

Town of Lauderdale-By-The-Sea



REQUEST FOR PROPSAL No. 11-04-03

Tree Trimming Services

RFP OPENING: May 05, 2011, 2:00 P.M.

Town Hall

4501 Ocean Drive

Lauderdale-By-The-Sea, FL 33308

TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA
REQUEST FOR PROPOSALS NO. 11-04-03

The Town of Lauderdale-By-The-Sea, Florida invites qualified firms to submit proposals to provide:

Tree Trimming Services

The Town intends to award a contract to a firm(s) to provide services necessary for the project (the "Project") described herein.

The Town of Lauderdale-By-The-Sea, Florida (the "Town") will receive sealed proposals until 2:00 p.m. (local), May 05, 2011, in Town Hall, 4501 Ocean Drive, Lauderdale-By-The-Sea, FL 33308.

See Part II, Section H, for information regarding submitting a proposal.

The Town's contact information for this RFP is:

Town Clerk
4501 Ocean Drive
Lauderdale-by-the-Sea, Florida 33308
Telephone: 954-776-0576.
Fax: 954-776-1857
Email: junew@lbts-fl.gov

RFP documents may be obtained via the Internet at the The Town of Lauderdale-By-The-Sea website at www.lauderdalebythesea-fl.gov and this RFP is posted on www.Demandstar.com. If you do not have internet access, you may obtain the documents by contacting the Town Clerk.

The Town reserves the right to reject proposals with or without cause and for any reason, to waive any irregularities or informalities, and to solicit and re-advertise for other proposals. Incomplete or non-responsive proposals may be rejected by the Town as non-responsive or irregular. The Town reserves the right to reject any proposal for any reason, including, but without limitation, if the Proposer fails to submit any required documentation, if the Proposer is in arrears or in default upon any debt or contract to the Town or has failed to perform faithfully any previous contract with the Town or with other governmental jurisdictions. All information required by this RFP must be supplied to constitute a proposal.

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Part I – Statement of Work

PART I - STATEMENT OF WORK

A. *OBJECTIVE*

The Town of Lauderdale-By-The-Sea is seeking proposals for contractual services to perform Tree Trimming Services including stump removal from an ISA Certified Arborist with a class A Tree Trimmers license from Broward County. There are approximately 800 palm trees and 30 canopy trees in the Town right of ways.

B. *GENERAL INFORMATION ABOUT*

The Town has spent approximately \$15,000 annual on tree trimming services.

Proposers shall have a Class A Tree Trimmers license from Broward County

Class A: Requires a sole proprietor or a qualified individual for a business organization or a governmental agency to possess an International Society of Arboriculture Arborist Certification or be a Registered Consulting Arborist with the American Society of Consulting Arborists. Also required is an affidavit stating that the required number of employees have either successfully completed a substitute training course or the training course offered by Broward County Extension Education.

Prior to submission of their Proposal, the Proposer is required to travel throughout the Town of Lauderdale by the Sea and become familiar with any conditions that may, in any manner, affect the work to be done or affect the equipment, materials and labor required. As the work to be Performed extends throughout the Town there is not one specific area identified as typical. However as the trees to be trimmed are similar, viewing any tree-lined medians within the Town right of ways will provide you with an indication of the conditions. No allowances shall be made because of a lack of knowledge of these conditions

C. *SCOPE OF WORK*

1. There are approximately 800 Coconut, Date, Sable and Royal Palm trees that need to be trimmed annually. All Palm trees shall be priced per tree including all labor, equipment, clean up and disposal of all debris in accordance with State, County and Local laws. All trees shall be trimmed in accordance with Broward County Code in Chapter 27, Article14 shown in Appendix A.

Tree Trimming Services

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Part I – Statement of Work

2. Annual Palm tree trimming shall begin when a written notice to proceed is issued by the Municipal Services Director and shall finish no later than six weeks after the notice to proceed is issued.
3. There are approximately 30 canopy trees including but not limited to Oak, Gumbo Limbo, Black Olive and Ficus trees. Canopy trees shall be trimmed at the direction of the Municipal Services Director to Broward County Code. Canopy trees shall be priced per hour including all labor, equipment, clean up and disposal of all debris in accordance with State, County and Local laws.
4. Stump grinding shall be priced per hour including all labor, equipment, clean up and disposal of all debris in accordance with State, County and Local laws
5. All tree work shall be done in accordance with the ANSI Z133.1-2000, safety requirements and shall comply with ANSI 300 Standards for Tree Care Operators.
6. All work that requires the use of public streets shall be done in accordance with all State, County and Local laws.
7. Equipment that will damage the bark and cambium layer shall not be used on or in the tree. For example, the use of climbing spurs (hooks, irons) is not an acceptable work practice for pruning operations on live trees. A bucket truck shall be used whenever possible, if a bucket truck cannot be utilized then the tree shall be trimmed using ladders. The use of spikes shall not be used unless prior written approval is obtained by the Municipal Services Director. Sharp tools shall be used so that clean cuts are made at all times.
8. The Contractor shall be responsible for the removal of all cut limbs and other debris from the work site on a daily basis, leaving the general area in clean condition.

D. TECHNICAL REQUIREMENTS

1. The Contractor shall have at least one 60 foot aerial bucket truck available to the Town as needed. Ladders shall only be used when access is restricted.
2. All stumps shall be ground to a minimum depth of 8 inches and shall be the responsibility of the Contractor to call for utility locations.

E. INSURANCE AND LICENSES

The successful Proposer shall maintain in full force and effect throughout the contract:
(a) insurance coverage reflecting the minimum amounts and conditions required by the Town, and (b) any required licenses.

- 1. Comprehensive General Liability Insurance** - \$1,000,000 combined single limit of insurance per occurrence and \$2,000,000 in the general aggregate for Bodily Injury and Property Damage and \$2,000,000 general aggregate for

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Part I – Statement of Work

Products/Completed Operations, Comprehensive General Liability insurance shall include endorsements for property damage; personal injury; contractual liability; completed operations; products liability and independent contractors coverage.

- 2. Workers' Compensation Insurance** – Statutory.
- 3. Comprehensive Automobile Liability Insurance** - \$1,000,000 combined single limit of insurance per occurrence for Bodily Injury and Property Damage; \$1,000,000 Hired & Non Owned Auto Liability.
- 4. Professional Liability** – Please indicate if you carry Professional Liability Insurance and, if so, in what amount.

END OF PART I

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Part II –General Information

PART II: RFP GENERAL INFORMATION

A. DEFINITIONS

For the purposes of this Request for Proposals (RFP):

Proposer shall mean the contractor, consultant, respondent, organization, firm, or other person submitting a response to this RFP.

Town shall mean the Town of Lauderdale-By-The-Sea, Town Commission or Town Manager, as applicable, and any officials, employees, agents and elected officials.

Contact information for the purpose of this RFP shall mean:

Town Clerk
4501 Ocean Drive
Lauderdale-by-the-Sea, Florida 33308
Telephone: 954-776-0576.
Fax: 954-776-1857
Email: junew@lbts-fl.gov

B. INVITATION TO PROPOSE; PURPOSE

The Town solicits proposals from responsible Proposers to perform work for or provide goods and/or services to the Town as specifically described in Part I, Statement of Work.

C. CONTRACT AWARDS

The Town Commission anticipates entering into a contract with the Proposer who submits the proposal judged by the Town to be most advantageous. The Town anticipates awarding one contract, but reserves the right to award more than one contract if in its best interest. If the Town selects a Proposal, the Town will provide a written notice of the award.

The Proposer understands that neither this RFP nor the notice of award constitutes an agreement or a contract with the Proposer. A contract or agreement is not binding until a written contract or agreement has been approved as to form by the Town Attorney and has been executed by both the Town (with Commission approval, if applicable) and the successful Proposer.

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D. PROPOSAL COSTS

Neither the Town nor its representatives shall be liable for any expenses incurred in connection with preparation of a response to this RFP. Proposers should prepare their proposals simply and economically, providing a straightforward and concise description of the Proposer's ability to meet the requirements of the RFP.

E. INQUIRIES

The Town will not respond to oral inquiries. Proposers may mail, electronic mail or fax written inquiries for interpretation of this RFP to the attention of the City Clerk. Please mark the correspondence "RFP No. 11-04-03 QUESTION".

The Town will respond to written inquiries received at least 7 working days prior to the date scheduled for receiving the proposals. The Town will record its responses to inquiries and any supplemental instructions in the form of a written addendum. If addenda are issued, the Town will email, mail or fax written addenda to any potential Proposer who has provided their contact information to the Clerk. Although the Town will make an attempt to notify each prospective Proposer of the addendum, it is the sole responsibility of a Proposer to remain informed as to any changes to the RFP.

F. DELAYS

The Town may postpone scheduled due dates in its sole discretion. The Town will attempt to notify all registered Proposers of all changes in scheduled due dates by written addenda.

G. PRE-PROPOSAL MEETING No pre-proposal meeting is scheduled.

H. PROPOSAL SUBMISSION

Proposers shall submit one (1) original and nine (9) copies of the proposal in a sealed, opaque package. The package shall be clearly marked on the outside as follows:

To: Town of Lauderdale-By-The-Sea
RFP No. 11-04-03
Project: Tree Trimming Services_____

Submitted by: _____
Address: _____.

Proposals shall be submitted in person or by mail. Email submittals are not accepted.

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Late submittals, additions, or changes will not be accepted and will be returned to the bidder unopened.

Due to the irregularity of mail service, the Town cautions Proposers to assure actual delivery of proposals to the Town prior to the deadline set for receiving proposals. Telephone confirmation of timely receipt of the proposal may be made by calling the Office of the Town Clerk before proposal opening time. Proposers may withdraw their proposals by notifying the Town in writing at any time prior to the opening. Proposals, once opened, become property of the Town and will not be returned.

I. PROPOSAL FORMAT

In order to insure a uniform review process and to obtain the maximum degree of comparability, it is required that the proposals be organized in the manner specified herein. Unless otherwise specified, Proposers shall use the proposal forms provided by the Town herein. These forms may be duplicated, but failure to use the forms may cause your proposal to be rejected. Any erasures or corrections on the form must be made in ink and initialed by Proposer in ink. All information submitted by the Proposer shall be printed, typewritten or completed in ink. Proposals shall be signed in ink. When an RFP requires multiple copies they may be included in a single envelope or package properly sealed and identified.

All proposals shall be submitted as specified in this RFP. Any attachments shall be clearly identified. To be considered, the proposal must respond to all parts of the RFP. Any other information thought to be relevant, but not applicable to the enumerated categories, should be provided as an appendix to the proposal. If publications are supplied by a proposer to respond to a requirement, the response should include reference to the document number and page number. Proposals lacking this reference may be considered to have no reference material included in the additional documents.

Proposers shall prepare their proposals using the following format:

1. Letter of Transmittal
This letter will summarize in a brief and concise manner, the Proposer's understanding of the scope of work and make a positive commitment to provide its services on behalf of the Town. The letter must name all of the persons authorized to make representations for or on behalf of the Proposer, and must include their titles, addresses, and telephone numbers. An official authorized to negotiate and execute a contract on behalf of the Proposer must sign the letter of transmittal.
2. Title Page
The title page shall show the name of Proposer's agency/firm, address, and telephone number, name of contact person, date, and the RFP No. and the Project name.

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Part II –General Information

3. Table of Contents
Include a clear identification of the material by section and by page number.
4. Organization Profile and Qualifications
This section of the proposal must describe the Proposer, including the size, range of activities, and experience providing similar services.

Each Proposer must include:
 - Documentation indicating that it is authorized to do business in the State of Florida and, if a corporation, is incorporated under the laws of one of the States of the United States.
 - A description of the primary individuals responsible for supervising the work including the percentage of time each primary individual is expected to contribute to this work.
 - Resumes and professional qualifications of all primary individuals and identify the person(s) who will be the Town's primary contact and provide the person(s') background, training, experience, qualifications and authority.
 - Completed RFP Forms A, B, C, and D. All RFP forms are included as exhibits this document.
5. Experience
The Proposer must describe its expertise in and experience with providing goods and/or services similar to those required by this RFP. Describe previous experience relating to the Scope of Work requested in this RFP. Has the firm worked for other governmental entities, particularly municipalities? If so, please describe the work performed and include contact information for references, the time the firm was engaged and a list of accomplishment for each.
6. Approach to Providing Services
This section of the proposal should explain the Scope of Work as understood by the Proposer and detail the approach, activities and work products to be provided.
7. Compensation
The proposal shall document the fee proposal for the goods and/or services on RFP Form C.
8. Additional Information
Any additional information which the Proposer considers pertinent for consideration should be included in a separate section of the proposal.

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Part II –General Information

J. PROPOSAL – Procedural Information

1. Interviews:

The Town reserves the right to conduct personal interviews or require presentations prior to selection. The Town is not responsible for any expenses which Proposers may incur in connection with a presentation to the Town or related in any way to this RFP.

2. Request for Additional Information:

The Proposer shall furnish such additional information as the Town may reasonably require. This includes information, which indicates financial resources as well as ability to provide the services. The Town reserves the right to make investigations of the qualifications of the Proposer as it deems appropriate, including but not limited to, a background investigation. Failure to provide additional information requested may result in disqualification of the proposal.

3. Proposals Binding:

All proposals submitted shall be binding for at least one hundred twenty (120) calendar days following opening. Town may desire to accept a proposal after this time. In such case, Proposer may choose whether or not to continue to honor the proposal terms.

4. Alternate Proposals:

An alternate proposal is viewed by the Town as a proposal describing an approach to accomplishing the requirements of this RFP which differs from the approach set forth in the solicitation. An alternate proposal may be a second proposal submitted by the same Proposer, which differs in some degree from the prior proposal or from this RFP. Alternate proposals may be in the area of technical approach, or other provisions or requirements of this RFP. The Town will, during the initial evaluation process, consider all alternate proposals submitted and reserves the right to award a contract based on an alternative proposal if the same is deemed to be in the Town's best interest.

5. Proposer's Certification Form:

Each proposer shall complete the "Proposer's Certification" form included as RFP Form D and submit the form with the proposal. This form must be acknowledged before a notary public with notary seal affixed on the document.

K. PUBLIC RECORDS

Proposals are public documents and subject to public disclosure in accordance with Chapter 119, Florida Statutes (the Public Records Law). Certain exemptions to the Public Records Law are statutorily provided for and it is the Proposer's responsibility to

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become familiar with these concepts. The contract will include a provision wherein the Proposer releases and agrees to defend, indemnify, and hold harmless the Town and the Town's officers, employees, and agents, against any loss or damages incurred by any person or entity as a result of the Town's treatment of records as public records.

L. IRREGULARITIES; REJECTION OF PROPOSALS

The Town reserves the right to reject proposals with or without cause and for any reason, to waive any irregularities or informalities, and to solicit and re-advertise for other proposals. Incomplete or non-responsive proposals may be rejected by the Town as non-responsive or irregular. The Town reserves the right to reject any proposal for any reason, including, but without limitation, if the Proposer fails to submit any required documentation, if the Proposer is in arrears or in default upon any debt or contract to the Town or has failed to perform faithfully any previous contract with the Town or with other governmental jurisdictions. All information required by this RFP must be supplied to constitute a proposal.

M. EVALUATION METHOD AND CRITERIA

1. General

The Town shall be the sole judge of its own best interests, the proposals, and the resulting negotiated contract or agreement, if any. The Town reserves the right to investigate the financial capability, reputation, integrity, skill, business experience and quality of performance under similar operations of each Proposer, including shareholders, principals and senior management, before making an award. Awards, if any, will be based on both an objective and subjective comparison of proposals and Proposers. The Town's decisions will be final. The Town's evaluation criteria may include, but shall not be limited to, consideration of the following:

- A. ability to meet set standards;
- B. availability of qualified personnel
- C. Compensation.
- D. expertise of personnel;
- E. financial resources and capabilities;
- F. past contracts with other governmental jurisdictions;
- G. past performance records;
- H. qualifications of Proposer;
- I. references;
- J. related experience in Florida;
- K. technical soundness of proposal; and,
- L. Time frames.

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2. Selection

The Town Manager may conduct the selection process, or at the option of the Town Manager, it may be referred to a selection committee (the "Committee"). Either the Town Manager or the Committee will review all proposals received and establish a list of selected Proposers deemed to be the most qualified to provide the service requested based in part on the criteria set forth above. The Town Manager may submit a recommended firm or a "short list" or a combination of a recommended firm and the "short list" to the Town Commission and the Town Commission shall make a final award. The Town Manager may request oral presentation from the Proposers. Proposers are advised that the Town reserves the right to conduct negotiations with the most qualified Proposer, but may not do so. Therefore, each Proposer should endeavor to submit its best proposal initially.

N. REPRESENTATIONS AND WARRANTIES

In submitting a proposal, Proposer warrants and represents that:

1. Proposer has examined and carefully studied all data provided, and any applicable Addenda; receipt of which is hereby acknowledged.
2. Proposer has visited the relevant site, if any, and is familiar with and satisfied as to the general, local and "site" conditions that may affect cost, progress, and performance of goods and/or services in their proposal.
3. Proposer is familiar with and is satisfied as to all federal, state and local laws and regulations that may affect cost, progress and performance of the goods and/or services in their proposal.
4. If applicable, Proposer has obtained and carefully studied (or assumes responsibility for having done so) all documents available related to the subject of the RFP and performed any examinations, investigations, explorations, tests, studies and data concerning conditions that may affect cost, progress, or performance of the goods and/or services that relate to any aspect of the means, methods, techniques, sequences, and procedures to be employed by Proposer, including safety precautions and programs incident thereto.
5. Proposer has given Town written notice of all conflicts, errors, ambiguities, or discrepancies that Proposer has discovered in this RFP and any addenda thereto, and the written resolution thereof by the Town is acceptable to Proposer.
6. The RFP is generally sufficient in detail and clarity to indicate and convey understanding of all terms and conditions for the performance of the proposal that is submitted.

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Part II –General Information

7. No person has been employed or retained to solicit or secure award of the contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, and no employee or officer of the Town has any interest, financially or otherwise, in the RFP or contract.

O. Town Contract

The selected Proposer is expected to execute the Town's standard professional services contract, in the form approved by the Town Attorney.

End of Part II

Tree Trimming Services
Lauderdale-By-The-Sea RFP No. 11-04-03, *RFP Forms*

RFP FORM A

Proposer: _____

QUALIFICATIONS STATEMENT

Note: Forms A, B & C are available in WORD format from the Town Clerk upon request.

THIS FORM MUST BE SIGNED AND SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.
The undersigned guarantees the truth and accuracy of all statements and the answers contained herein.

1. State the full and correct name of the partnership, corporation or trade name under which you do business and the address of the place of business. (If a corporation, state the name of the president and secretary. If a partnership, state the names of all partners. If a trade name, state the names of the individuals who do business under the trade name.)
 - 1.1. The correct and full legal name of the Proposer is:
 - 1.2. The business is a (Sole Proprietorship) (Partnership) (Corporation).
 - 1.3. The names of the corporate officers, or partners, or individuals doing business under a trade name, are as follows:
2. Please describe your company in detail.
3. The address of the principal place of business is:
4. Company telephone number, fax number and e-mail addresses:
5. Number of employees:
6. Name of employees to be assigned to this Project:
7. Company identification numbers for the Internal Revenue Service:
8. Provide Broward County occupational license number, if applicable, and expiration date:
9. How many years has your organization been in business? Does your organization have a specialty?
10. List the last three project of this nature that the firm has completed? Please provide project description, reference and cost of work completed.
11. Have you ever failed to complete any work awarded to you? If so, where and why?

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12. Provide the following information concerning all contracts **in progress** as of the date of submission of this Proposal for your company, division or unit as appropriate.

Name of Project	Contract with:	Contract Amount

(Continue list as necessary)

13. Provide the following information for any subconsultants you will engage if awarded the contract.

Subcontractor Name	Address	Work to be Performed

The foregoing list of subconsultants may not be amended after award of the contract without the prior written approval of the Town Manager, whose approval shall not be unreasonably withheld.

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RFP Form B

Proposer: _____

REFERENCE FORM

Forms A, B & C are available in WORD format from the Town Clerk upon request.

THIS FORM MUST BE SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE. The Proposer guarantees the truth and accuracy of all statements and the answers contained herein.

Give names, addresses and telephone numbers of four individuals, corporations, agencies, or institutions for which you have performed work similar to what is proposed in this RFP:

1. Name of Contact _____
 Title of Contact _____
 Telephone Number: _____ Fax Number _____

2. Name of Contact _____
 Title of Contact _____
 Telephone Number: _____ Fax Number _____

3. Name of Contact _____
 Title of Contact _____
 Telephone Number: _____ Fax Number _____

4. Name of Contact _____
 Title of Contact _____
 Telephone Number: _____ Fax Number _____

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RFP Form C

Proposer: _____

PRICE PROPOSAL FORM

Note: Forms A, B & C are available in WORD format from the Town Clerk upon request.

THIS FORM MUST BE SIGNED AND SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.
The undersigned guarantees the truth and accuracy of all statements and the answers contained herein.

Name of Proposer: _____

Name of authorized representative of Proposer: _____

Project Cost

Deliverables	Professional Services Fee
Cost per Palm Tree	\$
Hourly rate for Canopy Trees	\$
Hourly rate for Stump Grinding	\$

Instructions: Show the project cost for each deliverable your firm will provide per the requested scope of work. Include the fees associated with each proposed deliverable.

Fees should be detailed to the extent possible per deliverable, with estimated out-of-pocket expenses separate from the proposed fees for professional services.

The Total Project Cost SHALL include all fees and reimbursements for out of pocket costs. The Town will not reimburse for any costs not actually incurred and paid for by the Proposer and included in its proposal. Reasonable proof thereof will be required.

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RFP FORM D

Proposer: _____

PROPOSER'S CERTIFICATION

THIS FORM MUST BE SIGNED AND SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.
The undersigned guarantees the truth and accuracy of all statements and the answers contained herein.

I have carefully examined the Request for Proposal referenced above ("RFP") and any other documents accompanying or made a part of this RFP.

I hereby propose to furnish the goods or services specified in the RFP. I agree that my proposal will remain firm for a period of 120 days in order to allow the Town adequate time to evaluate the proposals.

I certify that all information contained in this proposal is truthful to the best of my knowledge and belief. I further certify that I am duly authorized to submit this proposal on behalf of the firm as its act and deed and that the firm is ready, willing and able to perform if awarded the contract.

The firm and/or Proposer hereby authorizes the Town of Lauderdale-by-the-Sea, its staff or consultants, to contact any of the references provided in the proposal and specifically authorizes such references to release, either orally or in writing, any appropriate data with respect to the firm offering this proposal.

I further certify, under oath, that this proposal is made without prior understanding, agreement, connection, discussion, or collusion with any other person, firm or corporation submitting a proposal for the same product or service; no officer, employee or agent of the Town or any other proposer is interested in said proposal; and that the undersigned executed this Proposer's Certification with full knowledge and understanding of the matters therein contained and was duly authorized to do so.

If this proposal is selected, I understand that I will be expected to execute the Town's standard professional services contract, in the form approved by the Town Attorney.

A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crimes may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, sub-contractor, or consultant under a contract with a public entity, and may not transact business with any public

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entity in excess of the threshold amount provided in Sec. 287.017 Florida Statutes, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list. I further certify, under oath, that neither the entity submitting this sworn statement, not to my knowledge, any of its officers, directors, executives, partners, shareholder, employees, members or agents active in the management of the entity has been convicted of a public entity crime subsequent to July 1, 1989.

Name of Business

By: _____

Signature

Print Name and Title

Mailing Address

State of _____

County of _____

Sworn to and subscribed before me this _____ day of _____, 2011.

Notary Public

My Commission Expires:

Appendix A

Lauderdale-By-The-Sea RFP No. XX-XX-XX

Broward County Tree Ordinance

Sec. 27-401. - Declaration of intent.

In order to protect and preserve the quality of air, water, soil, wildlife habitats and other natural resources of Broward County, as well as the health, safety and welfare of its citizens, the Board declares that the preservation of trees is integral to the prevention of air and water pollution and must be regulated. The Board recognizes that tree leaf surfaces trap and filter out ash, dust, and pollution; that tree root systems hold and consolidate soil and other loose earthen materials, thereby helping to prevent erosion, reducing non-point-source water pollution and maintaining the continued vitality of natural habitats for the propagation and protection of wildlife, birds, game, fish and other aquatic life. In addition, the Board recognizes that trees provide canopy and shade which has a cooling effect, reducing the consumption of electricity. The Board finds that improper tree management and destruction has a cumulative impact that results in or contributes to severe environmental degradation, air and water pollution, land blight and nuisance conditions. It is the intent of the Board to require that tree preservation, relocation, removal, replacement, and maintenance be managed to eliminate deleterious effects upon the quality of air, water, soil and human health. It is also the intent of the Board to encourage municipalities and citizens to actively participate in the protection and proper selection and placement of trees to build and maintain Broward County's urban forest. The Board recognizes that other municipal and county agencies have adopted rules for the regulation or management of landscape design and materials which may include trees. This article regulates tree protection and preservation within Broward County. The Environmental Protection and Growth Management Department ("EPGMD") is responsible for enforcing the provisions of this article unless otherwise specified.

(Ord. No. 1999-07, § 1, 3-9-99; Ord. No. 1999-55, § 1, 10-12-99; Ord. No. 2005-11, § 9, 5-24-05; Ord. No. 2009-56, § 1, 8-25-09)

Sec. 27-402. - Applicability.

This article applies to all persons within the geographic boundaries of Broward County and shall be enforceable on a county-wide basis unless otherwise provided herein.

(Ord. No. 1999-07, § 1, 3-9-99)

Sec. 27-403. - Documents incorporated by reference.

The following documents, as amended, are adopted as standards and are incorporated into this article by reference: The American National Standards Institute ("ANSI") A-300, *Standards for Tree Care Operations: Tree, Shrub and Other Woody Plant Maintenance-Standard Practices*, and Z133.1-2006 *Arboricultural Operations: Pruning, Trimming, Repairing, Maintaining, and Removing Trees, and Cutting Brush - Safety Requirements*; Florida Department of Agriculture and Consumer Services, Division of Plant Industry, *Grades and Standards for Nursery Plants*; Nelda Matheny and Jim Clark, *Trees and Development: A Technical Guide to Preservation of Trees During Land Development*; Council of Tree and Landscape Appraisers, *Guide for Plant Appraisal*, Ninth Edition, 2000; Richard Harris, *Arboriculture Integrated Management of Landscape Trees, Shrubs and Vines*, Fourth Edition; Gary W. Watson and E.B. Himelick, *Principles and Practices of Planting Trees and Shrubs*; Florida Urban Forestry Council's poster, *Selecting and Planting Trees for the South Florida Urban Forest*; and Florida Power and Light's brochure, *Plant The Right Tree In the Right Place*, South Florida version; Timothy K. Broschat & Alan W. Meerow, *Betrock's Reference Guide to Florida Landscape Plants*, Third Printing, 1994; Edward F. Gilman, *Trees for Urban and Suburban Landscapes*, 1st Edition, 1997; and Dr. George K. Rogers, *Landscape Plants For South Florida: A Manual For Gardeners, Landscapers & Homeowners*, 1st Edition, 2009.

(Ord. No. 1999-07, § 1, 3-9-99; Ord. No. 2003-15, § 2, 5-13-03; Ord. No. 2010-18, § 2, 6-8-10)

Sec. 27-404. - Definitions.

When a word, term, or phrase is not defined herein, the definitions set forth in Section 27-4 of the Code and Publications recognized as authoritative in the scientific and engineering fields, as applicable, shall apply.

Appendix A
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