

Bid Title: Communications Tower RFQ

Bid No: 2008-006

Opening Date: May 4, 2008

INSTRUCTION TO BIDDERS

To Insure Acceptance of Your Bid, Please Follow These Directions:

1. 1. Items listed on the bid checklist in this form and all other items required within this invitation to bid must be executed and/or submitted in a sealed envelope. Address your sealed envelope as follows:

Bid No: Wakulla County
Board of County Commissioners
Wakulla County Board of County Commissioners
(Commissioners Complex)
3093 Crawfordville Highway
Post Office Box 1263
Crawfordville, Florida 32327

2. Bid must be typed or printed in ink. All corrections made by the bidder prior to the opening must be initialed and dated by the bidder. No changes in or corrections will be allowed after bids are opened.
3. Bid must contain an original, manual signature of an authorized representative of the company.
4. The bid opening shall be public on the date and time specified on the bid. It is the bidder's responsibility to assure that the bid is delivered at the proper time and location. Bids which are received after the bid opening time will be returned unopened to the bidder.
5. Bidders are expected to examine the specifications, delivery schedule, bid prices and extensions and all general and special conditions of the bid prior to submission. In case of error in price extension, the unit price will govern.
6. If you are not submitting a bid but wish to remain on our bid list, please return the "Statement of No Bid" form and provide an explanation in detail where requested.
7. Special Accommodation: Any person requiring a special accommodation at a Pre-Bid Conference or Bid/RFP opening because of a disability should call the Wakulla County Board of County Commissioners (BOCC) at (850) 926-0919, at least five (5) workdays prior to the Pre-Bid Conference or Bid/RFP opening. If you are hearing or speech impaired, please contact the County Administrator's Office using the Florida Relay Service which can be reached at 1(800) 955-8771 (TDD).

NOTE: ANY AN ALL CONDITIONS OR REQUIREMENTS ATTACHED HERETO WHICH VARY FROM THE INSTRUCTIONS TO BIDDERS WILL BE PRECEDENT.

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PURPOSE:

Wakulla County is seeking proposals for replacing the existing 400 ft guyed tower located adjacent to the Wakulla County Sheriff's office located at 15 Oak Street, Crawfordville, Florida.

BID DEADLINE:

Bid must be submitted no later than Wednesday, May 28, 2008 at 2:00 PM.

BID INFORMATION:

Questions pertaining to bid procedures should be addressed to Tim Barden, 850-926-9500; or fax (850) 926-9006; email: tbarden@mywakulla.com. **Written inquiries are preferred.**

Questions pertaining regarding the specifications should be addressed to Scott Nelson (850) 926-0861; email snelson@WCSO.ORG or Karen Day (850) 926-0814; email: kday@WCSO.ORG at the Wakulla County Sheriff's Office.

EXPLANATION TO BIDDERS:

Each Contractor shall examine the Bidding Documents carefully; and, no later than seven days prior to the date for receipt of bids, he shall make a written request to BOCC for interpretations or corrections of any ambiguity, inconsistency or error which he may discover. All interpretations or corrections will be issued as addenda. The BOCC will not be responsible for oral clarifications.

No negotiations, decisions or actions shall be initiated or executed by the contractor as a result of any discussions with any County employee prior to the opening of proposals. Only those communications which are in writing from the County may be considered as a duly authorized expression on the behalf of the Board.

Also, only communications from firms which are in writing and signed will be recognized by the Board as duly authorized expressions on behalf of contractor.

PREPARATION AND SUBMISSION OF BID:

Each Contractor shall submit Bid Prices and other requested information, including alternates or substitutions if allowed by this invitation to bid, on the proper forms and in the manner herein prescribed. Any erasures or other corrections in the Bid must be explained or noted over the signature of the Contractor. Bids containing any conditions or irregularities of any kind may be rejected by the County. All bids must be submitted in a sealed envelope. Facsimiles will not be accepted. It is the intention of the County to award this bid based on the low total bid price and/or other criteria herein contained meeting all specifications.

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OCCUPATIONAL LICENSES AND REGISTRATIONS:

The contractor shall be responsible for obtaining and maintaining throughout the contract period his or her city or county occupational license and any licenses required pursuant to the laws of Wakulla County, and the State of Florida. Every contractor submitting a bid on this invitation for bids shall include a copy of the company's local business or occupational license(s) or a written statement on letterhead indicating the reason no license exists. Wakulla County, Florida-based businesses are required to purchase an Occupational License to conduct business within the County. Contractors residing or based in another state or municipality, but maintaining a physical business facility or representative in Wakulla County, may also be required to obtain such a license. For information specific to Wakulla County occupational license contact the appropriate Wakulla County Agency.

If the contractor is operating under a fictitious name as defined in Section 865.09, Florida Statutes, proof of current registration with the Florida Secretary of State shall be submitted with the bid. A business formed by an attorney actively licensed to practice law in this state, by a person actively licensed by the Department of Business and Professional Regulation or the Department of Health for the purpose of practicing his or her licensed profession, or by any corporation, partnership, or other commercial entity that is actively organized or registered with the Department of State shall submit a copy of the current licensing from the appropriate agency and/or proof of current active status and a Certificate of Good Standing with the Division of Corporations of the State of Florida or such other state as applicable.

Failure to provide the above required documentation may result in the bid being determined as non-responsive.

CONTRACTOR'S LICENSING REQUIREMENTS

1. Contractor shall possess appropriate licensing as required by Florida statutes which mandate specific licensing for Contractors engaged in the type of work covered by this solicitation. Further, Contractor shall meet all requirements of the State of Florida, Department of Business and Professional Regulation, Construction Industries Licensing Board and licensure and/or registration requirements of other federal, state, regional, County or municipal agencies having jurisdiction over the specified construction work.
2. Said licenses shall be in the Bidder's name as it appears on the Bid Form. Bidder shall supply appropriate license numbers with expiration dates as a part of their bid. Failure to possess and provide proof of proper licensing, certification, and/or registration may be grounds for rejection of the bid.
3. Bidder shall provide copies of all applicable licenses with its Bid.
4. Subcontractors contracted by the Contractor shall be licensed in their respective fields to obtain construction permits from the County. All licenses must be in the name of the subcontractor. It shall be the responsibility of the Contractor to enforce this provision. The County reserves the right to inspect all licenses at any time and may find the Contractor in default should appropriate documentation or licenses not be produced.

PAYMENT:

The County will make scheduled payments within thirty (30) days of submission and approval of invoice for services. (See Scope of Work for further invoice/payment information).

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STATUS

The Contractor shall at all times, relevant to this contract, be an independent contractor and in no event shall the Contractor, nor any employees or sub-contractors under it, be considered to be employees of Wakulla County.

INSURANCE:

Bidders' attention is directed to the insurance requirements below. Bidders should confer with their respective insurance carriers or brokers to determine in advance of bid submission the availability of insurance certificates and endorsements as prescribed and provided herein. If an apparent low bidder fails to comply strictly with the insurance requirements, that bidder may be disqualified from award of the contract.

Contractor shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, his agents, representatives, employees or subcontractors. The cost of such insurance shall be included in the Contractor's bid.

1. Minimum Limits of Insurance. Contractor shall maintain limits no less than:

- a. General Liability: \$1,000,000/\$3,000,000 combined single limit per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
- b. Automobile Liability: \$1,000,000 combined single limit per accident for bodily injury and property damage. (Non-owned, Hired Car).
- c. Workers' Compensation and Employers Liability: Workers' Compensation insurance covering all employees and meeting Statutory Limits in compliance with the applicable state and federal laws and Employer's Liability with a limit of \$500,000 per accident, \$500,000 disease policy limit, \$500,000 disease each employee. Waiver of Subrogation in lieu of Additional Insured is required.

2. Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the County. At the option of the County, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the County, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

3. Other Insurance Provisions The policies are to contain, or be endorsed to contain, the following provisions:

- a. General Liability and Automobile Liability Coverages (County is to be named as Additional Insured).
 1. The County, its officers, officials, employees and volunteers are to be covered as insureds as respects; liability arising out of activities performed by or on behalf of the Contractor, including the insured's general supervision of the Contractor; products and completed operations of the Contractor; premises owned, occupied or used by the Contractor; or automobiles owned, leased, hired or borrowed by the Contractor. The coverage shall contain no special limitations on the scope of protections afforded the County, its officers, officials, employees or volunteers.

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2. The Contractor's insurance coverage shall be primary insurance as respects the County, its officers, officials, employees and volunteers. Any insurance of self-insurance maintained by the County, its officers, officials, employees or volunteers shall be excess of the Contractor's insurance and shall not contribute with it.
3. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the county, its officers, officials, employees or volunteers.
4. The Contractor's insurance shall apply separately to each insured against whom claims is made or suit is brought, except with respect to the limits of the insurer's liability.

b. All Coverages

Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the County.

4. Acceptability of Insurers. Insurance is to be placed with insurers with a Best's rating of no less than A:VII.
5. Verification of Coverage. Contractor shall furnish the County with certificates of insurance and with original endorsements effecting coverage required by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements are to be received and approved by the County before work commences. The County reserves the right to require complete, certified copies of all required insurance policies at any time. Certificates of Insurance acceptable to the County shall be filed with the County prior to the commencement of the work. These policies described above, and any certificates shall specifically name the County as an additional Insured and shall contain a provision that coverage afforded under the policies will not be canceled until at least thirty (30) days prior to written notice has been given to the County.

Cancellation clauses for each policy should read as follows: Should any of the above described policies be canceled before the expiration date thereof, the issuing company will mail thirty (30) days written notice to the Certificate Holder named herein.

6. Subcontractors. Contractors shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

REJECTION OF BIDS:

The BOCC reserves the right to reject any and/or all bids when such rejection is in the best interest of the BOCC.

RECEIPT AND OPENING OF BIDS:

Bids will be opened publicly at the time and place stated in the Invitation to Bid. The person whose duty it is to open them will decide when the specified time has arrived and no bids received thereafter will be considered. No responsibility shall be attached to any person for the premature opening of a Bid not properly addressed and identified. At the time fixed for the opening of bids, the contents of the bid form will be made public for the information of contractors and other interested parties who may be present either in person or by representative.

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WITHDRAWAL OF BIDS:

Bids may be withdrawn by written or telegraphic request received from Contractors prior to the time fixed for opening. Negligence on the part of the Contractor in preparing the Bid confers no right for the withdrawal of the bid after it has been opened.

AWARD OF BIDS:

The bid/proposal will be awarded as soon as possible to the lowest responsible bidder. The County reserves the right to waive any informality in bids/proposals and to award a bid/proposal in whole or in part when either or both conditions are in the best interest of Wakulla County.

Notice of the intended award is provided through an agenda item to the Board of County Commissioners containing a recommendation of award. The agenda for each meeting of the County Commission is available on the County website at mywakulla.com. A contractor may request, in their bid submittal, a copy of the bid tabulation sheet to be mailed in a contractor provided, stamped self-addressed envelope for their record.

AGREEMENT:

After the bid award, the County will, at its option, prepare a purchase order or an agreement specifying the terms and conditions resulting from the award of this bid. Every procurement of contractual services shall be evidenced by a written agreement. The contractor will have five calendar days after receipt to acknowledge the purchase order or execute the agreement.

The performance of Wakulla County of any of its obligations under the purchase order or agreement shall be subject to and contingent upon the availability of funds lawfully expendable for the purposes of the purchase order or agreement for the current and any future periods provided for within the bid specifications.

AUDITS, RECORDS, AND RECORDS RETENTION

The Contractor agrees:

1. To establish and maintain books, records, and documents (including electronic storage media) in accordance with generally accepted accounting procedures and practices, which sufficiently and properly reflect all revenues and expenditures of funds provided by the County under this contract.
2. To retain all client records, financial records, supporting documents, statistical records, and any other documents (including electronic storage media) pertinent to this contract for a period of five (5) years after termination of the contract, or if an audit has been initiated and audit findings have not been resolved at the end of five (5) years, the records shall be retained until resolution of the audit findings or any litigation which may be based on the terms of this contract.
3. Upon completion or termination of the contract and at the request of the County, the Contractor will cooperate with the County to facilitate the duplication and transfer of any said records or documents during the required retention period as specified in paragraph 1& 2 above.
4. To assure that these records shall be subject at all reasonable times to inspection, review, or audit by Federal, state, or other personnel duly authorized by the County.
5. Persons duly authorized by the County and Federal auditors, pursuant to 45 CFR, Part 92.36(l)(10), shall have full access to and the right to examine any of provider's contract and related records and documents, regardless of the form in which kept, at all reasonable times for as long as records are retained.

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6. To include these aforementioned audit and record keeping requirements in all approved subcontracts and assignments.

MONITORING

To permit persons duly authorized by the County to inspect any records, papers, documents, facilities, goods, and services of the provider which are relevant to this contract, and interview any clients and employees of the provider to assure the County of satisfactory performance of the terms and conditions of this contract.

Following such evaluation, the County will deliver to the provider a written report of its findings and will include written recommendations with regard to the provider's performance of the terms and conditions of this contract. The provider will correct all noted deficiencies identified by the County within the specified period of time set forth in the recommendations. The provider's failure to correct noted deficiencies may, at the sole and exclusive discretion of the County, result in any one or any combination of the following: (1) the provider being deemed in breach or default of this contract; (2) the withholding of payments to the provider by the County; and (3) the termination of this contract for cause.

RIGHT TO INSPECT PLANT

The County may, at its discretion, inspect the part of the plant or place of business of a contractor or any subcontractor which is related to the performance of any contract awarded, or to be awarded, by Wakulla County. The right expressed herein shall be included in all contracts or subcontracts that involve the performance of any work or service involving Wakulla County.

BID CHALLENGE:

Any bid award recommendation may be challenged on the grounds of irregularities in the specifications, bid procedure, or the evaluation of the bid. Such notice of intent of bid challenge shall be made in writing to the BOCC Office within 72 hours (excluding weekends and holidays) after receipt of the intended recommendation of award. Challenger shall file a formal written bid challenge within 10 days after the date in which the notice of intent of bid challenge has been submitted. Failure to file a notice of intent of bid challenge or failure to file a formal written bid challenge shall constitute a waiver of all rights granted under this section. The contractor shall be responsible for inquiring as to any and all award recommendation/postings.

Should concerns or discrepancies arise during the bid process, contractors are encouraged to contact the BOCC Office prior to the scheduled bid opening. Such matters will be addressed and/or remedied prior to a bid opening or award whenever practically possible. Contractors are not to contact departments/divisions regarding the contractor complaint.

At the time fixed for the opening of bids, the contents of the Bid Form will be made public for the information of contractors and other interested parties, who may be present either in person or by representatives.

TIME

The agreement shall be for a period of three (3) years, commencing on _____, _____, and shall continue until _____, _____. After the initial three (3) year period, at the discretion of the County, the agreement may be extended for no more than two additional one (1) year periods. Such one (1) year extensions will be automatic unless the County provides written notice of non-renewal to the Contractor no less than thirty (30) days prior to the expiration date of the then current period.

TERMINATION

Wakulla County may terminate this Contract without cause, by giving the Contractor thirty (30) days written notice of termination. Either party may terminate this Contract for cause by giving the other party hereto

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thirty (30) days written notice of termination. The County shall not be required to give Contractor such thirty (30) day written notice if, in the opinion of the County, the Contractor is unable to perform its obligations hereunder, or if in the County's opinion, the services being provided are not satisfactory. In such case, the County may immediately terminate the Contract by mailing a notice of termination to the seller.

PENALTIES:

BIDS MAY BE REJECTED AND/OR CONTRACTOR(S) DISQUALIFIED FOR THE FOLLOWING REASONS:

1. Consistent failure to respond to bid invitation for three (3) consecutive instances.
2. Failure to update the information on file including address, product, service or business descriptions.
3. Failure to perform according to contract provisions.
4. Conviction in a court of law of any criminal offense in connection with the conduct of business.
5. Clear and convincing evidence of a violation of any federal or state anti-trust law based on the submission of bids or proposals, or the awarding of contracts.
6. Clear and convincing evidence that the contractor has attempted to give a Board employee a gratuity of any kind for the purpose of influencing a recommendation or decision in connection with any part of the Board's purchasing activity.
7. Other reasons deemed appropriate by the Board of County Commissioners.

PUBLIC ENTITY CRIMES STATEMENT:

A person or affiliate who has been placed on the convicted contractor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted contractor list.

IDENTICAL TIE BIDS:

Preference shall be given to businesses with drug-free workplace programs. Whenever two or more bids which are equal with respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie bids will be followed if none of the tied contractors have a drug-free workplace program. Bidder must complete and submit as part of the bid response the attached "IDENTICAL TIE BID" form. Failure to submit a completed form may result in the bid being determined as non-responsive.

WORK

Contractor understands that no amount of work is guaranteed to it nor is the County under an obligation to utilize the services of the Contractor in those instances where the work to be performed can be done by County personnel or under separate contract. Any work to be performed shall be upon the written request of the County Administrator or his representative, which request shall set forth the commencing date of such work and the time within which such work shall be completed.

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ASSIGNMENT

This contract shall not be assigned or sublet as a whole or in part without the written consent of the County, nor shall the Contractor assign any monies due or to become due to him hereunder without the previous written consent of the County.

HOLD HARMLESS

The Contractor agrees to indemnify and hold harmless the County from all claims, damages, liabilities, or suits of any nature whatsoever arising out of, because of, or due to the breach of this agreement by the Contractor, its delegates, agents or employees, or due to any act or occurrence of omission or commission of the Contractor, including but not limited to costs and a reasonable attorney's fee. The County may, at its sole option, defend itself or allow the Contractor to provide the defense. The Contractor acknowledges that ten dollars (\$10.00) of the amount paid to the Contractor is sufficient consideration for the Contractor's indemnification of the County.

ETHICAL BUSINESS PRACTICES

- a. Gratuities. It shall be unethical for any person to offer, give, or agree to give any County employee, or for any County employee to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, or preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or performing in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, subcontract, or to any solicitation or proposal therefor.
- b. Kickbacks. It shall be unethical for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract or order.
- c. The Board reserves the right to deny award or immediately suspend any contract resulting from this proposal pending final determination of charges of unethical business practices. At its sole discretion, the Board may deny award or cancel the contract if it determines that unethical business practices were involved.

BID CHECKLIST:

Please submit the items on the following list and any other items required by any section of this invitation for bids. The checklist is provided as a courtesy and may not be inclusive of all items required within this invitation for bids.

- _____ Completed Bid Response Sheet with Manual Signature
- _____ Applicable Licenses/Registrations
- _____ Identical Tie Bid Statement
- _____ Completed Public Entity Crimes Statement
- _____ Insurance Certification Form
- _____ Certification/Debarment

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SCOPE OF WORK

WAKULLA COUNTY 400 FT. REPLACEMENT TOWER RFP

Wakulla County is seeking proposals for replacing the existing 400 ft guyed tower located adjacent to the Wakulla County Sheriff's office located at 15 Oak Street, Crawfordville, Florida.

The scope of work will require the tower owner/developer to replace the existing tower, provide space for the existing Wakulla County "Legacy" system, and provide space for a proposed 700/800 MHz system and the specified future leased load the tower owner/developer may require for its sub-lessees. The bidder will own and lease out the tower (referenced below as tower owner).

Included in this proposal shall be the Wakulla County lease rate on the new tower, any rate abatements for future vendor tenants on the tower and terms and conditions under the Ground Lease Agreement with Wakulla County.

The new 400 ft tower must be built in close proximity to the existing 400 ft tower, provide for Wakulla County's existing "Legacy" system to not be off the air longer than one hour, and be built to EIA/TIA222G standards.

Attached, for vendor review, are the bid specifications required to be met for Wakulla County's consideration. Should you require clarification regarding any of these specifications, please contact Scott Nelson (850) 926-0861 or Karen Day (850) 926-0814 Wakulla County Sheriff's Office

GROUND LEASE PARAMETERS

- The new tower's ground lease must be (1) 5-year term with (7) 5-year renewal terms
- The Ground Lease document must include the following:
 - Language allowing 24-7 access to Wakulla County's property where the tower is located
 - Tower owner insurance including \$3,000,000.00 General Liability Insurance with Wakulla County co-named; must be kept up to date and a copy of such policy filed with Wakulla County
 - There must be a default provision whereby if Lessee (tower owner) defaults and such default is not cleared, Lessor (Wakulla County) may take over ownership of the tower including all rental income
 - The Ground Lease must include an exhibit showing a certified Florida Engineer stamped and sealed survey of the proposed tower site including adjacent parent parcel track, legal description and site plan
 - The Ground Lease must include a certified Florida Structural Engineer stamped and sealed tower drawings including the attached antenna and line loading
 - The Ground Lease must have an exhibit including a Tower Lease Agreement for Wakulla County including tower lease rates to Wakulla County, rent abatement plan for reducing Wakulla County's rent rate as co-location sublessees lease space and Ground rent payment to Wakulla County

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- The tower owner and its sublessees shall have sole responsibility including capital expense, maintenance, operation and insurance of any buildings, sub-leased areas, equipment facilities or property within the confines of the Ground Lease's tower compound area.
- The tower owner's leased compound area shall not provide space for Wakulla County's communications systems, which will be located in its own tower compound area adjacent to the tower and the tower owner's leased compound area.

TOWER SPECIFICATIONS

- New 400 ft guyed tower must be built adjacent to existing 400 ft guyed tower
- Tower must accommodate all loading as per attached Tower Loading Specifications
- Tower must meet EIA/TIA222G standards including the following:
 - 120 mph basic wind
 - Exposure Category
 - Structural Class III
 - Topographic Category 1
- Tower base and guy points must be grounded per EIA specifications
- Tower must be solid rod leg, minimum of 42 inch face width
- Tower to be guyed to 75-80% guy radius
- Wakulla County's "Legacy" 2-way radio systems cannot be off the air greater than one hour; provide scope of work to accomplish this requirement
- The tower owner will provide an ice bridge for the County's transmission lines extending from the tower to the County's tower compound area and equipment building(s)
- Tower must have dual lighting system (medium intensity strobe-day, red lights-night)
- Lighting system must have FAA-approved remote monitoring device and must be monitored by industry-recognized remote monitoring company at tower owner's sole expense
- Tower owner must maintain tower, guy anchors, guy wires, keep compound weed-free
- Tower owner must provide 800 amp meter panel including telco for future tenants to be located within the new 400 ft guyed tower's leased compound area
- All transmission lines shall be snap-ins with hose clamps, hosting grips, grounded and no wire ties utilized
- All tower construction and site work to be performed by Florida Certified General Contractor
- If existing "Legacy" system antennas, transmission lines, mounting brackets and full hardware are replaced at the sole cost of the tower owner (vendor), all such equipment shall be equal to that being replaced (with the exception of the transmission line mounting hardware as specified above)
- All existing or replaced antennas, transmission lines, mounting brackets and hardware must be installed on new tower at tower owner's expense
- All such antennas, lines, mounting brackets and hardware must be installed on the new tower at the same location and azimuth as the old tower's configuration
- All such antennas and lines must be "swept" once installed on the new tower at tower owner's sole cost
- Must provide tower manufacturer tower drawings included being stamped and sealed by a Florida Certified Structural Engineer
- Tower must have bird diverters on guy wires per manufacturer specifications
- Old tower must be dismantled and removed from site at tower owner's sole expense
- Tower compound to be fenced with no less than 6 ft chain link security fencing with top-mounted razor wire, 12 ft entry gate, Stymie-Lock locking device
- Guy anchor areas to be security fenced per above (less Stymie-Lock device)
- All tower fixtures and installation for the tower owner's and its sub-lessees' equipment shall be the sole responsibility and cost of the tower owner and its sub-lessees
- All Wakulla County's equipment on the tower shall be maintained and the sole responsibility and maintenance cost of Wakulla County
- All above provisions are at tower owner's sole expense

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TOWER ENGINEERING REQUIREMENTS

All of the engineering requirements listed below are to be provided with the bid submittal and at bidder's sole expense:

- Stamped and sealed A&E plans and survey for the new replacement tower including the tower's base, guy areas, the new tower owner's leased tower compound for its future sublessees, any proposed improvements within that tower compound, the existing tower to be replaced, Wakulla County's tower compound including all existing structures on the parent lease parcel. All such stamped and sealed plans must be executed by a State of Florida certified Surveyor and Engineer.
- Stamped and sealed replacement tower plans including design load, guy radius, foundation recommendations, including elevations, design standards and plans must be executed by a State of Florida certified Structural Engineer.
- New tower owner must supply Wakulla County its Scope of Work plan for replacing the old tower and erecting the new tower.
- New tower owner must supply Wakulla County stamped and sealed plans for all foundations based on the new tower owner's geotechnical report. Such foundation plans must be executed by a State of Florida certified structural engineer.

REPLACEMENT TOWER DUE DILIGENCE

The following due diligence will be required to be conducted upon award of the bid:

- Legal description must be derived from the bid submittal required survey and title review and subsequent Title Insurance obtained for the new tower
- Tower owner must file replacement FAA information to State of Florida FDOT
- The tower owner must re-file FAA with "2-C" survey
- The tower owner must obtain new FCC tower certification
- The tower owner must order Phase-1 environmental report
- The tower owner must submit and have approved NEPA, SHPO, THPO reports, recommendations and approvals
- The tower owner must file and have approved Water Management District storm water permits
- The tower owner must have geotechnical analysis including soil borings down to 65 ft depth for tower base and all guy points (whether 3 or 6 guy point design)
- No tower replacement shall take place until all due diligence listed above is complete and approved
- Tower owner will obtain all local governmental approvals and permits
- All such due diligence, submittals and approvals will be at tower owner's sole expense

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BID RESPONSE SHEET

The Board of County Commissioners, Wakulla County, reserves the right to accept or reject any and/or all bids in the best interest of Wakulla County.

Edward E. Brimner
Chairman

This proposal is submitted by the below named firm/individual by the undersigned authorized representative.

BY _____
(Firm Name)

BY _____
(Authorized Representative)

(Printed or Typed Name)

ADDRESS _____

TELEPHONE _____

FAX _____

ADDENDA ACKNOWLEDGMENTS: (IF APPLICABLE)

Addendum #1 dated _____ Initials _____

Addendum #2 dated _____ Initials _____

Addendum #3 dated _____ Initials _____

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STATEMENT OF NO BID

We, the undersigned, have declined to bid on the above referenced bid for the following reasons:

_____ We do not offer this service

_____ Our schedule would not permit us to perform.

_____ Unable to meet specifications

_____ Others (Explain)

We understand that if the no-bid letter is not executed and returned, our name may be deleted from the list of qualified bidders for Wakulla County.

Company Name _____

Signature _____

Name (Print/Type) _____

Telephone No. _____

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SWORN STATEMENT UNDER 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 Wakulla County Board of County Commissioners

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, non-jury 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:
- a. A predecessor or successor of a person convicted of a public entity crime: or
 - b. 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 BOCCship by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.
5. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision

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of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

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

_____ Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in 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 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 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 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 contractor list. [Attach a copy of the final order.]

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE 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 , 200__ .

Personally known _____ OR Produced identification _____
(Type of identification)

NOTARY PUBLIC

Notary Public - State of _____

My commission expires: _____

Printed, typed, or stamped commissioned name of notary public

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EQUAL OPPORTUNITY/AFFIRMATIVE ACTION STATEMENT

1. The contractors and all subcontractors hereby agree to a commitment to the principles and practices of equal opportunity in employment and to comply with the letter and spirit of federal, state, and local laws and regulations prohibiting discrimination based on race, color, religion, national region, sex, age, handicap, marital status, and political affiliation or belief.

2. The contractor agrees to comply with Executive Order 11246, as amended, and to comply with specific affirmative action obligations contained therein.

Signed: _____

Title: _____

Firm: _____

Address: _____

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IDENTICAL TIE BIDS

Preference shall be given to businesses with drug-free workplace programs. Whenever two or more bids which are equal with respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie bids will be followed if none of the tied contractors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

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

As the person authorized to sign the statement, I certify the following:

(Check one and sign in the space provided.)

_____ This firm complies fully with the above requirements.

_____ This firm does not have a drug free work place program at this time.

CONTRACTOR'S SIGNATURE

TITLE

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NON-COLLUSION AFFIDAVIT

The undersigned being first duly sworn as provided by law, deposes and says:

1. This Affidavit is made with the knowledge and intent that it is to be filed with the Board of County Commissioners, Wakulla County, Florida and that it will be relied upon by said County, in any consideration which may give to and any action it may take with respect to this Proposal.

2. The undersigned is authorized to make this Affidavit on behalf of,

_____ (Name of Corporation, Partnership, Individual, etc.)

a , _____ formed under the laws of _____
(Type of Business) (State or Province)

of which he is . _____
(Sole BOCC, partner, president, etc.)

3. Neither the undersigned nor any other person, firm or corporation named in above Paragraph 2, nor anyone else to the knowledge of the undersigned, have themselves solicited or employed anyone else to solicit favorable action for this Proposal by the County, also that no head of any department or employee therein, or any officer of Wakulla County, Florida is directly interested therein.

4. This Proposal is genuine and not collusive or a sham; the person, firm or corporation named above in Paragraph 2 has not colluded, conspired, connived or agreed directly or indirectly with any bidder or person, firm or corporation, to put in a sham Proposal, or that such other person, firm or corporation, shall refrain from bidding, and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference with any person, firm or corporation, to fix the prices of said proposal or proposals of any other bidder; and all statements contained in the proposal or proposals described above are true; and further, neither the undersigned, nor the person, firm or corporation named above in Paragraph 3, has directly or indirectly submitted said proposal or the contents thereof, or divulged information or data relative thereto, to any association or to any member or agent thereof.

_____ AFFIANT'S NAME

_____ AFFIANT'S TITLE

TAKEN, SWORN AND SUBSCRIBED TO BEFORE ME this _____ Day of ,20____ .

Personally Known _____ or Produced Identification _____

Type of Identification _____

_____ Notary Public

(Print, Type or Stamp Commissioned Name of Notary Public)

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INSURANCE CERTIFICATION FORM

To indicate that Bidder/Respondent understands and is able to comply with the required insurance, as stated in the bid/RFP document, Bidder/Respondent shall submit this insurances sign-off form, signed by the company Risk Manager or authorized manager with risk authority.

A. Is/are the insurer(s) to be used for all required insurance (except Workers' Compensation) listed by Best with a rating of no less than A:VII? YES NO

Commercial General Liability: Indicate Best Rating: _____
Indicate Best Financial Classification: _____

Business Auto: Indicate Best Rating: _____
Indicate Best Financial Classification: _____

Professional Liability: Indicate Best Rating: _____
Indicate Best Financial Classification: _____

1. Is the insurer to be used for Workers' Compensation insurance listed by Best with a rating of no less than A:VII? YES NO

Indicate Best Rating: _____
Indicate Best Financial Classification: _____

If answer is NO, provide name and address of insurer:

2. Is the Respondent able to obtain insurance in the following limits (next page) for this professional services agreement? YES NO

Insurance will be placed with Florida admitted insurers unless otherwise accepted by Wakulla County. Insurers will have A.M. Best ratings of no less than A:VII unless otherwise accepted by Wakulla County.

Required Coverage and Limits

The required types and limits of coverage for this bid/request for proposals are contained within the solicitation package. Be sure to carefully review and ascertain that bidder/proposer either has coverage or will place coverage at these or higher levels.

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**CERTIFICATION REGARDING
DEBARMENT, SUSPENSION,
And OTHER RESPONSIBILITY MATTERS
PRIMARY COVERED TRANSACTIONS**

- 1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - b) Have not within a three-year period preceding this been convicted of 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;
 - c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of these offenses enumerated in paragraph (1)(b) of this certification; and
 - d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- 2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.
- 3) No subcontract will be issued for this project to any party which is debarred or suspended from eligibility to receive federally funded contracts.

Signature

Title

Contractor/Firm

Address

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LOCAL CONTRACTOR CERTIFICATION

The undersigned, as a duly authorized representative of the contractor listed herein, certifies to the best of his/her knowledge and belief, that the contractor meets the definition of a "Local Business." For purposes of this section, "local business" shall mean a business which:

- a) Has had a fixed office or distribution point located in and having a street address within Wakulla County for at least six (6) months immediately prior to the issuance of the request for competitive bids or request for proposals by the County; and
- b) Holds any business license required by the County (please attach copies); and
- c) Employs at least one (1) full time employee, or two (2) part time employees whose primary residence is in Wakulla County, or, if the business has no employees, the business shall be at least fifty percent (50%) owned by one or more persons whose primary residence is in Wakulla County.

Please complete the following in support of the self-certification and submit copies of your County business licenses. Failure to provide the information requested will result in denial of certification as a local business.

Business Name:	Phone:
Current Local Address:	Fax:
If the above address has been for less than six months, please provide the prior address:	
Length of time at this address	
Number of Employees and hours worked per week by each:	
Name and Address of BOCC(s) who reside in Wakulla County and who in total own at least 50% or more of the business. Attach additional sheets as necessary	Percentage of BOCCship
1.	
2.	

Signature of Authorized Representative

Date

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____.

By _____, of _____,
(Name of officer or agent, title of officer or agent) (Name of corporation acknowledging)

a _____ corporation, on behalf of the corporation. He/she is personally
(State or place of incorporation)

known to me _____ or has produced _____ as
identification. (type of identification)

Notary Public

(Print, Type or Stamp Commissioned Name of Notary Public)