



# **TOWN OF SOUTH PALM BEACH**

REQUEST FOR PROPOSALS

FOR

PROFESSIONAL AUDITING SERVICES

September 2017

# TOWN OF SOUTH PALM BEACH

## REQUEST FOR PROPOSALS

### TABLE OF CONTENTS

- I. Introduction
  - A. General Information and Term of Engagement
  - B. Information and Clarification
  - C. Presentation Costs
  - D. Certification
  - E. Public Records
  - F. Retention of Proposals and Acceptance of Conditions
  
- II. Nature of services required
  - A. General
  - B. Scope of Work to be Performed
  - C. Auditing Standards to be Followed
  - D. Reports to be Issued
  - E. Working Paper Retention and Access to Working Papers
  - F. Insurance Requirements
  - G. Additional Consulting Services
  
- III. Description of the government
  - A. Name and Telephone Number of Contact Persons
  - B. Background Information
  - C. Fund Structure
  
- IV. Time requirements
  - A. Time Schedule for Each Fiscal Year's Audit
  - B. Entrance Conferences and Progress Reporting
  
- V. Assistance to be provided to the auditor and report preparation
  - A. Finance Department Support
  - B. Work Area, Telephones, Photocopying and Wireless Service
  - C. Report Preparation

TABLE OF CONTENTS  
(Continued)

- VI. Proposal requirements
  - A. Submission of Proposals
  - B. Proposal Format
  - C. Fees
  - D. Proposal Content
  - E. License to Practice in Florida
  - F. Independence
  - G. Litigation Status
  - H. Addenda
  - I. Firm Qualifications and Experience
  - J. Partner, Supervisory and Staff Qualifications and Experience
  - K. Similar Engagements with Other Governmental Entities
  - L. Specific Audit Approach
  - M. Identification of Anticipated Potential Audit Problems
  
- VII. Evaluation procedures
  - A. Auditor Selection Committee
  - B. Review of Proposals
  - C. Evaluation Criteria
  - D. Oral Presentations
  - E. Final Selection
  - F. Right to Reject Proposals
  
- VIII. Award of Contract

APPENDICES

- A. Proposer Warranties
- B. Public Entity Crimes Affidavit
- C. Non-Collusion Affidavit
- D. Acknowledgement of Addenda
- E. Independence Affidavit

## SECTION I. INTRODUCTION AND GENERAL INFORMATION

### A. General Information and Term of Engagement

Town of South Palm Beach (the "Town"), a Florida Municipality located in Palm Beach County, is requesting proposals from qualified Certified Public Accounting firms to audit its financial statements for the fiscal year ending September 30, 2017, with the option of auditing its financial statements for each of the seven (7) subsequent fiscal years pursuant to an annual continuation of service addendum to an initial contract for services. The option to renew is subject to an annual review and recommendation by the Town Manager, and Finance Director. This is a Financial Audit as required under Section 218.39, *Florida Statutes*.

Pursuant to Sec. 218.391, *Florida Statutes*, this Request for Proposals (RFP) provides guidelines for the submission of proposals for auditing services. Proposers should submit their proposal simply and economically, providing a straight forward and concise description of their ability to meet the requirements of the RFP. However, additional information that the accounting firm deems appropriate to assist in evaluating the proposal should be submitted.

The invitation is extended to all qualified proposers.

### B. Information and Clarification

All requests for information or clarification regarding this proposal shall be made in writing and received by the Town no later than seven (7) days prior to the proposal submittal date. Written inquiries shall be addressed to:

Mr. Bogdan Vitas  
Town of South Palm Beach  
3577 South Ocean Boulevard  
South Palm Beach, Florida 33480  
Phone: 561-588-8889  
Fax: 561-588-6632  
[bvitas@southpalmbeach.com](mailto:bvitas@southpalmbeach.com)

No person is authorized to give oral interpretations of, or make oral changes to, this Request for Proposals (RFP). Only written Addendums from the Town shall be binding.

### C. Presentation Costs

The Town shall not be liable for any costs, fees or expenses incurred by any firm in responding to the Request for Proposals or any subsequent inquiries or presentations relating to a response.

### D. Certification

The signer of the proposal must declare that the only person(s), company or parties interested in the project as principals, are named therein; that the proposal is made without collusion with any other person(s), company or parties that submitted a proposal; that it is in all respects fair and in good faith, without collusion or fraud; and that the signer of the proposal has full authority to bind the principals.

E. Public Records

Pursuant to Sec. 119.071(1)(b)2., *Florida Statutes*, upon notice of an intended decision or until thirty (30) days after proposal opening, whichever is earlier, any material submitted in response to this RFP will become a "public record" and shall be subject to public disclosure consistent with Chapter 119, *Florida Statutes* (Public Record Law). Proposers must claim any applicable exemptions to disclosure provided by law in their response to the RFP by identifying materials to be protected, and must state the reasons why such exclusion from public disclosure is necessary and legal. The Town reserves the right to make all final determination(s) of the applicability of the Florida Public Records Law.

F. Retention of Proposals and Acceptance of Conditions

The Town reserves the right to retain all proposals submitted, and to use any ideas in a proposal regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the firm of the conditions contained in this Request for Proposals, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the Town and the firm selected.

## II. NATURE OF SERVICES REQUIRED

A. General

The Town is soliciting the services of qualified firms of certified public accountants to audit its financial statements for the fiscal year ending September 30, 2017, with the option to audit the Town Financial Statements for each of the seven (7) subsequent fiscal years.

B. Scope of Work to be Performed

The Town desires the auditor to express an opinion on the fair presentation of its general purpose financial statements in conformity with generally accepted accounting principles. This is a Financial Audit which shall meet the requirements of Sec.218.39, *Florida Statutes*.

C. Auditing Standards to be Followed

To meet the requirements of this Request for Proposals, the audit shall be performed in accordance with:

- Generally accepted auditing standards as set forth by the American Institute of Certified Public Accountants (AICPA)
- The government auditing standards set forth in the U.S. General Accounting Office's *Government Auditing Standards*
- The rules and requirements established by the Auditor General of the State of Florida for form and content of audits
- The provisions of the Federal Single Audit Act of 1984, as amended
- The Florida Single Audit Act
- The provisions of the U.S. Office of Management and Budget (OMB) Circular A-133 and any applicable amendments in accordance with Sec. 11.45., *Florida Statutes*
- State of Florida Department of Banking and Finance regulations
- Sec. 218.39, *Florida Statutes*, and any other applicable Federal, State and local laws or regulations

D. Reports to be Issued

Following the completion of the audit of the fiscal year's financial statements, the auditor shall compile the financial statements and footnotes based on information provided by the Town. In addition, the auditor shall prepare reports as required by adherence to the auditing standards cited in Section C. above, including but not limited to:

- A report on the fair presentation of the basic financial statements in conformity with generally accepted accounting principles.
- A report on the internal control structure based on the audit of the basic financial statements performed in accordance with Government Auditing Standards.
- A report on compliance with applicable laws and regulations.

In the required reports on internal controls, the auditor shall communicate any significant deficiencies found during the audit. A significant deficiency shall be defined as a control deficiency, or combination of controlled deficiencies, that adversely affect the entity's ability to initiate, authorize, record, process, or report financial data reliably in accordance with Generally Accepted Accounting Principles (GAAP) such that there is more than a remote likelihood that a misstatement of the entity's financial statements (that is more than inconsequential) will not be prevented or detected.

Significant deficiencies that are also material weaknesses shall be identified as such in the report.

Non-reportable conditions discovered by the auditors shall be reported in a separate letter to management, which shall be referred to in the reports on internal controls.

The report on compliance shall include all material instances of noncompliance. All nonmaterial instances of noncompliance shall be reported in a separate management letter, which shall be referred to in the report on compliance.

E. Working Paper Retention and Access to Working Papers

All working papers and reports must be retained, at the auditor's expense, for a minimum of five (5) years, unless the firm is notified in writing by the Town of the need to extend the retention period. The auditor will be required to make working papers available upon request by the Town Manager or Finance Director.

In addition, the firm shall respond to the reasonable inquiries of successor auditors and allow successor auditors to review working papers relating to matters of continuing accounting significance at the auditor's expense.

F. Insurance Requirements

The auditor shall maintain at its sole cost and expense at all times, in addition to any other insurance the Town may reasonably require, professional liability insurance, comprehensive general liability insurance and automotive liability insurance with minimum policy limits for each coverage in the amount of One Million Dollars (\$1,000,000.00) per occurrence, single limit for property damage and bodily injury, including death. The auditor shall also maintain worker's compensation insurance at the statutory minimums required by Chapter 440, Florida Statutes.

Proposer shall provide proof in the form of a certificate of insurance complying with the requirements specified above, or evidence of insurability in the form of a letter from their insurance carrier indicating that Proposer is able to obtain the required insurance. If the Proposer is selected to provide audit services, the Town shall be named as an additional insured on each of the above policies, unless prohibited by law.

G. Additional Consulting Services

In addition to the regular audit requirements, the Town may request that the audit firm selected provide consulting services for evaluation of systems which the Town will be implementing; or other audit related matters outside the performance of the annual audit. The auditors and Town will separately negotiate a fee for each instance that consulting services are requested.

### **III. DESCRIPTION OF THE GOVERNMENT**

A. Name and Telephone Number of Contact Person

The auditor's principal contact with the Town will be the Town Manager, who will coordinate the assistance to be provided to the auditor by the Town.

Bogdan Vitas, Town Manager  
Phone: (561) 588-8889  
[bvitas@southpalmbeach.com](mailto:bvitas@southpalmbeach.com)

B. Background Information

The Town of South Palm Beach is an incorporated municipality of the State of Florida, formed in July 1955. It is located in Palm Beach County and occupies a strip of oceanfront property five-eighths of a mile in length on the barrier island between the Town of Palm Beach to the north, and the Town of Lantana to the south. The easternmost boundary of the Town is the Atlantic Ocean and the western boundary is defined by the shoreline of the lagoon created by the northern end of Hypoluxo Island in Lantana. The Town is situated approximately one mile east of U.S. Highway One, and about two miles south of Lake Worth Road. The only public road in the Town is State Road A1A which is locally known as South Ocean Boulevard. The Town is built out with twenty-six (26) condominium buildings, four (4) single-family homes, and one (1) municipal complex. At present, one (1) new luxury condominium and one (1) new luxury single family home have been approved for construction. The Town is a legal taxing district with the power to levy ad valorem tax within its boundaries.

The Town operates under the Council/Manager form of government. The Town is governed by a five (5) member Town Council. The Town Manager is appointed by the Town Council, and acts as the chief administrative and executive officer of the Town.

The Town fiscal year begins on October 1<sup>st</sup> and ends on September 30<sup>th</sup>. Budgets are adopted annually in accordance with the Town Charter, and expenditures are controlled in accordance with written policies and procedures.

C. Fund Structure

The Town currently uses the following fund types and account groups in its financial reporting:

<b>Fund Type / Account Group</b>	<b># of Individual Funds</b>
General Fund	1
Enterprise Fund (Sewer Utility)	1
General Fixed Assets Account	1

**IV. TIME REQUIREMENTS**

A. Time Schedule for Each Fiscal Year's Audit

The Town and auditors will mutually agree on a time schedule to be developed for the audit of each fiscal year. The schedule shall include dates for completing each of the following steps by the auditors no later than the agreed upon date for each year of the audit. Each of the following shall be completed by the auditor no later than the dates indicated.

1. Audit Plans:  
The auditor shall provide a detailed audit plan and a list of all schedules to be prepared by the Town by November 15<sup>th</sup> in year one and October 30<sup>th</sup> of each successive year.
2. Fieldwork:  
The auditor shall complete all fieldwork by January 15<sup>th</sup> of each year.
3. Issuance of Reports and Financial Statement Attestation:  
The auditor shall have ready for publication all reports denoted in Section II.D. of this Request for Proposals by February 15<sup>th</sup> of each year.

B. Entrance Conferences and Progress Reporting

There shall be an entrance conference with key Town personnel no later than October 30<sup>th</sup> in year one and October 15<sup>th</sup> of each successive year. Progress conferences will be held with key Town personnel throughout the engagement.

**V. ASSISTANCE TO BE PROVIDED TO THE AUDITOR AND REPORT PREPARATION**

A. Finance Department Support

The Finance Director will be available during the audit to assist the firm by providing information, documentation and explanations. The preparation of confirmations will be the responsibility of the Town.

B. Work Area, Telephones, Photocopying and Wireless Service

For necessary on-site work, the Town will provide the auditor with reasonable work space, desks and chairs. The auditor will also be provided with access to telephone lines, photocopying facilities and wireless internet service at no charge to the auditor.

C. Report Preparation

Pro formas and editing will be the responsibility of the auditor. Report preparation and printing shall also be the responsibility of the auditor, with assistance from Town staff. The auditor shall be responsible for providing twenty (20) copies of the annual financial reports to the Town, and assist Town staff with preparing additional bound copies as needed for reporting distribution. The auditor shall also be responsible for preparing an electronic copy of the completed financial report which meets the electronic submission requirements of the Florida Auditor General.

**VI. PROPOSAL REQUIREMENTS**

A. Submission of Proposals

To be considered, one (1) original and six (6) copies of proposals must be received by the Town Clerk, at the Town of South Palm Beach, at 3577 South Ocean Boulevard, South Palm Beach, Florida, 33480, no later than the 6<sup>th</sup> day of October, 2017 at 2:00 P.M. EDT. Any Sealed Proposals received after 2:00 p.m. local time on said date will not be accepted under any circumstances. Any uncertainty regarding the time a Sealed Proposal is received will be resolved against the Proposer.

The proposal shall be signed by a representative who is authorized to contractually bind the firm.

Each proposal shall be prepared simply and economically, providing a straightforward, concise delineation of the firm's capabilities to satisfy the requirements of the Request for Proposals. The emphasis in each proposal must be on completeness and clarity of content. In order to expedite the evaluation of proposals, it is essential that firm follows the format and instructions contained herein, as outlined in this Section.

If the firm so wishes, the proposal may be accompanied by brochures, promotional materials or colorful displays properly identified. The proposal shall be sealed and clearly marked on the outside as follows:

REQUEST FOR PROPOSALS - PROFESSIONAL AUDITING SERVICES  
TOWN OF SOUTH PALM BEACH

Proposers shall send the completed proposal to the following address:

Town of South Palm Beach  
Attention: Maylee de Jesús, Town Clerk

IF MAILED BY OTHER CARRIER: 3577 South Ocean Boulevard  
South Palm Beach, Florida 33480

B. Proposal Format

The following material shall be submitted for a proposing firm to be considered:

1. Title Page  
Title page showing the RFP subject; the firm's name; the name, address and telephone number of the contact person, and the date of the proposal.

2. Table of Contents (B.1-5, C-M)

3. Transmittal Letter

A signed letter of transmittal; briefly stating the proposer's understanding of the work to be done, the commitment to perform the work within the time period, a statement why the firm believes itself to be best qualified to perform the engagement, and a statement that the proposal is a firm and irrevocable offer for one-hundred and twenty (120) days.

4. Detailed Proposal

The detailed proposal shall follow the order set forth in Section VII-C of this RFP.

5. Executed copies of Appendices

These forms are attached to this RFP as appendices as follows:

- Appendix A: Proposer's Warranties
- Appendix B: Public Entity Crimes Statement
- Appendix C: Non-Collusion Affidavit
- Appendix D: Acknowledgement of Addenda
- Appendix E: Independence Affidavit

C. Fees

1. Total All-inclusive Maximum Price

The proposal should contain all pricing information relative to performing the audit engagement as described in this Request for Proposals. The total all-inclusive maximum price bid is to contain all direct and indirect costs including all out-of-pocket expenses. The audit firm shall provide a truth in negotiations certificate stating that the fees, rates and costs proposed are accurate and complete. The certificate shall express the audit firm's understanding that if the proposal is accepted, the fees will not increase over the agreed upon contractual amount for the entire contract term, regardless of changes in accounting principles, or State or federal laws, rules and requirements associated with the annual financial report.

2. Annual Fees

The fee proposed for each year of the engagement should be separately stated for each fiscal year end (FY2017, FY2018, FY2019, FY2020, FY2021, FY2022, FY2023, FY2024).

D. Proposal Content

The purpose of the proposal is to determine the qualifications, competence and capacity of the firms seeking to undertake an independent audit of the Town in conformity with the requirements of this Request for Proposals. As such, the substance of proposals will carry more weight than their form or manner of presentation. The proposal shall demonstrate the qualifications of the firm and of the particular staff to be assigned to this engagement. It shall also specify an audit approach that will meet the RFP requirements. While additional data may be presented in the proposal, the following subjects shall be included.

E. License to Practice in Florida

An affirmative statement shall be included, indicating that the firm and all assigned supervisory professional staff are properly licensed to practice in Florida and qualified to perform governmental audits.

F. Independence

The proposer should provide an affirmative statement that it meets all the appropriate guidelines and criteria for independence from the Town. On the form provided as Appendix E to this RFP, the proposer shall list, and describe, any relationships - professional, financial or otherwise - that it may have with the Town, their elected or appointed officials, their employees or agents or any of their agencies or component units for the past five (5) years, together with a statement explaining why such relationships do not constitute a conflict of interest relative to performing the services sought in this RFP. Additionally, the proposer shall give the Town written notice of any other relationships - professional, financial or otherwise - that it enters into with the Town, their elected or appointed officials, their employees or agents or any of their agencies or component units during the period of the Agreement.

G. Litigation Status

The firm is requested to furnish information on the nature and magnitude of any litigation whereby, a court has ruled against the firm in any matter related to the professional activities of the firm. Similar information should be described for any litigation, current or pending. The firm is to include the information on litigation as part of the formal proposal. Recognizing the need to maintain confidentiality in this matter, the firm may provide this information in a separate letter directly to:

Bradley Biggs, Town Attorney  
12161 Ken Adams Way, Suite 110-O-1  
Wellington, Florida 33414

The Town cannot assure confidentiality of this information in the event it is determined, in the discretion of the Town, that said information is subject to inspection and copying under the Florida Public Records Law or other law applicable thereto.

H. Addenda

The Town reserves the right to issue addenda. Each proposer shall acknowledge receipt of such addenda on the form provided as Appendix D. In the event any proposer fails to acknowledge receipt of such addenda, his/her proposal shall nevertheless be construed as though the addenda had been received and acknowledged and the submission of his/her proposal shall constitute acknowledgment of receipt of all addenda, whether or not received by him/her. It is the responsibility of each prospective proposer to verify that he/she has received all addenda issued before depositing the proposal with the Town.

I. Firm Qualifications and Experience

The proposal shall state the size of the firm's governmental staff, the location of the office from which the work on this engagement is to be performed and the number and level of the professional staff to be employed in this engagement on a full-time basis and the number and level of the staff to be so employed on a part-time basis.

If the firm is a joint venture or consortium, the qualifications of each firm comprising the joint venture or consortium shall be separately identified, and the firm that is to serve as the principal auditor shall be noted, if applicable.

In a joint proposal, the principal firm shall include and clearly delineate the structure, duties and responsibilities of each firm in the Transmittal Letter.

Each firm is also required to submit a copy of the report on its most recent external / quality control review, with a statement whether that quality control review included a review of specific local government engagements.

The firm shall also provide information on the results of any federal or state desk reviews or field reviews of its audits during the past three (3) years. In addition, the firm shall provide information on the circumstances and status of any disciplinary action taken or /pending against the firm during the past three (3) years with state regulatory bodies or professional organizations. The firm shall provide an explanation of all pending, local office litigation as well as all litigation related to the firm's audits of State or Local Government entities.

J. Partner, Supervisory and Staff Qualifications and Experience

The firm shall identify the principal supervisory and management staff, including engagement partners, managers, other supervisors and specialists who would be assigned to the engagement, and indicate whether each such person is licensed to practice as a Certified Public Accountant in Florida. The firm also shall provide information on the number of years performing government audits, as well as, the auditing experience of each person, including information on relevant continuing professional education for the past two (2) years, and membership in professional organizations relevant to the performance of this audit.

The firm shall provide as much information as possible regarding the number, qualifications, experience and training, including relevant continuing professional education, of the specific staff to be assigned to this engagement. The firm also shall indicate how the quality of staff over the term of the agreement will be assured.

Engagement partners, managers, other supervisory staff and specialists may be changed if those personnel leave the firm, are promoted, or are assigned to another office. These personnel may also be changed for other reasons with the express prior written permission of the Town. However, in either case, the Town retains the right to approve or reject replacements.

Consultants and firm specialists, mentioned in response to this Request for Proposals, can only be changed with the express prior written permission of the Town, which retains the right to approve or reject replacements.

Other audit personnel may be changed at the discretion of the proposer, provided that replacements have substantially the same or better qualifications or experience.

K. Similar Engagements with Other Governmental Entities

For the firm's office that will be assigned responsibility for the audit, list a minimum of five Florida municipal audit engagements performed in the last three (3) years and include the name and phone number of the customer point of contact for each audit engagement.

L. Specific Audit Approach

The proposal shall set forth a work plan, including an explanation of the audit methodology to be

followed, to perform the services required in Section II of this Request for Proposals. In developing the work plan, reference shall be made to such sources of information as the Town's budget and related materials, organizational charts, manuals and programs, and financial and other management information systems.

Proposers will be required to provide the following information on their audit approach:

- a. Proposed segmentation of the engagement.
- b. Level of staff to be assigned to each proposed segment of the engagement.
- c. Type and extent of analytical procedures to be used in the engagement.
- d. Approach to be taken to gain and document an understanding of the Town's internal control structure.
- e. Approach to be taken in determining laws and regulations that will be subject to audit test work.
- f. Approach to be taken in drawing audit samples for purposes of tests of compliance.

M. Identification of Anticipated Potential Audit Problems

The proposal shall identify and describe any anticipated potential audit problems, the firm's approach to resolving these problems and any special assistance that will be requested from the Town staff.

## **VII. EVALUATION PROCEDURES**

A. Auditor Selection Committee

All responsive proposals submitted in response to this Request for Proposals will be evaluated and publicly considered by the members of the Auditor Selection Committee at an open meeting, subject however to Section 286.0113, *Florida Statutes*.

B. Review of Proposals

The members of the Auditor Selection Committee will examine the documentation submitted in the proposal to determine the responsiveness of each proposer. A proposal will be considered responsive if it contains, as a minimum, the Mandatory Elements outlined in Section VII.C.1. below. Failure to provide the required mandatory information shall disqualify any such proposal as non-responsive and such proposal will not be considered.

The Auditor Selection Committee will individually rank the responsive proposals based on the Technical Qualifications and Fee criteria outlined in Section VII.C. of this document. The full Auditor Selection Committee will then convene to review and discuss these evaluations and any committee member may revise their initial ranking based on these discussions. Finally, the committee will combine the individual rankings to arrive at a composite ranking for each firm.

During the evaluation process, the Auditor Selection Committee and the Town reserve the right, where it may serve the Town's best interest, to request additional information or clarifications from proposers, or to allow corrections of errors or omissions.

C. Evaluation Criteria

Proposals will be evaluated using the criteria outlined below. Firms meeting the mandatory criteria will be deemed responsive and will have their proposals evaluated and ranked for technical qualifications. The following represent the principal criteria which will be considered during the evaluation and ranking process.

1. Mandatory Elements

- a. The audit firm is independent and licensed to practice in Florida.
- b. The audit firm's professional personnel have received adequate continuing professional education within the preceding two (2) years in accordance with the requirements of the Florida State Board of Accountancy and Government Auditing Standards.
- c. The firm has no conflict of interest with regard to any other work performed by the firm for the Town.
- d. The firm submits a copy of its last external quality control review report and the firm has a record of quality audit work.
- e. The firm adheres to the instructions in this Request for Proposals for preparing and submitting the proposal.

2. Technical Qualifications

a. Expertise and Experience

- (1) The firm's experience and performance on comparable government engagements, including recognized CAFR awards of their clients.
- (2) The quality and experience of the firm's professional personnel to be assigned to the engagement and the quality of the firm's management support personnel to be available for technical consultation.

b. Audit Approach

- (1) Adequacy of proposed staffing plan for various segments of the engagement.
- (2) Adequacy of sampling techniques.
- (3) Adequacy of analytical procedures.

3. Fees

The Auditor Selection Committee shall consider fees as one of the evaluation criteria to be considered, but fees shall not be the sole or predominant factor used to evaluate proposals.

D. Oral Presentations

During the evaluation process, the Auditor Selection Committee may, at its discretion, request one or more firms to make oral presentations. The presentation team shall include the engagement partner, engagement manager and the senior audit team member. Such presentations will provide firms with an opportunity to answer any questions the Auditor Selection Committee may have on a firm's proposal. Not all firms may be asked to make such oral presentations. If such presentations are requested, they will be exempt from Section 286.011, *Florida Statutes* pursuant to Section 286.0113, *Florida Statutes*.

E. Final Selection

The Auditor Selection Committee will rank and recommend to the Town Council, in order of preference, no fewer than three (3) firms deemed to be the most highly qualified to perform the required services after considering the factors established in Section VII.C. If fewer than three (3) firms respond to the RFP, then the Auditor Selection Committee shall recommend such firms as it deems to be the most highly qualified.

The Town Council will provide a final ranking of all firms and select a firm with consideration of the recommendation of the Selection Committee. The rate of compensation will be negotiated as provided by Section 218.391 (4), *Florida Statutes*.

F. Right to Reject Proposals

The Town Council reserves the right, without prejudice, to reject any or all proposals, or waive any deficiency or irregularity in the selection process.

**VIII AWARD OF CONTRACT**

The contract or contracts shall be awarded to the responsible Proposer whose proposal is determined to be the most advantageous to the Town taking into consideration the evaluation factors and criteria set forth in the Request for Proposals.

**APPENDIX A**

**PROPOSER WARRANTIES**

- A. Proposer warrants that it is willing and able to comply with State of Florida laws with respect to foreign (non-state of Florida) corporations.
- B. Proposer warrants that it is willing and able to obtain an errors and omissions insurance policy providing a prudent amount of coverage for the willful or negligent acts, or omissions of any officers, employees or agents thereof.
- C. Proposer warrants that it will not delegate or subcontract its responsibilities under an agreement without the prior written permission of the Town.
- D. Proposer warrants that all information provided by it in connection with this proposal is true and accurate and that Proposer has the full authority to bind the principals.

Signature of Official: \_\_\_\_\_

Name (typed): \_\_\_\_\_

Title: \_\_\_\_\_

Firm: \_\_\_\_\_

Date: \_\_\_\_\_

**APPENDIX B**

**SWORN STATEMENT ON PUBLIC ENTITY CRIMES  
SECTION 287.133, FLORIDA STATUTES**

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 the Town of South Palm Beach.

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(l)(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 the United States, including, but not limited to, any bid or contract for goods and services to be provided to any public entity or an agency or political subdivision of any other state or of the United States involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
3. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(l)(b), Florida Statutes, means a finding of guilt or of a conviction or a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.
4. I understand than an "affiliate" as defined in Paragraph 287.133(l)(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 ownership by one person of

shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

5. I understand that a "person" as defined in Paragraph 287.133(l)(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 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 the management of an entity.
6. Based on information and belief, the statement that 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 officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity, has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

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

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

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31<sup>ST</sup> 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.

Signed, sealed and delivered  
in the presence of:

PROPOSER

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)

Witness my hand and official notary seal/stamp at \_\_\_\_\_ the  
day and year written above.

STATE OF FLORIDA                    )  
  )SS:  
COUNTY OF \_\_\_\_\_)

BEFORE ME, an officer duly authorized by law to administer oaths and take acknowledgments, personally appeared \_\_\_\_\_ as \_\_\_\_\_, of \_\_\_\_\_, an organization authorized to do business in the State of Florida, and acknowledged executing the foregoing Affidavit as the proper official of for the use and purposes mentioned in the Affidavit and affixed the official seal of the corporation, and that the instrument is the act and deed of that corporation. He / She is personally known to me or has produced \_\_\_\_\_ as identification.

IN WITNESS OF THE FOREGOING, I have set my hand and official seal at in the State and County aforesaid on this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:

**APPENDIX C**

**NON-COLLUSION AFFIDAVIT**

The undersigned individual, being duly sworn, deposes and says that:

1. He / She is \_\_\_\_\_ of \_\_\_\_\_, the proposer that has submitted the attached Proposal;
2. He / She is fully informed respecting the preparation and contents of the attached Proposal and of all pertinent circumstances respecting such Proposal;
3. Such Proposal is genuine and is not a collusive or sham Proposal;
4. Neither said proposer nor any of its officers, partners, owners, agents, representatives, employees, or parties in interest, including this affiant, has in any way colluded, connived, or agreed, directly or indirectly, with any other proposer, firm or person to submit a collusive or sham proposal in connection with the Agreement for which the attached Proposal has been submitted or to refrain from proposing in connection with such Agreement, or has in any manner, directly or indirectly, sought by agreement of collusion or communication of conference with any other proposer, firm, or person to fix the price or prices, or of any other proposer, or to fix any overhead, profit or cost element of the Proposal or the response of any other proposer, or to secure through any collusion, connivance, or unlawful agreement any advantage against the Town of South Palm Beach, Florida, or any person interested in the proposed Agreement; and

**[THIS SPACE INTENTIONALLY LEFT BLANK]**



**APPENDIX D**

**ACKNOWLEDGMENT OF ADDENDA**

The proposer hereby acknowledges the receipt of the following addenda issued by the Town and incorporated into and made part of this RFP. In the event the proposer fails to include any such addenda in the table below, submission of this form shall constitute acknowledgment of receipt of all addenda, whether or not received by him/her.

ADDENDUM NUMBER	DATE RECEIVED	PRINT NAME	TITLE	SIGNATURE (BLUE INK ONLY)

**[THIS SPACE INTENTIONALLY LEFT BLANK]**

**APPENDIX E**

**INDEPENDENCE AFFIDAVIT**

The undersigned individual, being duly sworn, deposes and says that:

1. He / She is \_\_\_\_\_ of \_\_\_\_\_,  
the proposer that has submitted the attached Proposal;
  
2. (a) Below is a list and description of any relationships, professional, financial or otherwise that the proposer may have with the Town, its elected or appointed officials, its employees or agents or any of its agencies or component units for the past five (5) years.  
  
(b) Additionally, the proposer agrees and understands that the proposer shall give the Town written notice of any other relationships - professional, financial or otherwise, that the proposer enters into with the Town, its elected or appointed officials, its employees or agents or any of its agencies or component units during the period of this Agreement.

(If paragraph 2(a) above does not apply, please indicate by stating, "not applicable" in the space below.)

**[THIS SPACE INTENTIONALLY LEFT BLANK]**



# SOUTH PALM BEACH AUDITOR SELECTION 2017

## EVALUATION CRITERIA SCORES

<i><b>Firm Name</b></i>												
<i><b>Evaluator</b></i>												
Firm's Expertise and Experience 40 points maximum												
<ul style="list-style-type: none"> <li>Skill, experience/training of individuals who will be performing services</li> <li>Auditor's understanding of Town's Accounting System obtained through prior experience or discussion with Town staff</li> <li>Prior experience/reputation of auditor in auditing government units similar to South Palm Beach</li> </ul>												
Firm's Specific Audit Approach 30 points maximum												
<ul style="list-style-type: none"> <li>Ability to complete the audit and submit the financial statements to the Town by the required deadline</li> <li>Size of budgets for other audits performed comparable to the Town's budget</li> <li>Recent experience relevant to Town's level of work expected</li> </ul>												
Firm's Cost of Services 30 points maximum												
<b>TOTAL SCORES</b>												

FIRM NAME	SCORES			TOTAL

**Committee:**

- 1.)
- 2.)
- 3.)

**Auditors:**

- 1.)
- 2.)
- 3.)
- 4.)

Pursuant to F.S. 218.391, the Audit Committee should evaluate the proposals and rank them after considering the factors as set forth in Part VII of the RFP. The ranking shall be pursuant to Part VII.B. and E. of the RFP. Each committee member shall review and rank the proposals using the above grid. The individual rankings will then be averaged and the top three proposals in number of average points will be forwarded to the Town Council for further inquiry and award of a contract.