the bottom of each page. Proposals will be evaluated using the following criteria:

- **Title Page**

Title page shall provide the RFP name, the Proposer’s corporate name, the address and telephone number of the principal office, name and telephone number of the primary contact person, and the address, principal place of business and telephone number of legal entity with whom the contract is to be written (if different). If the Proposer consists of multiple entities, the above information should be listed for each entity.

- **Table of Contents**

The table of contents of the proposal should include a clear and complete identification of the materials submitted by section and page number.

- **Section #1: Transmittal Letter (2-Page Limit)**

Include a letter of transmittal stating the proposer’s understanding of the work to be performed and the names and titles of the persons who will be authorized to make representations for the proposer. The transmittal letter should clearly state whether your firm desires to serve as senior manager (only), co-manager (only) or if you will accept either position at the City’s sole discretion.

- **Section #2: Licensure and Registration (2-Page Limit)**

Evidence of current license and registration to perform the specified services in the State of Florida.

- **Section #3: Executive Summary (2-Page Limit)**

The purpose of the Executive Summary is to provide a high-level description of the Proposer’s ability to meet the requirements of the RFP to include a statement that they have the financial capability to perform the scope of work required for this project. Provide a brief discussion about Proposer’s business history and current purpose/function in the marketplace.

- **Section #4: Summary of Qualifications (10-Page Limit)**

Firm/Team Overview: Provide general information about the firm, including location of the office(s) from which the work will be performed, the primary contact person, and other key members of the investment banking and underwriting team. Include brief resumes for the core project team members (may be in an exhibit to proposal).

Experience: What attributes set your firm apart from other firms with respect to transactions of this type. Provide a summary of similar transactions and any other additional information considered to be relevant to the City's proposed financing. Proposals should also include a summary table with the par amount, firm's role (senior/co-senior manager vs. co-manager),

and the number bond issues your firm completed each year in Florida and nationally (listed separately) since January 1, 2022. Include the same information for financings secured by water and sewer revenues. If providing a full deal list, include as an exhibit to your proposal (not included in page limit).

Within this section also describe your firm's experience with developing and executing financing plans for water and sewer related projects. Provide up to three (3) case studies that help demonstrate this expertise.

References: Provide a minimum of three (3) and a maximum of five (5) references the City may contact regarding the firm's stated relevant experience. Include name, title, email address, and phone number.

- **Section #5: Technical Proposal (10-Page Limit)**

Plan of Finance: Provide a recommendation on a proposed structure of the financing based on the description of the project and your assessment of the credit rating. Provide a full set of preliminary number runs as a separate exhibit (not included in page limit). Within the proposal response, also include any information related to recommended coupon structure, pricing levels (spreads to the Interpolated BVAL as of April 14, 2025, by maturity) and call provisions. Proposals should also specifically address:

- Should the City consider issuing any of the bonds with a shorter call date, opposed to a traditional 10-year par call?
- Do you anticipate a cash or surety funded debt service reserve fund would provide a net benefit to the financing?
- Should the City consider using bond insurance?
- Whether System Development Charges (impact fees) should be pledged in addition to Net Revenues
- Rate Covenant/Additional Bonds Test Recommendation

Ratings: Provide an analysis of the potential credit rating(s) for the proposed financing, including how many and which rating agencies should be used. The City is interested in how you recommend handling the rating process and any ideas that you think will can help achieve the best possible credit rating(s).

Distribution and Underwriting Capabilities: Provide a brief discussion of your firm's marketing strategy and distribution capabilities of Florida tax-exempt securities as applicable to the City's issuance of bonds. Within this section also include information that demonstrates your ability to underwrite unsold bonds. For examples cited, the City is interested in knowing what (if any) adjustments to interest rates were requested as part of the offer to underwrite.

- **Section #6: Proposed Fee (2-Page Limit)**

Provide the proposed takedowns by maturity, average takedown, management fee (if any), and detailed expenses of the proposed financing. Expenses should include underwriter's counsel fees based on the assumption that disclosure counsel will draft the POS and OS. Outline any impacts the proposed takedowns could have on your ability to underwrite. All fees shall be contingent upon completion of a financing. Fees are subject to further negotiation on the part of the City or its Financial Advisor in order for the City to accomplish its financing objectives.

Within this section also provide at least 2 firms you would consider to serve as underwriter's counsel. Underwriter's counsel shall be responsible to draft the Bond Purchase Agreement.

- **Section #7: Required Firms**

The forms included as Exhibit A should be returned with each proposal. These forms do not count towards the page limit restrictions.

Omission of required data may be cause for disqualification. Any other information thought to be relevant, but not applicable to the enumerated sections, should be provided as an exhibit to the proposal.

EVALUATION OF PROPOSALS

3-1 EVALUATION AND AWARD

The City will select proposal(s) deemed most qualified based on the submittal criteria. The Selection Committee, consisting of City personnel, will rank those Proposers whose proposals are deemed to be the most favorable and in the City's best interest. The Selection Committee meeting will be subject to the City's public meeting requirements. The City reserves the right, in its sole discretion, to waive any irregularities and technicalities in any proposal, reject any or all proposals, or request re-submittal of proposals.

During the proposal evaluation process, the City reserves the right to request additional information or seek clarifications from one or more proposers. The City reserves the right to cancel this RFP at any time. In no event shall the City be responsible for any proposal preparation costs or other expenses incurred by the proposers in responding to this RFP.

3-2 EVALUATION CRITERIA

Proposals will be evaluated by the City's Selection Committee, which will be seeking to distinguish which proposer(s) has, through the appropriate combination of several criteria, the abilities to perform the required services to the satisfaction of the City. The members of the Selection Committee, in discussion with PFM, will evaluate the proposals based on, but not limited to, the following criteria:

- Experience with public offerings of similar size, scope and security
- Demonstrated ability and willingness to underwrite bonds
- Marketing plan and terms and conditions (structure, rating strategy, target investors, etc.)
- Fee proposal

The proposal(s) which, in the sole judgment of the Selection Committee, is deemed the most favorable will be selected as senior/co-manager. The City currently expects to select a senior managing underwriter(s) and co-manager(s), or make a determination to proceed with Oral Presentations, on or around April 25, 2025 (subject to change).

3-3 ORAL PRESENTATIONS

Upon completion of the evaluation of all written proposals, the Selection Committee shall determine whether to invite some or all of the Proposers to give an oral presentation. During the oral presentations the Proposer's proposed primary contact with the City should be in attendance.

If oral presentations are provided, following such presentations the Selection Committee shall provide a final overall ranking.

3-4 FINAL SELECTION

The Selection Committee will submit the recommended award to the City Commission for final consideration and possible approval. The City Commission, in its sole and absolute discretion, will select the Proposer that it finds meets the best interests of the City. The City shall be the sole judge of its own best interests, the proposals, and the resulting negotiated contract, if any. The City's decisions will be final. If agreement cannot be reached with the highest rated Proposer, the City reserves the right to negotiate and recommend contract award to the next highest rated Proposer or subsequent Proposers until agreement is reached.

3-5 AMENDMENT

The City reserves the right to amend or modify or cancel this RFP via email or other written addendum. Proposers are responsible for complying with any addendum issued to this RFP and for reviewing the City's website on a regular basis for potential addendums.

3-6 PROCUREMENT PROTEST

Procurement protest will be governed by and handled in accordance with the City of Delray Beach procurement procedures. Failure to timely file a written bid protest and pay the required bid protest fee in accordance with the procedures shall constitute a waiver and invalidation of any protest to the award of contract under this solicitation.

3-7 PUBLIC RECORDS

Florida has a broad public records law that requires the City to allow inspection and copying of public records upon request subject to few exemptions. In accordance with Chapter 119, Florida Statutes (Public Records Law), and except as may be provided by other applicable State or Federal Law, all proposers should be aware that Request for Proposals and the responses thereto are in the public domain. Proposers must invoke the exemptions to disclosure provided by law in the response to the solicitation and must identify the data or other materials to be protected by separate envelope, and must state the reasons why such exclusion from public disclosure is necessary pursuant existing Florida law. Ownership of all data, material, and documentation originated and prepared for the City pursuant to this request for services shall belong exclusively to the City and be subject to public inspection in accordance with the Public Records Law. Trade secrets or proprietary information submitted by a proposer shall not be subject to public disclosure under the Public Records Law; however, the proposer must invoke the protection of this section prior to or upon submission of the data or other materials, and must clearly identify the data or other materials to be protected and state the reasons why protection is necessary.

EXHIBIT A
REQUIRED FORMS

The forms listed below **shall** be completed by an official having legal authorization to contractually bind the company or firm. Each signature represents a binding commitment upon the Proposer to provide the goods and/or services offered to the City if the Proposer is determined to be the most responsive and responsible Proposer.

- A. Acknowledgment of Addenda
- B. Proposal Submittal Signature Page
- C. Conflict of Interest Disclosure Form
- D. Notification of Public Entity Crimes Law
- E. Notification of Public Records Law
- F. Drug-Free Workplace
- G. Non-Collusion Affidavit
- H. Truth-In-Negotiation Certificate
- I. Scrutinized Company
- J. Affidavit Regarding the use of Coercion for Labor and Services

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ACKNOWLEDGEMENT OF ADDENDA

Please complete Part I or Part II, as applicable

PART I:

List below the dates of issue for each addendum received in connection with this solicitation:

Addendum #1, Dated _____

Addendum #2, Dated _____

Addendum #3, Dated _____

Addendum #4, Dated _____

Addendum #5, Dated _____

Addendum #6, Dated _____

Addendum #7, Dated _____

Addendum #8, Dated _____

Addendum #9, Dated _____

Addendum #10, Dated _____

PART II:

NO ADDENDUM WAS RECEIVED IN CONNECTION WITH THIS SOLICITATION

Firm Name

Signature

Name and Title (Print or Type)

Date

PROPOSAL SUBMITTAL SIGNATURE PAGE

By signing this Proposal, the Proposer certifies that it satisfies all legal requirements as an entity to do business with the City, including all Conflict of Interest and Code of Ethics provisions.

Firm Name:

Street Address:

Mailing Address (if different from Street Address):

Telephone Number(s): _____

Fax Number(s): _____

Email Address: _____

Federal Employer Identification Number:

Prompt Payment Terms: _____% _____ days' net _____ days

Signature:

(Signature of authorized agent)

Print Name: _____

Title: _____

Date: _____

By signing this document, the Proposer agrees to all terms and conditions of this solicitation and the resulting contract/agreement.

THE EXECUTION OF THIS FORM CONSTITUTES THE UNEQUIVOCAL OFFER OF PROPOSER TO BE BOUND BY THE TERMS OF ITS PROPOSAL, FOR NOT LESS THAN ONE HUNDRED AND TWENTY (120) DAYS, AND THE PROPOSER'S UNEQUIVOCAL OFFER TO BE BOUND BY THE TERMS AND CONDITIONS SET FORTH IN THIS SOLICITATION. FAILURE TO SIGN THIS SOLICITATION WHERE INDICATED ABOVE, BY AN AUTHORIZED REPRESENTATIVE, SHALL RENDER THE PROPOSAL NON-RESPONSIVE. THE CITY MAY, HOWEVER, IN ITS SOLE DISCRETION, ACCEPT ANY PROPOSAL THAT INCLUDES AN EXECUTED DOCUMENT WHICH UNEQUIVOCALLY BINDS THE PROPOSER TO THE TERMS OF ITS PROPOSAL.

CONFLICT OF INTEREST DISCLOSURE FORM

The award of this contract is subject to the provisions of Chapter 112, *Florida Statutes*. All Proposers must disclose within their Proposal: the name of any officer, director, or agent who is also an employee of the City of Delray Beach.

Furthermore, all Proposers must disclose the name of any City employee who owns, directly or indirectly, an interest of more than five percent (5%) in the Proposer's firm or any of its branches.

The purpose of this disclosure form is to give the City the information needed to identify potential conflicts of interest for evaluation team members and other key personnel involved in the award of this contract.

The term "conflict of interest" refers to situations in which financial or other personal considerations may adversely affect, or have the appearance of adversely affecting, an employee's professional judgment in exercising any City duty or responsibility in administration, management, instruction, research, or other professional activities.

Please check one of the following statements and attach additional documentation if necessary:

_____ To the best of our knowledge, the undersigned firm has no potential conflict of interest due to any other Cities, Counties, contracts, or property interest for this Proposal.

_____ The undersigned firm, by attachment to this form, submits information which may be a potential conflict of interest due to other Cities, Counties, contracts, or property interest for this Proposal.

Acknowledged by:

Firm Name

Signature

Name and Title (Print or Type)

Date

NOTIFICATION OF PUBLIC ENTITY CRIMES LAW

Pursuant to Section 287.133, *Florida Statutes*, you are hereby notified that a person or affiliate who has been placed on the convicted contractors list following a conviction for a public entity crime may not submit a Proposal on a contract to provide any goods or services to a public entity; may not submit a Proposal on a contract with a public entity for the construction or repair of a public building or public work; may not submit Proposals on leases or real property to a public entity; may not be awarded or perform work as a contractor, supplier, sub-Proposer, 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 [F.S.] for Category Two [\$35,000.00] for a period of thirty-six (36) months from the date of being placed on the convicted contractors list.

Acknowledged by:

Firm Name

Signature

Name and Title (Print or Type)

Date

(The remainder of this page is intentionally left blank)

**NOTIFICATION OF PUBLIC RECORDS LAW PERTAINING TO PUBLIC CONTRACTS AND
REQUESTS FOR CONTRACTOR RECORDS PURSUANT TO CHAPTER 119, *FLORIDA
STATUTES***

Pursuant to Chapter 119, *Florida Statutes*, Contractor shall comply with the public records law by keeping and maintaining public records required by the City of Delray Beach in order to perform the service. Upon request from the City of Delray Beach' custodian of public records, contract shall provide the City of Delray Beach with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, *Florida Statutes* or as otherwise provided by law. Contractor shall ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract. If the Contractor does not transfer the records to the City of Delray Beach. Contractor upon completion of the contract, shall transfer, at no cost, to the City of Delray Beach all public records in possession of the Contractor or keep and maintain public records required by the City of Delray Beach in order to perform the service. If the Contractor transfers all public records to the City of Delray Beach upon completion of the contract, the Contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Contractor keeps and maintains public records upon completion of the contract, the Contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the City of Delray Beach, upon request from the City of Delray Beach' custodian of public records, in a format that is compatible with the information technology systems of the City of Delray Beach.

IF CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, *FLORIDA STATUTES*, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT OFFICE OF THE CITY CLERK LOCATED AT 100 NW 1ST AVENUE, DELRAY BEACH, FLORIDA 33444, PHONE NUMBER (561) 243-7000, EMAIL ADDRESS: GIVINGS@MYDELRAYBEACH.COM.

Acknowledged:

Firm Name

Signature

Name and Title (Print or Type)

Date

DRUG-FREE WORKPLACE

_____ is a drug-free workplace
and has _____
(Company Name)
a substance abuse policy in accordance with and pursuant to Section 440.102, *Florida Statutes*.

Acknowledged by:

Firm Name

Signature

Name and Title (Print or Type)

Date

(The remainder of this page is intentionally left blank)

NON-COLLUSION AFFIDAVIT

STATE OF _____
COUNTY OF _____

Before me, the undersigned authority, personally appeared _____,
who, after being by me first duly sworn, deposes and says of his/her personal knowledge that:

a. He/She is _____ of _____, the
Proposer that has submitted a Proposal to perform work for the following:

RFQ No.: _____ Title: _____

b. He/She is fully informed respecting the preparation and contents of the attached Request
for Qualifications, and of all pertinent circumstances respecting such solicitation.

Such Proposal is genuine and is not a collusive or sham Proposal.

c. Neither the said Proposer nor any of its officers, partners, owners, agents, representatives,
employees, or parties in interest, including this affiant, has in any way colluded, conspired,
connived, or agreed, directly or indirectly, with any other Proposer, firm, or person to
submit a collusive or sham Proposal in connection with the solicitation and contract for
which the attached Proposal has been submitted or to refrain from proposing in connection
with such solicitation and contract, or has in any manner, directly or indirectly, sought by
agreement or collusion or communication or conference with any other Proposer, firm, or
person to fix the price or prices in the attached Proposal or any other Proposer, or to fix
any overhead, profit, or cost element of the Proposal price or the Proposal price of any
other Proposer, or to secure through any collusion, conspiracy, connivance, or unlawful
agreement any advantage against the City or any person interested in the proposed
contract.

d. The price or prices quoted in the attached Proposal are fair and proper and are not tainted
by any collusion, conspiracy, connivance, or unlawful agreement on the part of the
Proposer or any of its agents, representatives, owners, employees, or parties in interest,
including this affiant.

Signature

Subscribed and sworn to (or affirmed) before me this _____ day of _____
20__, by _____, who is personally known to me or who has
produced _____ as identification.

SEAL _____ Notary _____ Name:
Signature _____ Notary _____ (State):
_____ Notary Public _____
_____ My Commission No:
_____ Expires on:

TRUTH – IN – NEGOTIATION CERTIFICATE

The undersigned warrants (i) that it has not employed or retained any company or person, other than bona fide employees working solely for the undersigned, to solicit or secure the Agreement and (ii) that it has not paid or agreed to pay any person, company, corporation, individual, or firm other than its bona fide employees working solely for the undersigned or agreed to pay any fee, commission, percentage, gift, or any other consideration contingent upon or resulting from the award or making of the Agreement.

The undersigned certifies that the wage rates and other factual unit costs used to determine the compensation provided for in the Agreement are accurate, complete, and current as of the date of the Agreement.

Name: _____

Title: _____

Date: _____

Signature: _____

(The remainder of this page is intentionally left blank)

SCRUTINIZED COMPANY CERTIFICATION

This certification is required pursuant to Florida State Statute Section 287.135.

As of July 1, 2011, a company that, at the time of bidding or submitting a proposal for a new contract or renewal of an existing contract, is on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List is ineligible for, and may not bid on, submit a proposal for, or enter into or renew a contract with an agency or local governmental entity for goods or services of \$1 million or more.

Companies must complete and return this form with its response.

Company: _____ FID or EIN No.: _____

Address: _____

—

City: _____ State: _____ Zip: _____

I, _____, as a representative of _____ certify and affirm that this company is not on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List.

Signature

Title

Printed Name

Date

CITY OF DELRAY BEACH

Affidavit Regarding the Use of Coercion for Labor and Services

Vendor Name: _____

Vendor FEIN: _____

Vendor's
Authorized
Representative
Name and Title: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____

Email Address: _____

Florida Statute §787.06(13) requires all nongovernmental entities executing, renewing, or extending a contract with a governmental entity to provide an affidavit signed by a officer or representative of the nongovernmental entity under penalty of perjury that the nongovernmental entity does not use coercion for labor or services as defined in that statute. The City of Delray Beach, Florida is a governmental entity for the purposes of this statute.

As the officer or representative of the company, I certify that the company identified above does not:

- Use or threaten to use physical force against any person;
- Restrain, isolate, or confine or threaten to restrain, isolate, or confine any person without lawful authority and against his or her will;
- Use lending or other credit methods to establish a debt by any person when labor or services are pledged as a security for the debt, if the value of the labor or services as reasonably assessed is not applied towards the liquidation of the debt, the length and nature of the labor or services are not respectively limited and defined;
- Destroy, conceal, remove, confiscate, withhold, or possess any actual or purported passport, visa, or other immigration document, or any other actual or purported government identification, of any person;
- Cause or threaten to cause financial harm to any person;
- Entice or lure any person by fraud or deceit;
- Provide controlled substances as outlined in Schedule I or Schedule II of Florida State

Statute §893.03 to any person for the purpose of exploitation of that person.

Under penalties of perjury, I declare that I have read the foregoing document and the at the facts stated in it are true.

Signature: _____
(Authorized Signature)

Print Name
and Title: _____

Date: _____

(The remainder of this page is intentionally left blank)