



AVIATION DEPARTMENT - Fort Lauderdale/Hollywood International Airport

2200 SW 45th Street, Suite 101 • Dania Beach, Florida 33312 • 954-359-6100

ATTENTION

Dear Vendor:

Thank you for your interest in doing business with Broward County at the Fort Lauderdale-Hollywood International Airport. We look forward to a very successful procurement process.

Please take notice of the response submittal requirements outlined in this solicitation. Read and follow the instructions very carefully, as any misinterpretation or failure to comply with instructions could lead to your submittal being rejected. Any change(s) to this solicitation will be conveyed through the written addendum process. Notifications of addenda are sent electronically to vendors registered under the applicable commodity codes at the time the original solicitation was created. In addition, all addenda are posted on the Purchasing Division's website, www.broward.org/purchasing which can be accessed by selecting Current Solicitations or www.broward.org/Airport/Business/Pages/Solicitation.aspx. Please read carefully and follow all instructions provided on the addendum, as well as the instructions provided in the original solicitation. **It is the responsibility of all potential vendors to monitor the Purchasing Division's website and Fort Lauderdale-Hollywood International Airport website for any changing information prior to submitting their reply.**

It is the intent of the Broward County Aviation Department and the Purchasing Division to provide quality services. If you have any questions, please visit our website to view the information provided on "How to Do Business with Broward County - A Vendor's Guide," or feel free to e-mail the Project Manager, Mr. David Flaherty, Broward County Aviation Department at daflaherty@broward.org. Again, thank you for your continued interest in doing business with Broward County at the Fort Lauderdale-Hollywood International Airport.

Sincerely,

Kent G. George, A.A.E
Director of Aviation

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Broward County Aviation Department

2200 SW 45th Street, Suite 101
Dania Beach, FL 33312
E-mail: daflaherty@broward.org

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**REQUEST FOR LETTERS OF INTEREST
RLI #20130523-0-AV-01
ADVERTISING AND DISPLAY CONCESSION
FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT**

PROCUREMENT AUTHORITY

Pursuant to the Broward County Administrative Code, Chapter 26, Operational Policy, Aviation, the Broward County Board of County Commissioners (Board) invites qualified firms to submit Letters of Interest and statements of qualifications and experience for consideration to provide services on the following project.

**Advertising and Display Concession ("Advertising")
at the Fort Lauderdale-Hollywood International Airport**

The Opportunity:

Broward County (County) is offering a business opportunity for an Advertising program at the Fort Lauderdale-Hollywood International Airport (Airport). Respondents to this RLI (Respondents) will propose a high quality, professionally designed and state-of-the-art airport advertising concession program. Because the Airport is undergoing significant modifications to its terminal facilities, Respondents will be required to invest in a temporary concession advertising program (Phase 1) consisting of existing advertising locations and a permanent advertising concession program (Phase 2) consisting of locations resulting from the Airport's Terminal Modernization Program (Modernization Program, as defined on page 5). Therefore, as part of their proposal, Respondents are required to propose a transition plan utilizing the existing advertisers' displays, designs and concepts within the current locations (Phase 1) followed by the development of a longer term plan incorporating the existing and proposed locations with the concepts, advertisers' displays and designs (Phase 2) based upon the Modernization Program. The Respondent will be responsible for the design, fabrication, installation, maintenance, and sale of advertising for advertising displays and opportunities at the Airport. The advertising concession program will have a Base Program that will include digital and static displays at locations in the airport terminals and the consolidated rental car center. As part of the Base Program, Respondent will propose a public service announcement plan. The Respondent will also propose a Supplemental Program that will include specialty advertising to be implemented in the airport terminals, garages and consolidated rental car center. The term for this concession opportunity will be negotiated to include a short-term period which is Phase 1 and the long-term period which is Phase 2. This concession opportunity will be non-exclusive and the County reserves the right to add other specialty advertising programs.

RLI Goals:

The overall goals of this RLI are to:

- Provide innovative, state-of-the-art technology and professionally designed advertising concepts for an airport concession program
- Implement advertising and process in a timely and efficient manner consistent with the Tenant Design Guidelines, which complement the Airport's Terminal Modernization Plan.
- Provide a well-managed advertising concession program that will enhance customer service and drive revenues
- Provide a positive aviation experience to the traveling public.

Airport Description:

Fort Lauderdale-Hollywood International Airport is located in South Florida in the heart of Greater Fort Lauderdale's Gold Coast. Airport is centrally located just 21 miles north of Miami International Airport and 42 miles south of West Palm Beach International Airport. This strategic location provides a catchment area of over 5 million people. The population is affluent and leads the state in travel expenditures.

In 2010, the Airport ranked 21st in the US in total passenger traffic and 13th in terms of domestic origin and destination passengers. With over 600 flights a day, the Airport offers non-stop service to more than 60 U.S. cities and international service to Canada, the Bahamas, the Caribbean, Mexico, Latin American, and Europe. In 2011, the Airport served 19.7 million domestic and 3.6 million international travelers. This world-class facility is the heart of a thriving global transportation network. Its growth has been fueled by a booming cruise market and the growth of international trade and tourism. Broward County's 23 miles of attractive beaches are an easy walk from our hotels, restaurants and activities. The Airport's unique location, which is less than two miles from Port Everglades, makes it the closest airport/seaport connection in the nation.

To meet the growing demand and prepare for the future, the Airport is building new facilities. A new runway was approved by the Federal Aviation Administration and international facilities are being expanded to meet the rapidly growing increase in international passengers.

Strategically located in the heart of the South Florida region, the Airport is one of the economic engines that drive Broward County and provides 37,000 jobs and generates \$2.7 billion annually for the local economy.

South Runway Expansion:

The South Runway Expansion project, which is scheduled for completion in 2014, will create additional capacity for future growth. The project will expand the South Runway by 8,000 feet, which will be constructed over the FEC railroad and Federal Highway.

Terminal Modernization Program:

The Airport is in the process of implementing the Terminal Modernization Program (Modernization Program) that will improve the overall function and efficiency of each Terminal. These changes will be implemented due to increasing passenger loads, operational impacts related to September 11, 2001 security enhancements, concession upgrades, and the South Runway extension project. Among the planned improvements to the Airport Terminals are the following:

- The reconstruction of Terminal 4, which includes twelve new international swing gates plus two domestic gates, which will increase the number of gates by four.
- Over \$400 million in Terminal improvements and upgrades in passenger amenities, restrooms, concessions and hold rooms for Airport Terminals 1, 2, and 3, including the addition of a new international concourse in Terminal 1, Concourse A.

Tenant Design Guidelines:

Broward County Aviation Department has adopted a unifying design concept for tenant and passengers that utilize the Airport. The Aviation Department has created Tenant design Guidelines that reflect the local and regional culture of its geographic location. The Airport is a major arrival and departure point in the South Florida region. It is a convenient airport for travelers because it is accessible, user friendly, and economical. The Airport Terminals are the portals to Broward County and its diverse communities. Broward County is recognized nationally and internationally as a destination due to its many unique features such as:

- Bright blue skies and invigorating sunlight
- Lush green vegetation including a variety of exotic palms and other natural vibrant colors
- Beaches, the Florida Everglades, river walks, and long boardwalks
- Boating, yachting and cruise ship capital (commonly referred to as "The Venice of the Americas")
- Proximity to one of the largest cruise ports in America (Port Everglades)
- Active arts and entertainment venues
- Popularity with international business travelers and international vacationers
- Bustling beachfront cafes, restaurants, cocktail lounges and nightlife
- Elegant downtown cafes, upscale restaurants and shopping opportunities
- Growing young, high-tech professional population in the high rise district
- Diverse demographics of the local population which includes individuals with Latin, Canadian and Caribbean background

In selecting and designing concepts for the base program locations, each conceptual idea should reflect the unifying design concept of the area. The concepts, coupled with the design professional's development of a unique tenant identity, will be accomplished through materials, lighting, textures, colors and system integration shall contribute to an elegant and sophisticated tenant space. The goal is to create a memorable iconic traveling experience for passengers arriving and departing from the Airport. Each location should attempt to capture the vitality and beauty that this gateway to Fort Lauderdale, Broward County and South Florida has to offer all visitors. The Tenant Design Guidelines may be found at <http://www.broward.org/AIRPORT/BUSINESS/Pages/DesignGuidelines.aspx>. These design elements should serve as an inspiration for Respondents in developing their concession designs for the Airport.

Advertising Concession Program:

The County is seeking an experienced advertising firm to provide a professionally designed and a well-managed advertising concession program for the Airport including the garages and rental car center. The Respondent should take into consideration the Airport's uniqueness and the passengers' demographics and concentrate on providing the Airport high quality, state-of-the-art display designs and technology. While the objective is to create a memorable experience for the passengers, the County would like to implement a comprehensive advertising program that will drive revenues. The Respondent will propose a Base Program to include both digital and static advertising concepts, all consistent with the Airport's Tenant Design guidelines. Included in the Base Program, the Respondent will also propose a public service announcement program that will provide for digital and static space not used for paid advertising. The Respondent will propose a Supplemental Program designed for specialty advertising to include but not limited to banners, floor displays, kiosks, baggage belt displays and escalator displays.

The Respondent will have the non-exclusive right for an airport advertising concession program in each airport terminal, the rental car center, garages and other designated areas with prior written approval by the Director of Aviation. **It is the policy of Broward County to ensure that ACDBE's, as defined in 49 CFR Part 23, can compete fairly for opportunities as subcontractors and suppliers on all contracts awarded by the County to ensure a level playing field**

The Selection Negotiation Committee (SNC) will present a standard concession agreement (Concession Agreement) to the selected Concessionaire and the SNC may or may not choose to negotiate a privilege fee or to make other changes to the Concession Agreement. The Concession Agreement will be subject to approval by the Board.

SUBMITTAL INSTRUCTIONS

Unchecked boxes do not apply to this solicitation.

- Only interested firms from the Sheltered Market may respond to this solicitation.
- This solicitation is open to the general marketplace.

Interested firms may supply requested information in the "Evaluation Criteria" section by typing right into the document using Microsoft Word or a word processing program that prepares documents that can be read with Microsoft Word. Firms may also prepare responses and any requested ancillary forms using other means but following the same order as presented herein.

In submitting a response to this solicitation, the firm responding to this RLI (Respondent), shall be the entity who will be entering in to an agreement with Broward County to provide the services identified above for this project. Respondent may consist of any formal business entity authorized to do business in the State of Florida (i.e., Partnership, Corporation, Joint Venture, Sole Proprietorship, etc.).

Submit nine (9) CDs containing the following files:

1. A single PDF file that contains your entire response with each page of the response in the order as presented in the RLI document, including any attachments.
2. Responses to the Evaluation Criteria questions are to be provided in the following formats:
 - a. Microsoft Word for any typed responses.
 - b. Microsoft Excel for any spreadsheets.
 - c. Pictures, drawings and illustrations in portable document format (.pdf).

CD or DVD discs included in the submittal **must be finalized or closed** so that no changes can be made to the contents of the discs.

EACH CD SHOULD BE LABELED WITH THE COMPANY NAME, RLI NUMBER AND TITLE, AND THEN PLACED IN AN INDIVIDUAL DISC ENVELOPE.

Additionally, submit one original hard copy (1) of your response (with all original required signatures, marked as "ORIGINAL" on the front cover), as well as Five (5) printed copies of your response. The response to the RLI should be sealed listing the following information:

**REQUEST FOR LETTERS OF INTEREST
RLI #20130523-0-AV-01
ADVERTISING AND DISPLAY CONCESSION
FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT**

The RLI response should be delivered to the following address:

**Broward County Aviation Department
2200 SW 45th Street, Suite 101
Dania Beach, FL 33312
ATTN: David Flaherty**

Broward County Aviation Department

2200 SW 45th Street, Suite 101
Dania Beach, FL 33312
E-mail: daflaherty@broward.org

Broward County Aviation Department (the Aviation Department) must receive submittals no later than **4:00 pm, Monday, January 6, 2014**. The Aviation Department will not accept electronically transmitted, late, or misdirected submittals. If fewer than three interested firms respond to this solicitation, the Director of Purchasing may extend the deadline for response submittals by up to four (4) weeks. Submittals will only be opened following the final submittal due date.

It is the responsibility of each firm to assure that the information submitted in both its written response and CDs are consistent and accurate. If there is a discrepancy, the information provided in the written response shall govern.

The tiebreaker criteria shall be applied based upon the information provided in the firm's response to the solicitation. Therefore, in order to receive credit for any tiebreaker criterion, complete and accurate information must be contained in the written submittal.

Pre-Response Conference:

A **Pre-Response Conference**, which will include a tour of the proposed locations, will be held on **Wednesday, November 20, 2013 at 9:00 a.m.** at a location to be determined. Attendance at the pre-response conference is strongly recommended to allow Respondents the opportunity to clarify any concerns they may have regarding the solicitation.

Inquiry Period:

Wednesday, November 20, 2013 through Friday, December 27, 2013. All inquiries regarding this RLI shall be made in writing, either through mail or e-mail. Oral or telephonic inquiries will not be responded to, except for requests for ADA accommodations, as discussed below. Following the end of the inquiry period, one or more addenda will be issued to respond to all substantive inquiries. No individual responses to inquiries will be provided.

FOR ADDITIONAL PROJECT INFORMATION CONTACT:

Project Manager: David Flaherty, Aviation Business Manager
Broward County Aviation Department
Address: 2200 SW 45th Street, Suite 101
Dania Beach, FL 33312
E-mail: daflaherty@broward.org

Copies of the Request for Letters of Interest may be obtained from the Aviation Department at the above address. This Request for Letters of Interest is also available for downloading from the Internet at www.broward.org/Purchasing/Pages/bids/htm or www.broward.org/Airport/Business/Pages/Solicitations.aspx

In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in any proceeding concerning this RLI because of that disability shall contact David Flaherty not later than five (5) days prior to the proceeding. Mr. Flaherty may be contacted at the Aviation Department, 2200 SW 45th Street, Suite 101, Dania Beach, FL 33312, telephone number (954) 359-6115; (954) 831-3940 via Florida Relay Service for TTY Service.

SELECTION PROCESS

A Selection Negotiation Committee (SNC) has been appointed by the County Administrator, and will be responsible for recommending to the Board the most qualified firm for this concession. It is anticipated, but not required, that the process for the procurement of this concession proceed in the following manner:

Review of Written Submittals and Other Matters:

Each Respondent should submit documents that provide evidence of capability to participate in this solicitation. Written submittals should be limited to a maximum of fifty (50) pages, excluding financial information, contracts, litigation and other contract dispute information, renderings, layouts, drawings and finishing boards. Attached to this RLI is a list of minimum requirements and evaluation factors that will be used by the agency staff to prepare an analysis of the capability of each Respondent (**see Attachment 1**). This list is a tool that may be analyzed by the SNC in making its decision regarding eligibility to participate.

The SNC reserves the right to reject any and all responses and to waive any irregularities or technicalities. County staff and/or the SNC have the right to inspect the facilities and organization of any Respondent, to make inquiries, to ask for further information, or to take any other action to determine ability to perform in accordance with the RLI and the Concession Agreement. The SNC shall have the right to extend the date for the receipt of responses and all other dates set forth in this RLI. The County, through its SNC, has the right to increase, decrease and adjust the scope of services hereunder, as is required by its best interests.

Technical Staff Participation/Review Responses:

After the closing date of the RLI, the Aviation Department's technical staff will review and summarize the responses for the SNC. Technical staff will have only such authority as may be delegated by the SNC or the Board. Without such delegated authority, technical staff serves purely in an information gathering capacity and prepares a matrix of responses submitted by the firms. The matrix contains the "Minimum Requirements" and items described in the "Evaluation Criteria" section of this RLI (**see Attachment 2**). It also contains the results of staff research and reviews of responses and Respondents. The matrix is a tool that the SNC may use in its decision-making process.

Short-Listing:

The SNC will meet to create a short-list of the most qualified firms. The matrix and staff analysis report is a tool that the SNC may use in its decision-making process. The County will not consider oral or written communications, prior to the conclusion of short-listing the firms, which may vary the terms of the submittals.

Cone of Silence:

At the time of the SNC appointment (which is typically prior to the advertisement of the solicitation document) in this RLI process, a Cone of Silence will be imposed. Section 1-266, Broward County Code of Ordinances as revised, provides that after SNC appointment, potential Respondents and their representatives are substantially restricted from communicating regarding this RLI with the County Administrator, Deputy and Assistants to the County Administrator and their respective support staff, or any person appointed to evaluate or recommend selection in this RLI process. For communication with the Board staff, the Cone of Silence allows communication until the Short-list Meeting of the SNC. After the application of the Cone of Silence, inquiries regarding this RLI should be directed to the Project Manager.

The Cone of Silence terminates when the Board or other awarding authority takes action which ends the solicitation.

Presentations/Interviews/Ranking:

Each of the short-listed firms will have an opportunity to make an oral presentation to the SNC on the firm's approach to this project and the firm's ability to perform. The SNC may provide a list of subject

matter for discussion. The firms will have equal time to present but the actual question-and-answer time allowed may vary. A copy of the presentation (hard copy, DVD, CD or a combination of both) should be given to the Project Manager at the meeting to retain in the files. The SNC shall report the ranking to the County Administrator, who will advise the members of the Board in writing of the ranking, in order of preference and whether a single award or multiple awards are to be made based on the ranking.

Negotiation and Award:

If the Board does not object to the ranking results, the SNC, or if delegated authority by the SNC, staff will attempt to negotiate a contract with the first ranked firm. If an impasse occurs, the County ceases negotiation with the firm and begins negotiations with the next-ranked firm. The final negotiated contract will be forwarded by the staff to the Board for approval.

Respondent Protest:

Sections 21.118 through 21.122 of the Broward County Procurement Code set forth procedural requirements that apply if a Respondent intends to protest a solicitation or proposed award of a contract and state in part the following:

(a) Any protest concerning the bid or other solicitation specifications or requirements must be made and received by the County within seven (7) business days from the posting of the solicitation or addendum on the Purchasing Division's website. Such protest must be made in writing to the Director of Purchasing. Failure to timely protest RLI specifications or requirements is a waiver of the ability to protest the specifications or requirements.

(b) Any protest concerning a solicitation or proposed award above the award authority of the Director of Purchasing, after the bid opening, shall be submitted in writing and received by the County within five (5) business days from the posting of the recommendation of award on the Purchasing Division's website.

(c) Any actual or prospective Respondent who has a substantial interest in and is aggrieved in connection with the proposed award of a contract which does not exceed the amount of the award authority of the Director of Purchasing, may protest to the Director of Purchasing. The protest shall be submitted in writing and received within three (3) business days from the posting of the recommendation of award on the Purchasing Division's website.

(d) For purposes of this section, a business day is defined as Monday through Friday between 8:30 a.m. and 5:00 p.m.

(e) As a condition of initiating any RLI protest, the protestor shall present the Director of Purchasing a nonrefundable filing fee in accordance with the table below.

Estimated Contract Amount	Filing Fee
\$30,000 - \$250,000	\$ 500
\$250,001 - \$500,000	\$1,000
\$500,001 - \$5 million	\$3,000
Over \$5 million	\$5,000

If no contract bid amount was submitted, the estimated contract amount shall be the County's estimated contract price for the project. The County may accept cash, money order, certified check, or cashier's check, payable to Broward County Board of Commissioners.

Rejection of Responses:

Broward County Aviation Department

2200 SW 45th Street, Suite 101
Dania Beach, FL 33312
E-mail: daflaherty@broward.org

The SNC may choose at any time prior to award to recommend to the Board that this procurement be cancelled and that all Letters of Interest be rejected. Such determination may be made for any reason.

Public Records and Exemptions:

Upon receipt, all response submittals become "public records" and shall be subject to public disclosure consistent with Chapter 119, Florida Statutes.

Any firm that intends to assert any materials to be exempted from public disclosure under Chapter 119, Florida Statutes must submit the document(s) in a separate bound document labeled "Name of Firm, Attachment to Proposal Package, RLI# 20130523-0-AV-01- Confidential Matter". The firm must identify the specific statute that authorizes the exemption from the Public Records Law. CD or DVD discs included in the submittal must also comply with the requirement and separate any materials claimed to be confidential.

Failure to provide this information at the time of submittal and in the manner required above may result in a recommendation by the Project Manager to the SNC that the response is non-responsive. Furthermore, Respondent's failure to provide the information as instructed may lead for the information to become public.

Any claim of confidentiality on materials that the firm asserts to be exempt and placed elsewhere in the submittal will be considered waived by the firm upon submission, effective after opening. Please note that the financial statement exemption provided for in Section 119.071(1) c, Florida Statutes only applies to submittals in response to a solicitation for a "public works" project.

Please be aware that submitting confidential material may impact full discussion of your submittal by the SNC/EC because the SNC/EC will be unable to talk about the details of the confidential material(s) at the public SNC/EC meeting. Please note that the financial statement exemption provided for in Section 119.071(1) c, Florida Statutes only applies to submittals in response to a solicitation for a "public works" project.

Copyrighted Materials:

Copyrighted material will be accepted as part of a submittal only if accompanied by a waiver that will allow the County to make paper and electronic copies necessary for the use of County staff and agents. It is noted that copyrighted material is not exempt from the Public Records Law, Chapter 119, Florida Statutes. Therefore, such material will be subject to viewing by the public, but copies of the material will not be provided to the public.

Right of Appeal:

Any Respondent that has a substantial interest in the matter and is dissatisfied or aggrieved in connection with the Selection Negotiation Committee's determination of responsiveness may appeal the determination pursuant to Section 21.120 of the Administrative Code. The appeal must be in writing and sent to the Director of Purchasing within ten (10) calendar days of the determination by the SNC to be deemed timely.

As required by Section 21.120, any appeal of the Director of Purchasing determination must be accompanied by an appeal bond and must comply with other applicable requirements of the Procurement Code. The institution and filing of an appeal is an administrative remedy to be employed prior to the institution and filing of any civil action against the County concerning the subject matter of the appeal.

GENERAL CONDITIONS, INSTRUCTIONS AND INFORMATION FOR RESPONDENTS

Inquiries/Interpretations:

All Respondents shall carefully examine the RLI documents. Any ambiguities or inconsistencies shall be brought to the attention of Aviation Department staff in writing no later than the pre-response conference date. Failure to do so on the part of the Respondent will constitute an acceptance by the Respondent of any subsequent decision. Any questions concerning the intent, meaning and interpretations of the RLI documents, including the draft Concession Agreement, shall be requested in writing, and received by the Aviation Department at least ten (10) business days prior to the pre-response conference date. The County will not be responsible for any oral instructions made by any employee(s) of the County in regard to the RLI.

Addenda:

Should revisions to the RLI documents become necessary, the County will post addenda information on the County's website. All Respondents should periodically check the County's website at (www.broward.org/purchasing/bids/bids.aspx) contact the Aviation Department for addenda information. Failure to do so may result in the Respondent submitting inaccurate information in the response which could result in the rejection of the response as non-responsive.

Response Preparation Costs:

Neither the County nor its representatives shall be liable for any expenses incurred in connection with the preparation of a response to this RLI. Respondent(s) understands that this RLI does not constitute an agreement or a contract between the Respondent and the County. Respondents should prepare their responses simply and economically, providing a straightforward and concise description of the Respondent's ability to meet the requirements of the RLI.

Accuracy of Response Information:

By responding and signing the response, the Respondent attests that the information submitted to the County is true, correct and accurate. The Respondent also agrees that any false, inaccurate, misleading, exaggerated, or incorrect information provided as part of their submittal could be deemed inappropriate and/or non-responsive and shall be disqualified from further consideration.

Insurance Requirements:

Insurance requirements will be determined by Broward County Aviation Department's Risk Manager and will be included in the Concession Agreement.

Although it is not necessary to have insurance in effect at the time of response to this RLI, as part of its response, Respondent must provide either a letter from their insurance carrier indicating that it is capable of obtaining insurance at least in the amount of the limits established on the Sample Certificate of Insurance, which is found in **Attachment 5** to this RLI, or a sample insurance certificate from their carrier indicating the same. Please note that these insurance coverage amounts are minimums. You may carry higher limits, at your option, but you may not carry lower limits. The letter from your insurance carrier or the sample certificate should note that the Broward County is a certificate holder and will appear as an Additional Insured for all General Liability coverage. Additionally, the letter or sample certificate should note that all coverage must include a 30-day notice of cancelation. The insurance is required to be in effect at the first Sunshine negotiation session for the Concession Agreement. For additional information, please contact the Broward County Aviation Department Contracts and Risk Manager at (954) 359-6151.

Administrative Code:

Except for the sections of the Procurement Code, Chapter 21, cited in this RLI, the provisions of the Administrative Code, Chapter 26, Operational Policy apply to this RLI.

Advertising:

In submitting a response, Respondent agrees not to use the results of this solicitation as a part of any commercial advertising, without the express written approval by the appropriate level of authority within the County.

Governing Law:

The Concession Agreement shall be governed by the laws of the State of Florida, and the venue for any legal action will be Broward County, Florida.

Convicted Vendor List:

A person or affiliate who has been placed on the convicted Respondent list following a conviction for a public entity crime may not submit an offer to perform work as a consultant or contract with a public entity, and may not transact business with Broward County for a period of thirty-six (36) months from the date of being placed on the convicted Respondent list.

ATTACHMENTS

1. Minimum Requirements
2. Evaluation Criteria and Information (Attachment to be completed by Respondent)
3. Small Business Development Division Forms:
 - a. DBE/ACDBE Letter of Intent
 - b. DBE/ACDBE Application for Evaluation of Good Faith Effort
4. Location Maps
5. Sample Certificate of Insurance (**Insurance Requirements**)
6. Drug Free Workplace Policy Certification
7. Scrutinized Companies Verification
8. Non-Collusion Statement Form
9. Cone of Silence Certification
10. Lobbyist Registration Form
11. Litigation history Form
12. Vendor's List – Non-Certified Subcontractors and Suppliers Information
13. Terminal Enplanement History (Terminals 1 through 4)
14. Terminal Gross Sales History (Terminals 1 through 4)

*****NOTICE TO RESPONDENTS*****

Respondents are invited to pay strict attention to the following requirements of this RLI. The information being requested in this section is going to be used by the Selection Negotiation Committee during the selection/evaluation process and further consideration for the contract award.

DEFINITION OF A RESPONSIVE BIDDER:

In accordance with Broward County Procurement Code Section 21.8.b.65 a Responsive Bidder means a person who has submitted a bid which conforms in all material respects to a solicitation. A bid or proposal of a Responsive Bidder must be submitted on the required forms, which contain all required information, signatures, notarizations, insurance, bonding, security, or other mandated requirements required by the bid documents to be submitted at the time of solicitation opening.

A. RESPONSIVENESS CRITERIA

Failure to provide the information required by Attachment 2, "Evaluation Criteria" at the time of submittal opening may render the submittal non-responsive. The SNC will determine whether the firm is responsive to the requirements specified herein. The County reserves the right to waive minor technicalities or irregularities that is in the best interest of the County in accordance with Section 21.30.f.1. (c) of the Broward County Procurement Code.

1. Thoroughness of Response

In order to be deemed Responsive, the Respondent must respond to EVERY item in the Evaluation Criteria. If a specific item does not apply to Respondent, then the Respondent must reply with "N/A" or "No" or "None" (or some similar wording). Ignoring any one or more item may result in the Response being removed from further consideration.

2. Vendor's List - Non-Certified Subcontractors and Suppliers Information

The Form, see Attachment 12, should be submitted with your response to the RLI. However, it must be submitted within five (5) calendar days of County's request. Please provide the information for any sub-vendor(s) and major suppliers who will provide a service to the County for this solicitation.

3. Lobbyist Registration – Certification

A Respondent who has retained a lobbyist(s) to lobby in connection with a competitive solicitation shall be deemed non-responsive unless the firm, in responding to the competitive solicitation, certifies, see Attachment 10, that each lobbyist retained has timely filed the registration or amended registration required under Section 1-262, Broward County Code of Ordinances. If, after awarding a contract in connection with the solicitation, the County learns that the certification was erroneous, and upon investigation determines that the error was willful or intentional on the part of the Respondent, the County may, on that basis, exercise any contractual right to terminate the contract for convenience.

4. Joint Venture Required Submittal

A Joint Venture is required to provide evidence with its response that the Joint Venture, or at least one of the Joint Venture partners, holds a Certificate of Authority from the Florida Department of State, Division of Corporations to transact business in Florida. If not with its response, the Joint

Venture is required to provide evidence prior to contract execution that the Joint Venture exists by providing the County with a copy of the Joint Venture Agreement. Failure to provide any of this information to the County at the required time may be cause for the response to the solicitation to be deemed non-responsive.

5. Insurance Submittal

Respondent must supply the insurance certificate or letter as specified in Section 9 of the Evaluation Criteria, which is set forth in **Attachment 2**, which insurance must meet the minimum requirements set forth in **Attachment 5**.

DEFINITION OF A RESPONSIBLE BIDDER:

In accordance with Broward County Procurement Code Section 21.8.b.65, a Responsible Bidder or Respondent means a Respondent who has the capability in all respects to perform the contract requirements, and the integrity and reliability which will assure good faith performance.

B. RESPONSIBILITY CRITERIA

The following criteria will be used to determine the responsibility of the Respondent. A failure to meet any of these criteria may result in a determination of non-responsibility by the Selection Negotiation Committee or Board of County Commissioners.

1. Respondent must be capable of obtaining all licenses necessary to conduct the business that it proposes in its response, including liquor licenses.
2. Respondent must be financially capable of performing the work and making the investment required under the Contract contemplated under this RLI.
3. Respondent must complete and submit the Non-Collusion Form (**Attachment 8**).
4. Respondent must meet the Experience Criteria as stated in this RLI.
5. Respondent, its principals, officers, or predecessor organization(s) may not have been debarred or suspended from bidding by any government during the last three (3) years.
6. Respondent must provide no less than three (3) positive references for its operations, and staff investigations may not find any instances of significant legal or contractual problems for Respondents' operations at airports.
7. Respondent must provide three (3) references that can attest to the positive financial position of the Respondent and staff investigations may not find any issues of significant financial issues that might impact the Respondent's ability to make its required financial investment and run its operations at the Airport.
8. Airport Concession Disadvantaged Business Enterprise (ACDBE) Program Requirements.

OFFICE OF ECONOMIC AND SMALL BUSINESS DEVELOPMENT REQUIREMENTS

In accordance with 49 CFR Part 23 and Part 26, the Airport Concession Disadvantaged Business Enterprise (ACDBE) Program shall apply to this Contract. All persons or entities responding to this solicitation shall utilize, or attempt to utilize, ACDBE firms to perform at least the assigned participation goal ("ACDBE Goal") for this Contract.

The assigned ACDBE participation goal for this contract is listed below.

Business Enterprise Category	Assigned Participation Goal
<u>Airport Concession Disadvantaged Business Enterprise (ACDBE)</u>	9%

Compliance with ACDBE Goal requirements is a matter of responsibility. Information demonstrating such compliance must be submitted with your response to the solicitation. You must at least show an attempt to meet the ACDBE Goal by providing Letters of Intent (LOI). Alternatively, you may show your good faith efforts to meet the ACDBE Goal by providing the documents listed in the subsections below. Your failure to meet the ACDBE Goal or demonstrate your good faith efforts to meet the ACDBE Goal shall be grounds for a finding of non-responsibility. In connection with the ACDBE Goal, you may be deemed responsible in one of two ways.

The first way you may be deemed responsible is by submitting LOIs (Attachment 3A) from certified ACDBE firms which, cumulatively, fully meet the goal.

If you are unable to fully meet the ACDBE Goal, the second way you may be deemed responsible is by demonstrating your good faith efforts to meet the goal ("Good Faith Efforts") and submitting a completed Application for Evaluation of Good Faith Effort (Attachment 3B). Such Good Faith Efforts shall be consistent with the Guidance Concerning Good Faith Efforts provided by the federal Department of Transportation, found in 49 CFR 26, Appendix A. Without limiting the preceding sentence, documentation you may submit to demonstrate your Good Faith Efforts may include but is not limited to:

- Providing timely solicitation activities to certified ACDBE firms, including attendance at pre-bid meetings, advertisements, or written notices;
- Identifying appropriate contract portions and scopes of work that certified ACDBE firms could potentially perform;
- Providing timely and adequate information to the certified ACDBE firms (including plans and specifications);
- Good faith negotiation with each interested, certified ACDBE firm (including names and contact information of each ACDBE firm considered) with an explanation as to why negotiations failed; and
- Investigating ACDBE qualifications and capabilities; list reason(s) if a certified ACDBE firm is rejected.

Additional Factors in Review of Good Faith Efforts: In evaluating your Good Faith Efforts, the County may also consider the success other persons or entities that have responded to the solicitation have had in meeting the ACDBE Goal.

Opportunity to Cure. OESBD shall review your response to the solicitation. If OESBD discerns your intent to meet the ACDBE Goal, but determines that your response contains technical errors or requires further documentation, then OESBD may provide you with three (3) business days to correct those errors or provide documentation.

Program Requirements for ACDBE participation:

For a firm's participation to be considered in meeting the ACDBE Goal, the firm must be certified as an ACDBE to perform the applicable work no later than the date your response to the solicitation is due to the Purchasing Division.

Additionally, a certified ACDBE firm may only participate in a contract if it is performing a commercially useful function. A certified ACDBE firm performs a commercially useful function when it is responsible for execution of the work of the contract and is carrying out its responsibilities by actually performing, managing, and supervising the work involved. To perform a commercially useful function, the certified ACDBE firm must also be responsible, with respect to materials and supplies used on the contract, for negotiating price, determining quality and quantity, ordering the material, and installing (where applicable) and paying for the material itself.

ACDBE participation shall be counted in accordance with 49 CFR 23.55.

Nothing herein shall be construed to indicate that a higher level of certified ACDBE firm involvement above the stated goal will give any person or entity that has responded to the solicitation an advantage over other responders who have met the ACDBE Goal or shown Good Faith Efforts, as determined by the County.

A comprehensive listing of certified ACDBE firms is published in the Florida Department of Transportation (FDOT) Business Directory and can be viewed at the following Unified Certification Program (UCP) website: <https://www3.dot.state.fl.us/EqualOpportunityOffice/biznet/mainmenu.asp>.

- (1) If awarded, Concessionaire hereby acknowledges and agrees to abide by the rules, regulations and provisions promulgated by the Airport Concession Disadvantaged Business Enterprise Program for the Aviation Department, Broward County, Florida, as provided by the Board of County Commissioners, Broward County, Florida, pursuant to 49 CFR Parts 23 and 26, of the Regulations of the Office of the Secretary of the United States Department of Transportation. Concessionaire shall be required to comply with any and all additional applicable provisions of 49 CFR Parts 23 and 26. Concessionaire shall submit such reports as may be required by County in the form specified by the County, for the purpose of demonstrating compliance with this subsection.

- (2) Contract Assurances: The following clauses pertaining to compliance with 49 CFR Part 23 shall become a part of your contract with Broward County upon award and shall be incorporated into the terms of your solicitations, subcontracts, material supply contracts and purchase orders. In the event the following clauses conflict with any other terms or provisions of this Agreement section, the clauses set forth in this Airport Concession Disadvantaged Business Enterprise shall control:
 - i. Nondiscrimination; Remedies - The Concessionaire or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The Concessionaire shall carry out applicable requirements of 49 CFR Part 23 in the award and administration of contracts subject to USDOT requirements. Failure by the Concessionaire to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.
 - ii. Participation by ACDBEs – It is the policy of Broward County that ACDBE firms, as defined herein, can compete fairly for opportunities as subcontractors, suppliers on all contracts awarded by the County to ensure a level playing field. The Concessionaire hereby agrees to take all necessary and reasonable steps, including compliance with the matters set forth in this Section 17.3, in accordance with 49 CFR Part 23, as amended, to ensure that the ACDBE firms have fair opportunity to compete for and perform contracts.
 - iii. Prompt Payment - The Concessionaire hereby agrees to pay its subcontractors and suppliers within thirty (30) days following receipt of the service or supplies. A finding of nonpayment to subcontractors and suppliers is a material breach of this Agreement. The Concessionaire shall include the foregoing prompt payment language in all of its contracts with subcontractors who participate on County projects subject to the regulations in 49 CFR Part 23 and Part 26, as amended. Designated staff of the OESBD will conduct meetings with parties involved in prompt payment disputes to facilitate an amicable resolution.
 - iv. Contract Compliance Monitoring - Compliance monitoring is conducted to determine if Concessionaire and/or subcontractors are complying with the requirements of the ACDBE Program. Failure of the Concessionaire to comply with this provision may result in the County imposing penalties or sanctions pursuant to the provisions of the 49 CFR Part 23 and 26 and the County's Business Opportunity Act of 2012, Ordinance 2012-33. Contract compliance will encompass monitoring for contract dollar achievement and ACDBE subcontractors utilization. The Office of Economic and Small Business Development shall have the authority to audit and monitor all contracts and contract-related documents related to

Broward County projects. The requirements of the ACDBE Program are applicable to Concessionaire and its subcontractors. Concessionaire shall be responsible for ensuring proper documentation with regard to its utilization and payment of ACDBE subcontractors.

For detailed information regarding the Airport Concession Disadvantaged Business Enterprise Program, please contact the Office of Economic and Small Business Development at (954) 357-6400 or visit the website at: <http://www.broward.org/EconDev/SmallBusiness/Pages/Default.aspx>.

At any time prior to award, the awarding authority may find that a Respondent is not responsible to receive a particular award. The awarding authority may consider the following factors, without limitation: debarment or removal from the authorized Respondents list or a final decree, declaration or order by a court or administrative hearing officer or tribunal of competent jurisdiction that the Respondent has breached or failed to perform a contract, claims history of the Respondent, performance history on a County contract(s), an unresolved concern, or any other cause under this code and Florida law for evaluating the responsibility of an Respondent.

Criteria for Breaking Ties:

In the event of a deadlock amongst the members of the SNC, tie-breaker criteria, as outlined herein, will be considered.

1. A re-vote or re-assessment of only the tied Respondents.
2. Preference to Respondent receiving a majority of the total first-place votes.
3. If items 1-2 do not break the tie vote, the Respondent or Respondents shall be selected by the Board of County Commissioners.

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**REQUEST FOR LETTERS OF INTEREST
RLI #20130523-0-AV-01
ADVERTISING AND DISPLAY CONCESSION
FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT**

**ATTACHMENT 1
MINIMUM REQUIREMENTS**

To be considered as a concessionaire for the Advertising Concession in the terminal complex and the rental car center at the Fort Lauderdale-Hollywood International Airport, the Respondent must meet the requirements set forth below and complete **Attachment 2**, "Evaluation Criteria."

1. Experience Criteria

The Respondent or a principal of Respondent shall have been in continuous existence for at least the last five (5) years and shall have demonstrated experience for the last three (3) consecutive years in the solicitation and sale of advertising and displays at five (5) or more locations with at least three (3) such operations each generating annual gross revenues of at least \$450,000.

2. Financial Information

Although the review of a Respondent's financial information is an issue of responsibility, failure to provide the financial documentation or to correctly assert a confidentiality claim pursuant the Florida Public Records Law and the solicitation requirements as stated in the Evaluation Criteria and Public Record and Exemptions sections may result in a recommendation of non-responsive by the SNC.

3. Capital Investment Requirement

The selected concessionaire will be required to make two capital investments under the concession program as follows:

a. Initial Capital Investment Requirement (Phase 1)

The Respondent must propose an initial capital investment of an amount sufficient to re-concept, substitute or continue operation of existing concepts, designs and displays that Respondent proposes to operate. The initial capital investment will be expended within twelve (12) months from the commencement date of the Concession Agreement.

b. Secondary Capital Investment Requirement (Phase 2)

Upon the completion of the Airport's Terminal Modernization Program, the Respondent will be required to make a secondary capital investment which shall be no less than the proposed initial capital investment for Phase 1. Respondent must propose a secondary capital investment based on the average cost for development, construction and refurbishment of permanently designated advertising concepts at the various locations. Enter the amount of Secondary Capital Investment that the Respondent is proposing for Phase 2:

4. Litigation History

Although the review of a Respondent's litigation history is an issue of responsibility, the failure to provide litigation history as required in the Evaluation Criteria may result in a recommendation of non-responsive by the SNC. **Attachment 11 - Litigation History** must be completed and returned with the response.

5. Privilege Fees

The Privilege Fee will be broken down into Two (2) Phases as set forth below.

a. Phase 1

During Phase 1, the Respondent will operate existing locations with either current or new advertisers based upon an interim advertising concession program approved by the Aviation Department and pay a Privilege Fee based upon the GREATER of the following:

- (i) Respondent's proposed Percentage Fees of annual gross revenue of no less than fifty percent (50%); or
- (ii) Respondent's proposed Minimum Annual Guarantee (MAG).

b. Phase 2

During Phase 2, the Respondent will propose concepts for existing and/or proposed locations based on the Terminal Modernization Program and approved by the Aviation Department, pay a Privilege Fee based upon the GREATER of the following:

- (i) Respondent's proposed Percentage Fees of annual gross revenue of no less than 60%; or
- (ii) A MAG which will be negotiated based on existing locations and/or proposed locations resulting from the Modernization Program

NOTE: The Minimum Annual Guarantee (MAG) proposed by the Respondent(s) will be adjusted annually based on the following:

The GREATER of:

- i Eighty-five percent (85%) of the prior year's Privilege Fee, or**
- ii The MAG proposed by the Respondent(s) following the first full twelve (12) months following Phase 1 of the agreement.**

The adjusted MAG during the term of the agreement shall never be less than the MAG proposed by the Respondent(s).

6. Advertising Concepts

Respondent shall submit designs and concepts for an interim advertising concession program operating from the existing locations (Phase 1), as well as designs and concepts for a long term advertising concession program that may incorporate changes resulting from the Modernization Plan enhancements (Phase 2). Proposed concepts should specify plans for the Base and Supplemental programs for Phase 1 and Phase 2 separately.

7. Improvement Plan

The Aviation Department has developed Tenant Design Guidelines (Design Guidelines) that provides criteria for development of all concession locations in the airport terminals. The Design Guidelines are available at: <http://www.broward.org/airport/business/pages/designguidelines.aspx>.

Proposed plans for construction, remodeling or reconcepting of a concession are subject to review and approval by BCAD's Design Review Committee (DRC) and Project Review Committee prior to forwarding to Broward County Permitting Division.

8. Attachment 2, "Evaluation Criteria"

Complete **Attachment 2**, "Evaluation Criteria," in its entirety and in the same order as listed on **Attachment 2**.

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**REQUEST FOR LETTERS OF INTEREST
RLI #20130523-0-AV-01
ADVERTISING AND DISPLAY CONCESSION
FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT**

***ATTACHMENT 2
EVALUATION CRITERIA***

With regard to the Evaluation Criteria, each firm has a continuing obligation to provide the County with any material changes to the information requested. The County reserves the right to obtain additional information from Respondents or third-parties. Please note that a response MUST be provided to every question or request for information, even if the response is "N/A" or "None."

Project-Specific Criteria

The Respondent shall submit the following documentation and information for evaluation by the SNC. All information shall be presented in the same order and submitted on Attachment 2 "Evaluation Criteria" as listed below. If additional pages are necessary to fully respond to any query, please attach additional sheets, and clearly note to which question the additional pages respond.

1. Company Profile:

- a. Supply legal firm name, headquarters address, local office addresses, state of incorporation (i.e., corporation, partnership, joint venture, etc.):

- b. Principal Office Address of Respondent:

- c. Telephone Number(s):

- d. Fax Number and E-mail Address:

- e. Primary Contact Person(s) and Title:

- f. Is the Respondent legally registered, pursuant to the requirements of the Florida Statutes, for doing business in the State of Florida?

YES

NO

- g. Provide a brief company history and organizational chart including hierarchy and staffing for the Advertising concession operation at the Airport Terminals.

2. Financial Requirements:

All firms are required to provide Broward County the firm's financial statements at the time of submittal in order to demonstrate the firm's financial capabilities. Failure to provide this information at the time of submittal may result in a recommendation to the SNC that the response is non-responsive.

All firms are required to permit Broward County to inspect and examine their financial statements in order to demonstrate their financial capabilities. Each firm shall submit its most recent two (2) years of financial statements (including, at minimum, Balance Sheets, Statements of Earnings, and Statements of Cash Flow) for review. The financial statements are not required to be audited financial statements. With respect to the number of years of financial statements required by this RLI, the firm must fully disclose the information for all years available; provided, however, that if the firm has been in business for less than the required number of years, then the firm must disclose for all years of the required period that the firm has been in business, including any partial year-to-date financial statements. The County may consider the unavailability of the most recent year's financial statements and whether the firm acted in good faith in disclosing the financial documents in its evaluation. Any claim of confidentiality on financial statements should be asserted at the time of submittal.

Note: If the Respondent is putting forth a claim of confidentiality, the financial statements should be submitted in a separate bound document labeled "Name of Firm, Attachment to Proposal Package, RLI#20130523-0-AV-01 - Confidential Matter". The firm must identify the specific statute that authorizes the exemption from the Public Records Law.

Failure to provide this information at the time of submittal may result in a recommendation to the SNC that the response is non-responsive. Furthermore, Respondent's failure to provide the information as instructed may lead for the information to become public.

Please note that the financial statement exemption provided for in Section 119.071(1) c, Florida Statutes only applies to submittals in response to a solicitation for a "public works" project.

3. Litigation & Other Contract Dispute Information:

The County will consider a Respondent's litigation history information in its review and determination of responsibility. All Respondents are required to disclose to the County all "material" cases filed, pending, or resolved during the last three (3) years prior to the solicitation response due date, whether such cases were brought by or against the Respondent, any parent or subsidiary of the Respondent, or any predecessor organization. If the Respondent is a joint venture, the information provided should encompass the joint venture (if it is not newly-formed for purposes of responding to the solicitation) and each of the entities forming the joint venture. For purpose of this disclosure requirement, a "case" includes lawsuits, administrative hearings and arbitrations. A case is considered to be "material" if it relates, in whole or in part, to any of the following:

1. A similar type of work that the Respondent is seeking to perform for the County under the current solicitation;
2. An allegation of negligence, error or omissions, or malpractice against the Respondent or any of its principals or agents who would be performing work under the current solicitation;
3. A Respondent's default, termination, suspension, failure to perform, or improper performance in connection with any contract;
4. The financial condition of the Respondent, including any bankruptcy petition (voluntary and involuntary) or receivership; or

- 5. A criminal proceeding or hearing concerning business-related offenses in which the Respondent or its principals (including officers) were/are defendants.
- 6. Notwithstanding the descriptions listed in paragraphs 1 – 5 above, a case is not considered to be "material" if the claims raised in the case involve only garnishment, auto negligence, personal injury, workers' compensation, foreclosure or a proof of claim filed by the Respondent.
- 7. For each material case, the Respondent is required to provide all information identified, on the "Litigation History" form. **(see Attachment 11)**

Note: Failure to disclose any material case, or to provide all requested information in connection with each such case, may result in the Respondent being deemed non-responsive. Prior to making such determination, the Respondent will have the ability to clarify the submittal and to explain why an undisclosed case is not material.

- a. List and describe all bankruptcy petitions (voluntary or involuntary) which have been filed by or against the Respondent, its parent or subsidiaries, predecessor organization(s), or any wholly-owned subsidiary during the past three (3) years. Include in the description the disposition of each such petition.

- b. List all business related claims, arbitrations, administrative hearings, and lawsuits that are pending or were filed during the last three (3) years brought by or against the firm, its predecessor organization(s), or any wholly-owned subsidiary including but not limited to those claims, arbitrations, administrative hearings and lawsuits that allege negligence, error, or omission, or default, termination, suspension, failure to perform, or improper performance of an obligations of a contract or a legal duty related to the contract. This list should include all case names; case, arbitration, or hearing identification numbers; identification of the project involved in the dispute; a description of the subject matter of the dispute; and the final outcome or current status if the matter has not become final.

- c. List and describe all criminal proceedings or hearings concerning business related offenses in which the interested firm, its principals, officers, predecessor organization(s), or wholly owned subsidiaries were defendants.

- d. Has the interested firm, its principals, officers, or predecessor organization(s) been debarred or suspended from bidding by any government during the last five (5) years? If yes, provide details.
YES _____ NO _____

If yes, provide further details: _____

5. **Legal Requirements:**

Provide answers below. If you are submitting a response as a joint venture, you must respond to each question for each entity forming the joint venture. When an entire response cannot be entered, a summary, followed with a page number reference where a complete response can be found is acceptable.

- a. **Standard Agreement Language: (Attachment 15)** Identify any standard terms and conditions with which the interested firm cannot agree. The standard terms and conditions for the resulting contract is attached to this proposal as **Attachment 15**. Does the Respondent agree with the standard conditions and terms of the Concession Agreement?

YES (Agree) **NO**

If no, you must specifically identify the terms and conditions with which you are taking exception since they will be discussed with the Selection Committee. Please be aware that taking exceptions to the County's standard terms and conditions may be viewed unfavorably by the SNC and ultimately impact the overall evaluation of your submittal.

- b. **Cone of Silence:** This County's ordinance prohibits certain communications among Respondents, county staff, and selection committee members. Identify any violations of this ordinance by any members of the responding firm or its joint venturers. The firm(s) submitting is expected to sign and notarize the Cone of Silence Certification (**Attachment 9**).
- c. **Public Entity Crimes Statement:** A person or affiliate who has been placed on the convicted Respondent list following a conviction for a public entity crime may not submit an offer to perform work as a consultant or contract with a public entity, and may not transact business with Broward County for a period of 36 months from the date of being placed on the convicted Respondent list. Submit a statement fully describing any violations of this statute by members of the interested firm or its joint venturers.

- d. **No Contingency Fees:** By responding to this solicitation, each firm warrants that it has not and will not pay a contingency fee to any company or person, other than a bona fide employee working solely for the firm, to secure an agreement pursuant to this solicitation. For Breach or violation of this provision, County shall have the right to reject the firm's response or terminate any agreement awarded without liability at its discretion, or to deduct from the agreement price or otherwise recover the full amount of such fee, commission, percentage, gift, or consideration.

Submit an attesting statement warranting that the Responder has not and will not pay a contingency fee to any company or person, other than a bona fide employee working solely for the firm, to secure an agreement pursuant to this solicitation.

- e. **Scrutinized Companies List Certification:** Any company, principals, or owners on the Scrutinized Companies with Activities in Sudan List or on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List is prohibited from submitting a bid, proposal or response to a Broward County solicitation for goods or services in an amount equal to or greater than \$1 million. Therefore, if applicable, each company submitting a bid, proposal or response to a solicitation must certify to the County that it is not on either list at the time of submitting a bid, proposal or response. The certification form is referenced as "Scrutinized Companies List Certification" (Attachment 7) and should be completed and submitted with your proposal but must be completed and submitted prior to award.
- f. **Non-Collusion Form:** Has Respondent completed and attached Non-Collusion form (Attachment 8)?

6. Proposed Privilege Fee:

The Privilege Fee will be the greater of the MAG or percentage fee as set forth below:

- a. Propose a MAG for Phase 1

Enter Proposed MAG:

\$ _____

7. Percentage Fees:

A Percentage Fee of annual gross revenue of no less than fifty percent (50%) from the effective date of the Concession Agreement for Phase 1 of the contract and of no less than sixty percent (60%) upon completion of the Modernization Plan at the beginning of Phase 2 is expected by the Airport. Once established, the Percentage Fee shall continue for the remaining term of the Concession Agreement.

- a. Propose a Percentage Fee for Phase 1 of no less than 50%:

Enter Proposed Percentage Fee:

\$ _____

8. Capital Investment Requirement

It is anticipated that a minimum capital investment will be required to re-concept, substitute or continue the existing advertising displays, designs and concepts and install new concepts/displays as identified on the Proposed Location Maps (**Attachment 4**) of the RLI. The Minimum Capital Investment requirement in order to be eligible for consideration in this RLI **shall not be less than One Million and 00/100 Dollars (\$1,000,000.00)**. The Proposed Initial Capital Investment requirement shall be expended within twelve (12) calendar months from the commencement date of the Concession Agreement.

- a. **Initial Capital Investment Requirement (Phase 1)**

The Respondent must propose an Initial Capital Investment of an amount sufficient to re-concept, substitute or continue the existing advertising displays, designs and concepts that Respondent proposes to operate. Enter the amount of Initial Capital Investment that the Respondent is proposing for Phase 1:

The Initial Capital Investment shall be no less than \$ _____

b. Secondary Capital Investment Requirement (Phase 2)

Upon the completion of the Modernization Program, the Respondent will be required to make a Secondary Capital Investment which shall be no less than the proposed Initial Capital Investment for Phase 1 and acceptable to the Airport.

9. Insurance Requirements:

Attached (**Attachment 5**) is a sample Certificate of Insurance. It reflects the insurance requirements deemed necessary for this project. It is not necessary to have this level of insurance in effect at the time of submittal but **it is necessary to submit certificates indicating that the firm currently carries the type of insurance specified; or, if the Respondent does not currently carry the required limits, then the Respondent shall submit a letter from their carrier indicating that such coverage can be obtained and/or limits can be upgraded if such insurance is currently carried but at a lesser level.** The first ranked firm will be required to have the insurance in-place prior to the initial Sunshine contract negotiation session.

10. Experience and References:

NOTE: In meeting the following criteria, experience, the County will consider the experience of the Respondent or in the event of a joint venture or partnership anyone of the companies or principal of such company forming the joint venture or partnership.

The Respondent or a principal of Respondent shall have been in continuous existence for at least the last five (5) years and shall have demonstrated experience for the last three (3) consecutive years in the solicitation and sale of advertising and displays at five (5) or more locations with at least three (3) such operations each generating annual gross revenues of at least \$450,000.

a. Number of years (including dates) that the Respondent or principal of Respondent has been in continuous existence:

b. Identify if such experience in (a), above, is held by Respondent or principal of Respondent. If held by principal, provide the principal's name and the relationship of the principal to the Respondent, (i.e., majority shareholder, majority partner, corporate officer, franchisee, parent company, etc.):

c. Has the Respondent's or Principal of Respondent's operations at three (3) of five (5) airport locations generated average annual gross sales of at least \$450,000.00 for the last five years at each operation?

d. Has the Respondent's or Principal of Respondent's operations demonstrated experience for the last three (3) consecutive years in the solicitation and sale of advertising and displays and offered multiple concepts, which included digital and/or static advertising concepts from local, regional and national companies at five (5) or more airport locations.

e. Have any agreements held by Respondent or Principal of Respondent or a parent or subsidiary of Respondent or principal of Respondent ever been terminated or canceled?

Yes _____ No _____

If yes, provide further details: _____

f. Has the Respondent or principal of Respondent or a parent or subsidiary of Respondent or principal of Respondent identified to provide services under this concession ever been sued for issues pertaining to fee payment and/or performance?

Yes _____ No _____

If yes, provide further details: _____

g. Has the Respondent and any principal of Respondent been the subject of any investigations of any State, Federal or local government or agency within the past five (5) years?

Yes _____ No _____

If yes, provide further information: _____

h. Has the Respondent or Principal of Respondent ever had a contract terminated for default? If so, where and why?

i. Has your company ever been terminated from a contract? If so, where and why? Was the termination for "cause" or "convenience?"

Broward County Aviation Department

2200 SW 45th Street, Suite 101
 Dania Beach, FL 33312
 E-mail: daflaherty@broward.org

- j. Using the Table **EXP1** (below) Respondent shall list the locations, where they have been operating or providing advertising concessions in airports in or outside the Continental United States for at least the last three (3) years. At least five (5) locations must be provided, but no more than six (6) are necessary. **Please only list venues that meet the experience criteria as listed in Attachment 1 of this RLI.** In Row 1, please supply the information regarding the program that you operate or at which you serve as an advertising concession which is most similar to the program you propose for the Airport, the market, and the configuration of the facilities.

Note: Respondent shall use Table EXP 1 (below) to respond to this criterion.

Table EXP 1

	Location	Term (start/end date)	# of Concession Locations	Total Amount of Concession Space	Average Annual Gross Sales (3 of last 5 years)	Offered local and national concepts?	Offered multiple types of service?
1							
2							
3							
4							
5							
6							

- k. For each venue listed in Table EXP 1, provide the name, title, telephone number and email address of a contact person who was responsible for managing the Respondents' contract with the venue in Table EXP 2 (below). Please note that in addition to any contacts listed, as part of its review of Respondents' qualifications, the County may contact other venues where the Respondent provides advertising concessions.

Note: Respondent shall use Table EXP 2 (below) to respond to this criterion.

Table EXP 2

	Location	Contact Name	Title	Telephone Number	Email Address
1					
2					
3					
4					
5					
6					

Broward County Aviation Department

2200 SW 45th Street, Suite 101
 Dania Beach, FL 33312
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- I. In addition to the references listed in Table EXP2, using Table EXP 2a, provide the name, company name, title, telephone number and email address of a contact person for three (3) financial references who can speak to the financial condition of the Respondent.

Note: Respondent shall use Table EXP 2a (below) to respond to this criterion.

Table EXP 2a

	Company Name	Contact Name	Title	Telephone Number	Email Address
1					
2					
3					

- m. For all programs listed in Table EXP 1, identify if such experience is held by Respondent or principal of Respondent using Table EXP 3. If held by principal, provide the principal's name and the relationship of the principal to the Respondent, (i.e., majority shareholder, majority partner, corporate officer, franchisee, parent company, etc.)

Note: Respondent shall use Table EXP 3 (below) to respond to this criterion.

Table EXP 3

	Location	Held by	If experience held by Principal, not Respondent:	
			Principal Name	Relationship to Respondent
1				
2				
3				
4				
5				

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 Dania Beach, FL 33312
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11. **Marketing Plan:**

Present a brief summary of the marketing plan to be utilized for various concepts and advertising media being proposed at the Airport.

12. **Airport Concession Disadvantaged Business Enterprise Program (ACDBE) Requirements:**

The Airport Concession Disadvantaged Business Enterprise regulation (49 CFR Part 23) establishes requirements for setting an overall goal for ACDBE participation in all concessions activities. This rule requires recipients of Federal funds to use a methodology based on demonstrable data of relevant market conditions and is designed to reach a goal the recipient would expect ACDBE's to achieve in the absence of discrimination.

Broward County has a Federal Aviation Administration (FAA) approved non-discriminatory management agreements and corresponding County policy governing ACDBE participation in County contracts and other selected activities, which includes management contracts. **The Broward County Office of Economic and Small Business Development has established an ACDBE participation goal of ten percent (9%) for this solicitation. Respondents should note that this goal is established as a percentage of total anticipated gross receipts from the Contract that will result from this RLI.**

It is the policy of the Broward County Office of Economic & Small Business Development to create a level playing field on which Airport Concession Disadvantaged Business Enterprises (ACDBE's), as defined in 49 CFR Part 23, can compete fairly for opportunities for concessions awarded by the County. Therefore, good-faith efforts must be made to provide ACDBE's an opportunity to participate in the project in accordance with the ACDBE Program Plan.

If utilizing ACDBE subcontractors, the Respondent shall submit, as part of its proposal, a detailed ACDBE participation plan utilizing the following:

Submit the forms and documentation detailed below and attached to this RLI (Attachment 3A "DBE/ACDBE Letter of Intent", and Attachment 3B, "DBE/ACDBE Application for Evaluation of Good Faith Effort"). Forms can also be received by contacting the Project Manager, David Flaherty, by e-mail at daflaherty@broward.org or fax at 954-359-1331.

Form	Content
Attachment 3A. DBE/ACDBE Letters of Intent	For each participating Airport Concession Disadvantaged Business Enterprise (ACDBE) certified firm, indicate the agreed subcontract amount executed with the responding firm's signature and countersigned by the proposed ACDBE subcontractor or sub-consultant.
Attachment 3B. DBE/ACDBE Application for Evaluation of Good Faith Effort	Only used if the Respondent is submitting a response that does not meet the required Airport Concession Disadvantaged Business Enterprise Goal. The Application for Evaluation of Good Faith Effort must be accompanied by documentation of the good-faith efforts that the Respondent has made to meet the goal, as specified by this RLI.

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Note: that DBE firms certified under Federal Regulations CFR 49 Part 26 are eligible to participate as an ACDBE provided they meet the eligibility standards under CFR 49 Part 23 and become certified as ACDBE prior to bid submittal.

A comprehensive listing of certified ACDBE firms is published in the Florida Department of Transportation (FDOT) Business Directory and can be viewed at the following Unified Certification Program (UCP) website: <https://www3.dot.state.fl.us/EqualOpportunityOffice/biznet/mainmenu.asp>.

Each ACDBE listed on the ACDBE Letter of Intent must be certified prior to bid submittal as ACDBE in order to be counted towards the total level of participation. As this Agreement is subject to 49 CFR Part 23.55, a review of all ACDBE Joint venture Agreements, Sub-concessionaires, subcontractors and subcontracts will be completed by OESBD. In order to ensure that all necessary information is provided, please complete the following table for each ACDBE participant proposed under this response. Supply only relevant information for the type of participation.

ACDBE Company Name	
Type of Participant (sublessee, joint venture, partnership, other)	
ACDBE Certification Attached to Response	YES _____ NO: _____
ACDBE Operators: Description of the Business(es) to be Operated	
Brand/Location	
Storage space (non-contiguous)	
List the scope of work to be performed by the ACDBE. (Note: ACDBE must be certified in the NAICS Code for the scope of work).	
Required Investment	
ACDBE Joint Venture Partners (Please use Model ACDBE Joint Venture Information, FAA Format issued July 17, 2008 as a format).	
Scope of work to be performed. (Note: ACDBE must be certified in the NAICS Code for the scope of work).	
Amount of investment by ACDBE/% of total investment by JV	
ACDBE Suppliers	
Product/Services to be Provided	
Unusual Management or Financial Arrangements between the Prime Contractor and ACDBE	

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Dania Beach, FL 33312
E-mail: daflaherty@broward.org

Estimated Gross Receipts and Net Profits (operator); estimated income (JV partner); estimated purchases from (supplier) ACDBE (annual and eight-year)	
--	--

The selected Respondent will be responsible for providing a quarterly report, in the form provided by the County, during the negotiation phase, of its ACDBE participation, regardless of the level of participation. For additional information, please contact Donna-Ann Knapp, Small Business Development Specialist at dknapp@broward.org or by mail at 2200 SW 45th Street, Suite 101, Dania Beach, FL 33312

13. Surety Information:

Has Respondent or principal(s) of Respondent or a parent or subsidiary of Respondent or principal of Respondent identified to provide services under this Concession ever had a bond or surety cancelled or forfeited?

Yes _____ No _____

If yes, provide further information: _____

14. Proposed Operation: (Add additional lines if needed)

Provide your proposed business name (the name under which the concession location will operate).

15. Proposed Concepts and Advertising Media for a Base and Supplemental Programs:

The Respondent shall propose an innovative state-of-the-art advertising program that optimizes advertising effectiveness and reflects the County's culture, character, and quality of life to create a positive impression on visitors. The advertising program should incorporate contemporary advertising approaches, innovative media, and the latest technology while maximizing advertising revenues for the Airport.

The Respondent shall indicate below the location, number or units and the concept or advertising media proposed for the Airport. Attachment 4 Airport Maps provides an overview of the Airport Terminals, concourses and rental car center. The Respondent shall complete the following section outlining the Respondent's proposal. If more lines are required, please insert the additional lines:

Base Program

<u>Location</u>	<u># Units Proposed</u>	<u>Concept or Advertising Media Proposed</u>
Terminal 1:		
Ticketing Level:	_____	_____
	_____	_____

<u>Location</u>	<u># Units Proposed</u>	<u>Concept or Advertising Media Proposed</u>
Departure Level:	_____	_____
	_____	_____
Arrival Level:	_____	_____
	_____	_____
Concourse B:	_____	_____
	_____	_____
Concourse C:	_____	_____
	_____	_____

<u>Location</u>	<u># Units Proposed</u>	<u>Concept or Advertising Media Proposed</u>
Terminal 2:		
Departure Level:	_____	_____
	_____	_____
Arrival Level:	_____	_____
	_____	_____
Concourse D:	_____	_____
	_____	_____

<u>Location</u>	<u># Units Proposed</u>	<u>Concept or Advertising Media Proposed</u>
Terminal 3:		
Departure Level:	_____	_____
	_____	_____
Arrival Level:	_____	_____
	_____	_____
Concourse E:	_____	_____
	_____	_____
Concourse F:	_____	_____
	_____	_____

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 Dania Beach, FL 33312
 E-mail: daflaherty@broward.org

<u>Location</u>	<u># Units Proposed</u>	<u>Concept or Advertising Media Proposed</u>
Terminal 4:		
Departure Level:	_____	_____
	_____	_____
Arrival Level:	_____	_____
	_____	_____
Concourse H:	_____	_____
	_____	_____
Commuter Area:	_____	_____
	_____	_____

<u>Location</u>	<u># Units Proposed</u>	<u>Concept or Advertising Media Proposed</u>
Rental Car Center:		
Level 2:	_____	_____
	_____	_____
Level 3:	_____	_____
	_____	_____
Level 4:	_____	_____
	_____	_____

Respondent will propose a Supplemental Program for Advertising.

Supplemental Program

<u>Location</u>	<u># Units Proposed</u>	<u>Concept or Advertising Media Proposed</u>
Terminal 1:		
Ticketing Level:	_____	_____
	_____	_____

<u>Location</u>	<u># Units Proposed</u>	<u>Concept or Advertising Media Proposed</u>
Departure Level:	_____	_____
	_____	_____
Arrival Level:	_____	_____
	_____	_____
Concourse B:	_____	_____
	_____	_____
Concourse C:	_____	_____
	_____	_____

<u>Location</u>	<u># Units Proposed</u>	<u>Concept or Advertising Media Proposed</u>
<u>Terminal 2:</u>		
Departure Level:	_____	_____
	_____	_____
Arrival Level:	_____	_____
	_____	_____
Concourse D:	_____	_____
	_____	_____

<u>Location</u>	<u># Units Proposed</u>	<u>Concept or Advertising Media Proposed</u>
<u>Terminal 3:</u>		
Departure Level:	_____	_____
	_____	_____
Arrival Level:	_____	_____
	_____	_____
Concourse E:	_____	_____
	_____	_____
Concourse F:	_____	_____
	_____	_____

<u>Location</u>	<u># Units Proposed</u>	<u>Concept or Advertising Media Proposed</u>
<u>Terminal 4:</u>		
Departure Level:	_____	_____
	_____	_____
Arrival Level:	_____	_____
	_____	_____
Concourse H:	_____	_____
	_____	_____
Commuter Area:	_____	_____
	_____	_____

<u>Location</u>	<u># Units Proposed</u>	<u>Concept or Advertising Media Proposed</u>
<u>Rental Car Center:</u>		
Level 2:	_____	_____
	_____	_____
Level 3:	_____	_____
	_____	_____
Level 4:	_____	_____
	_____	_____

2200 SW 45th Street, Suite 101
Dania Beach, FL 33312
E-mail: daflaherty@broward.org

16. Respondent Certification:

By responding and signing this RLI, Respondent attest that the information submitted to the County is true, correct and accurate. The Respondent also agrees that any false, inaccurate, misleading, exaggerated, or incorrect information provided as part of their submittal could be deemed inappropriate and/or non-responsive and shall be disqualified from further consideration.

RESPONDENT

DATE:

Signature

Print Name

Title

2200 SW 45th Street, Suite 101
Dania Beach, FL 33312
E-mail: daflaherty@broward.org

**REQUEST FOR LETTERS OF INTEREST
RLI #20130523-0-AV-01
ADVERTISING AND DISPLAY CONCESSION
FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT**

***ATTACHMENT 3
OFFICE OF ECONOMIC AND SMALL BUSINESS DEVELOPMENT FORMS:***

3A. DBE/ACDBE Letter of Intent

3B. DBE/ACDBE Application for Evaluation of Good Faith Effort

**ATTACHMENT 3A
 DBE/ACDBE LETTER OF INTENT**



OFFICE OF ECONOMIC AND SMALL BUSINESS DEVELOPMENT

**LETTER OF INTENT BETWEEN BIDDER/OFFEROR AND DISADVANTAGED BUSINESS ENTERPRISE (DBE) /
 AIRPORT CONCESSIONS DISADVANTAGED BUSINESS ENTERPRISE (ACDBE) SUBCONTRACTOR/SUPPLIER**
 (Form to be completed and signed for each DBE/ACDBE firm)

Solicitation Number:	Project Title:
-----------------------------	-----------------------

Bidder/Offeror Name: _____

Address: _____ **City:** _____ **State:** ___ **Zip:** _____

Authorized Representative: _____ **Phone:** _____

DBE/ACDBE Subcontractor/Supplier Name: _____

Check one: **Address:** _____

DBE **City:** _____ **State:** ___ **Zip:** _____ **Phone:** _____

ACDBE **Authorized Representative:** _____

- A. This is a letter of intent between the bidder/offeror on this project and a DBE/ACDBE firm for the DBE/ACDBE to perform subcontracting work on this project, consistent with Title 49 CFR Parts 26 or 23 as applicable.
- B. By signing below, the bidder/offeror is committing to utilize the above-named DBE/ACDBE to perform the work described below.
- C. By signing below, the above-named DBE/ACDBE is committing to perform the work described below.
- D. By signing below, the bidder/offeror and DBE/ACDBE affirm that if the DBE/ACDBE subcontracts any of the work described below, it may only subcontract that work to another DBE/ACDBE if it wishes to receive DBE/ACDBE credit for said work.

Work to be performed by DBE/ACDBE Firm			
Description	NAICS*	DBE/ACDBE Contract Amount†	DBE/ACDBE Percentage of Total Project Value

AFFIRMATION: I hereby affirm that the information above is true and correct.

Bidder/Offeror Authorized Representative

_____ (Signature) (Title) (Date)

DBE/ACDBE Subcontractor/Supplier Authorized Representative

_____ (Signature) (Title) (Date)

* Visit <http://www.census.gov/eos/www/naics/> to search. Match type of work with NAICS code as closely as possible.

† To be provided only when the solicitation requires that bidder/offer include a dollar amount in its bid-offer.

In the event the bidder/offeror does not receive award of the prime contract, any and all representations in this Letter of Intent and Affirmation shall be null and void.

**ATTACHMENT 3B
DBE/ACDBE APPLICATION FOR EVALUATION OF GOOD FAITH EFFORT**



APPLICATION FOR EVALUATION OF GOOD FAITH EFFORT

PURSUANT TO

TITLE 49 CFR PARTS 23 AND 26

SOLICITATION NO.: _____

Please check one of the following to indicate the program goal on this solicitation: ACDBE DBE

PROJECT NAME: _____

ADDRESS: _____

TELEPHONE: _____ FAX: _____

The undersigned representative of the prime contractor affirms that his/her company has contacted Disadvantaged Business Enterprise (DBE)/ Airport Concessions Disadvantaged Business Enterprise (ACDBE) certified firms in good faith effort to meet the DBE or ACDBE goal for this solicitation but has not been able to meet the goal. Consistent with the requirements of Title 49 CFR Part 26, Appendix A, the prime contractor hereby submits documentation (attached to this form) of good faith efforts made and requests to be evaluated under these requirements.

The prime contractor understands that a determination of good faith effort to meet the contract goal is contingent on both the information provided by the prime contractor as an attachment to this application and the other factors listed in Appendix A, of Title 49 CFR Part 26, as those factors are applicable with respect to this solicitation. The prime contractor acknowledges that the determination of good faith effort is made by the Director of the Office of Economic and Small Business Development, as the Disadvantaged Business Enterprise Liaison Officer (DBELO), in keeping with federal requirements.

SIGNATURE: _____

PRINT NAME/ TITLE: _____

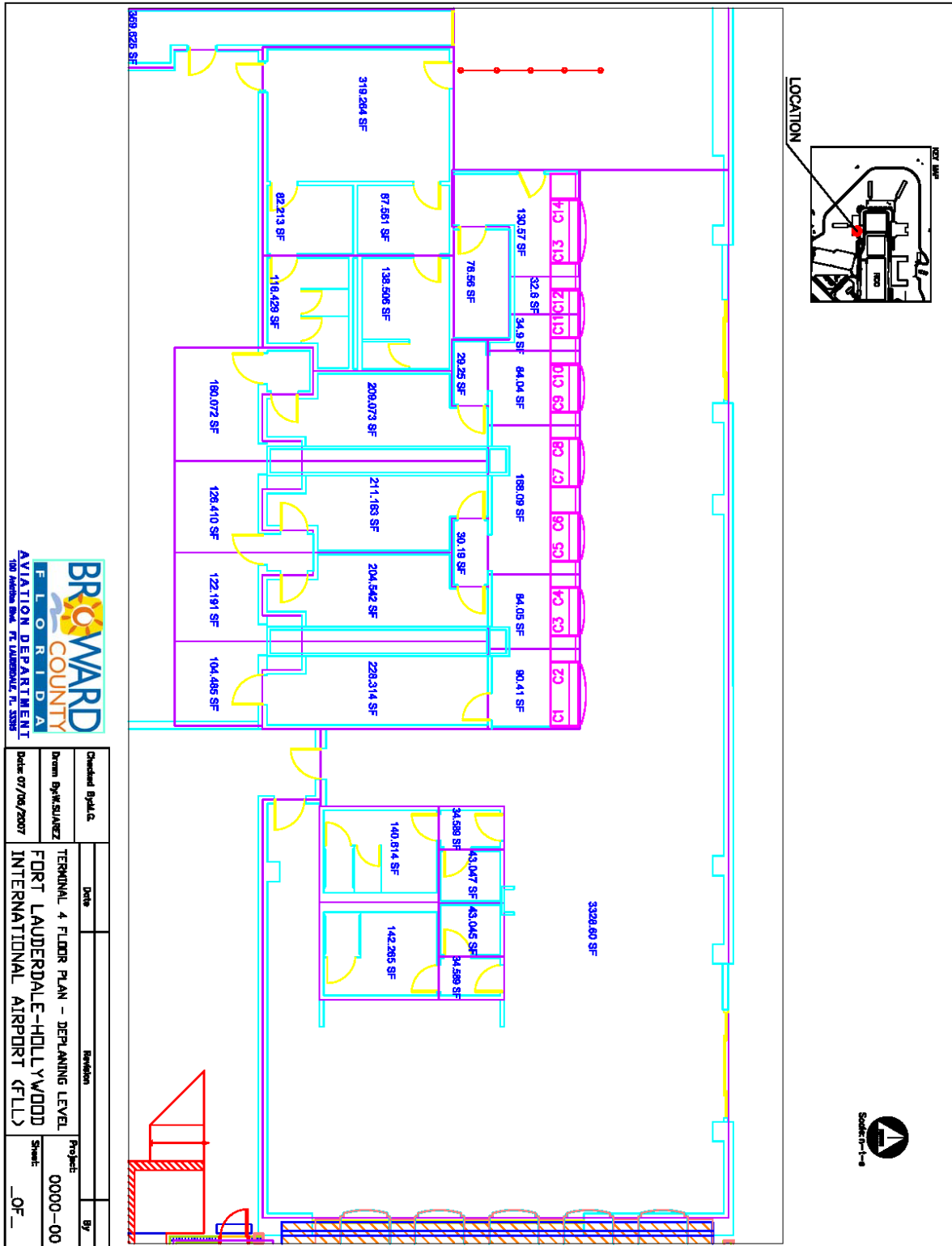
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**REQUEST FOR LETTERS OF INTEREST
RLI #20130523-0-AV-01
ADVERTISING AND DISPLAY CONCESSION
FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT**

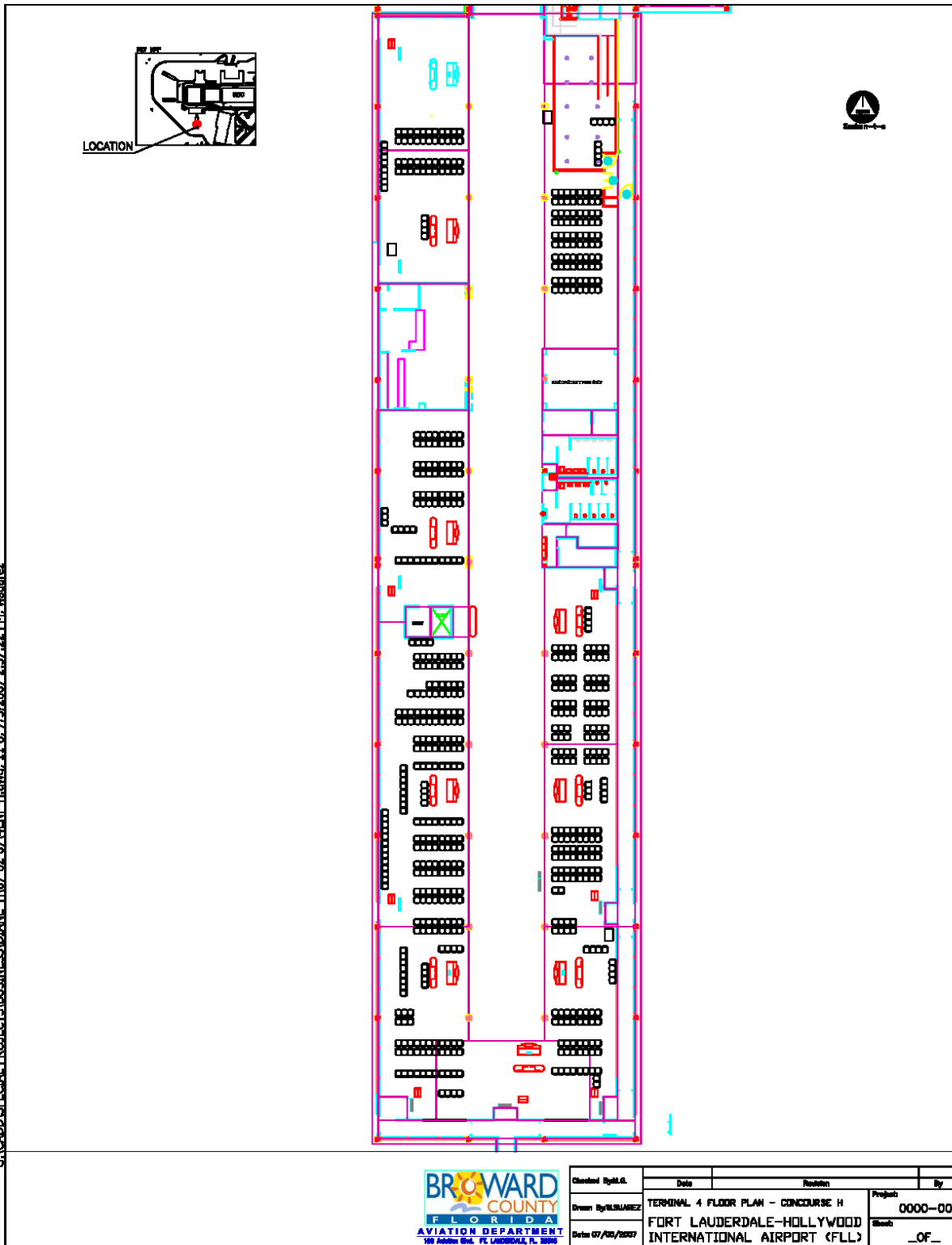
ATTACHMENT 4

PROPOSED LOCATION MAP

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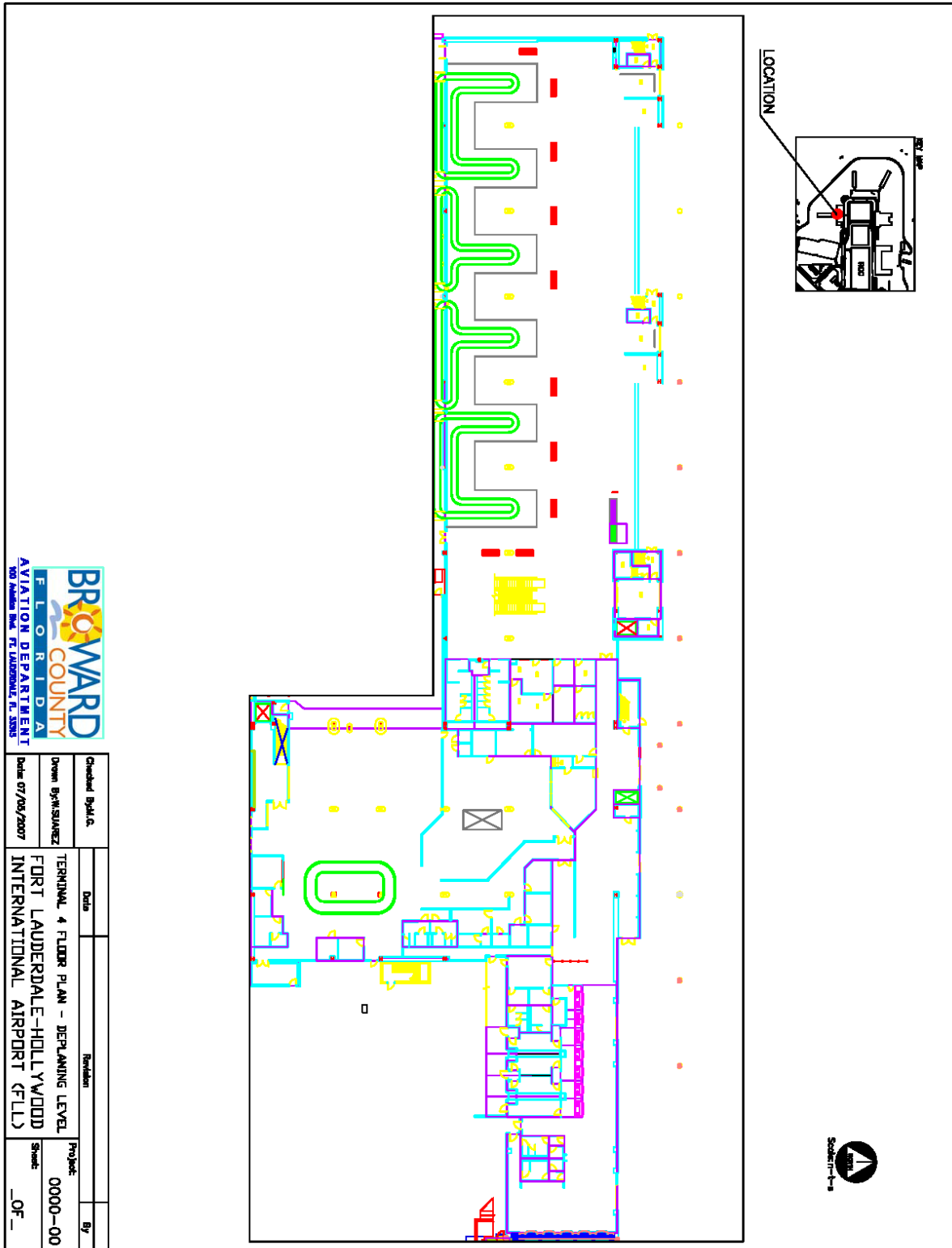


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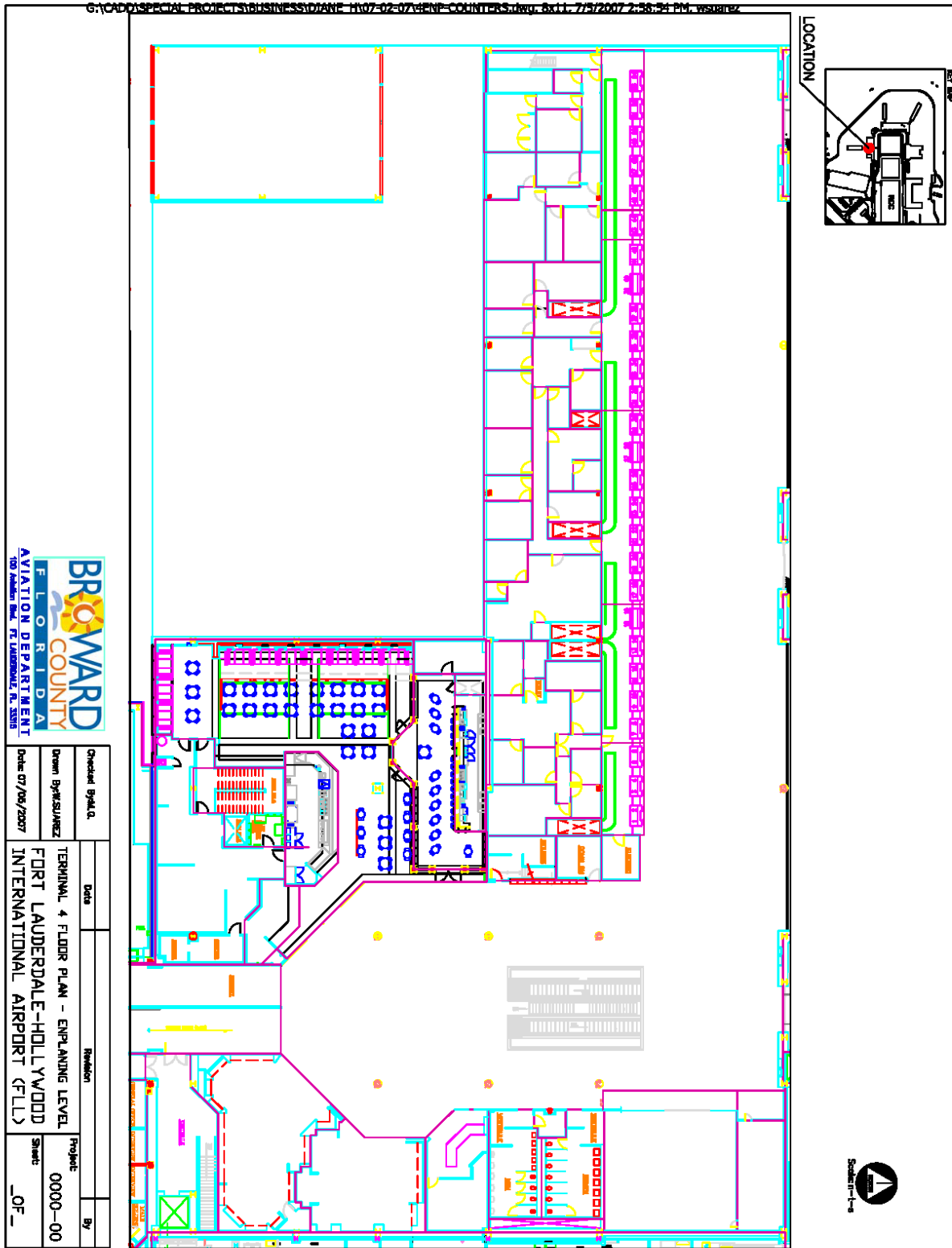


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Drawn By: WSURTEZ			
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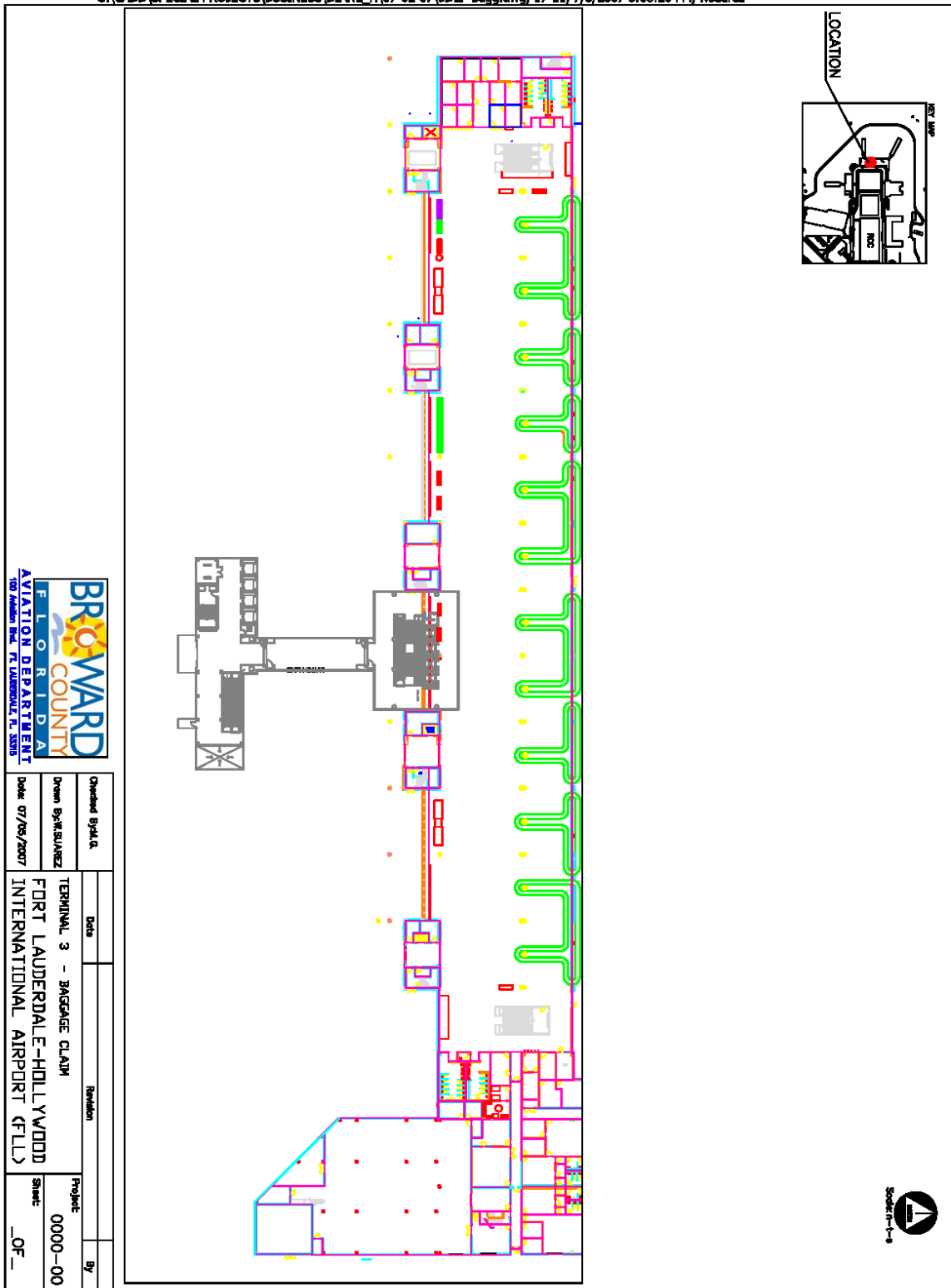
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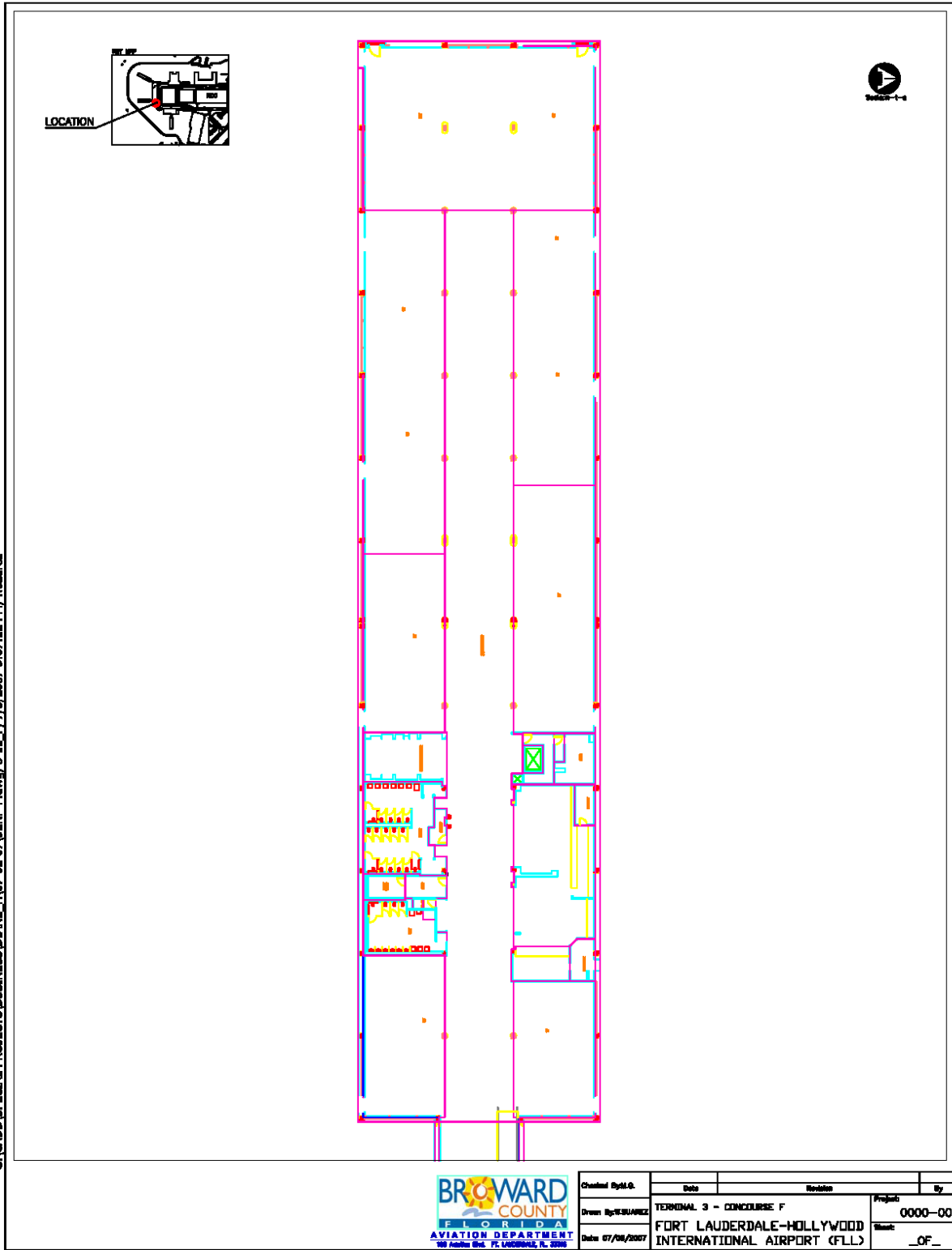


Checked By: D. B. SUAREZ
 Date: 07/05/2007

TERMINAL 3 - BAGGAGE CLAIM
 FORT LAUDERDALE-HOLLYWOOD
 INTERNATIONAL AIRPORT (FLL)

Project: 0000-00
 Sheet: 00 OF 00



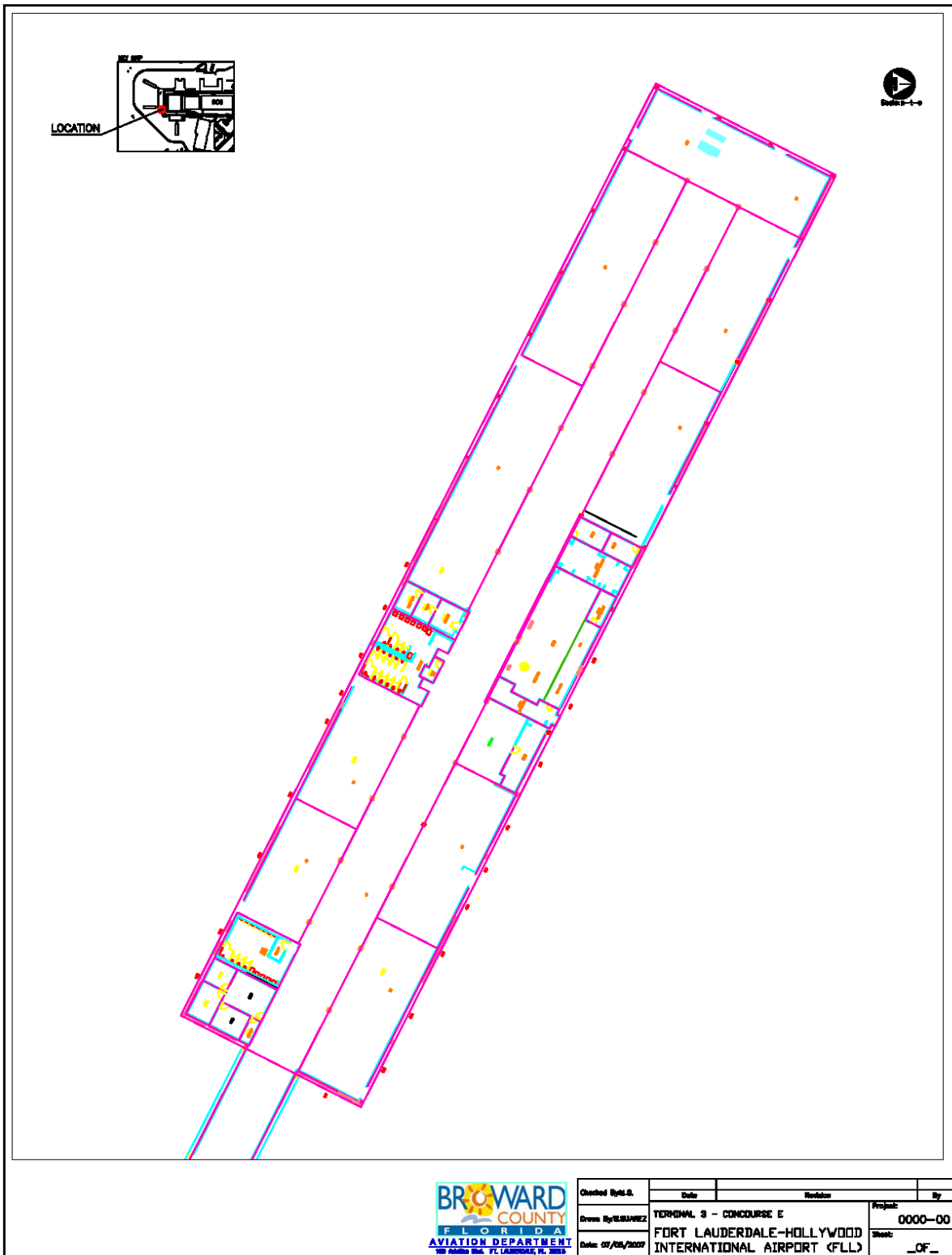


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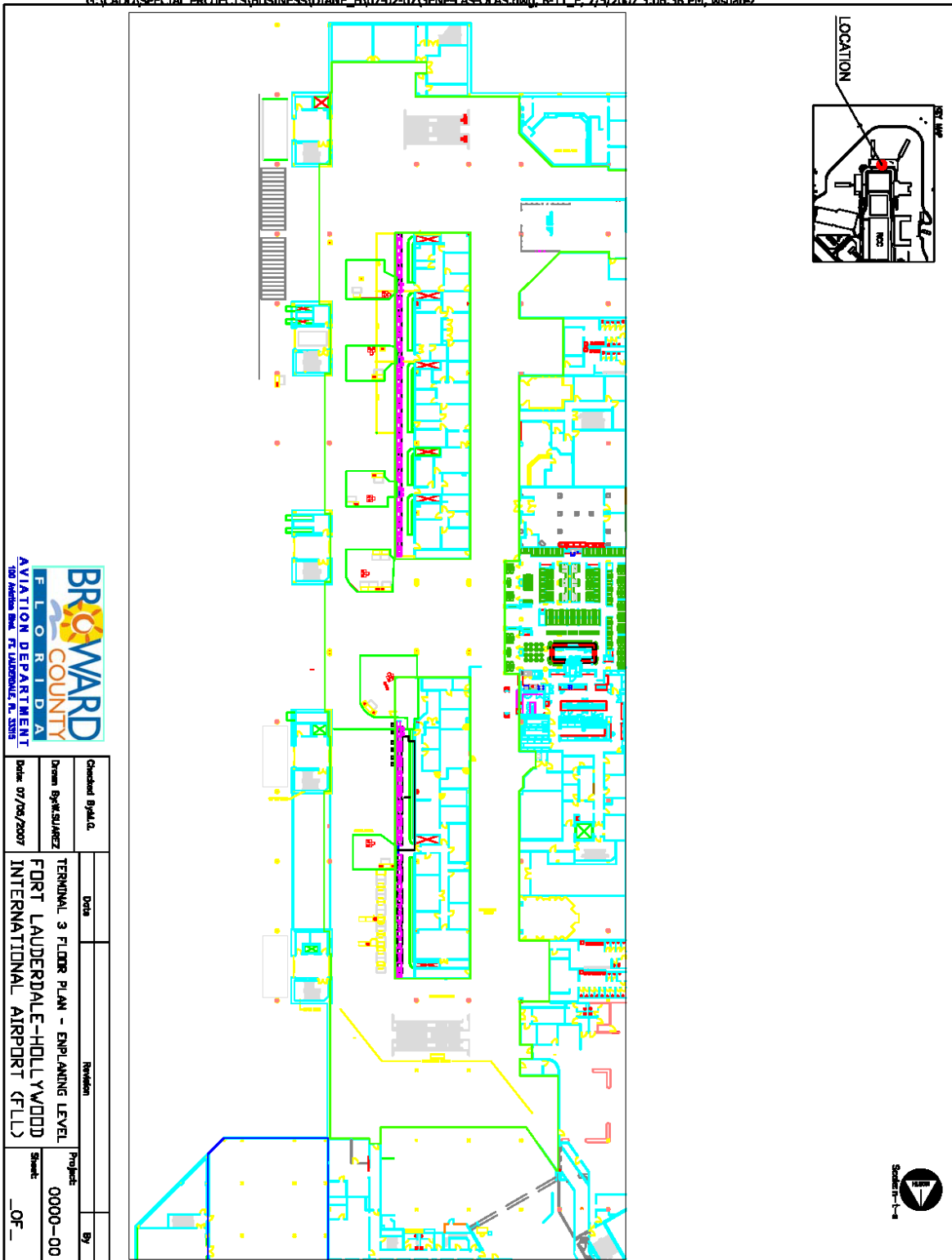
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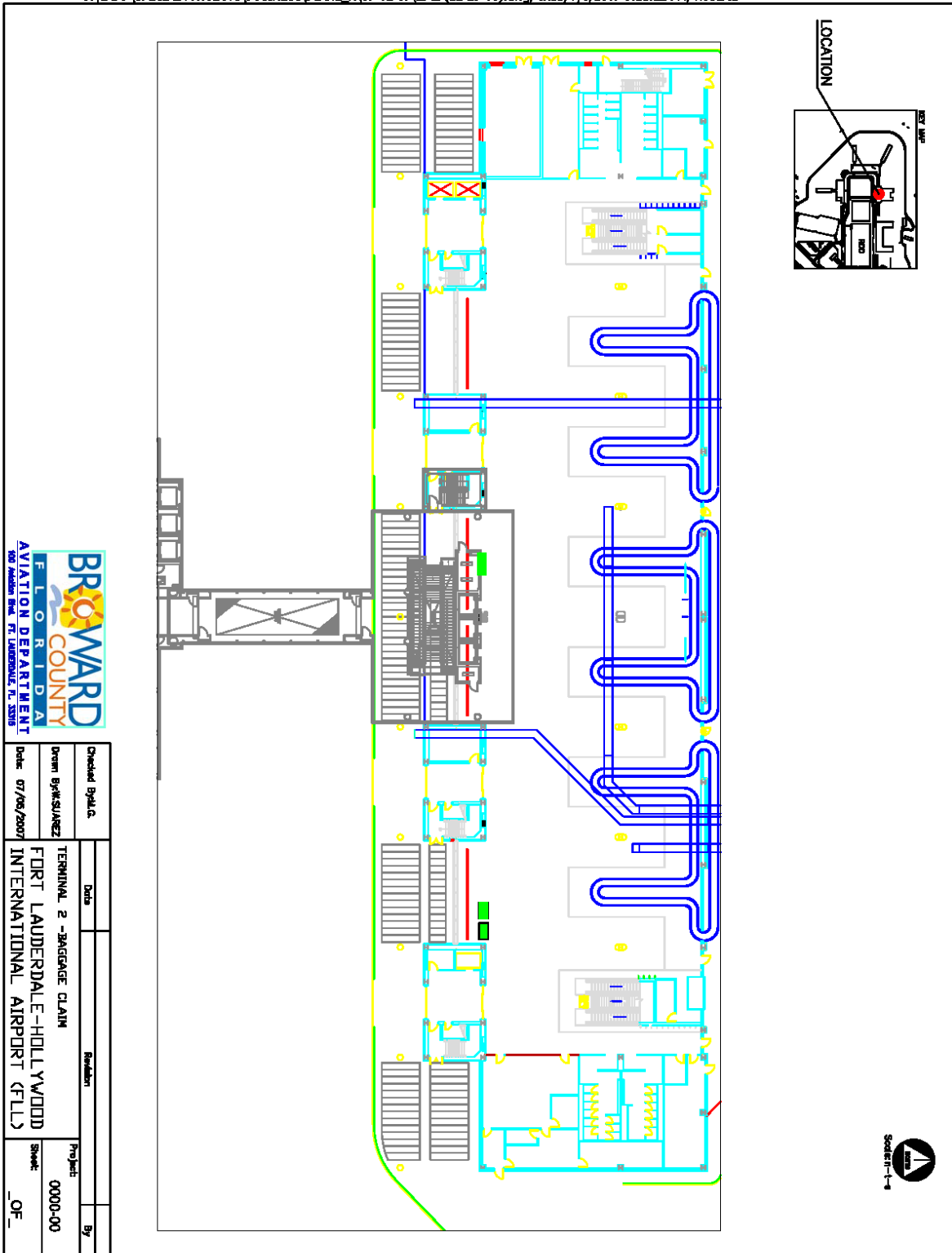
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Date: 07/08/2007	FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT (FLL)		Sheet: _OF_

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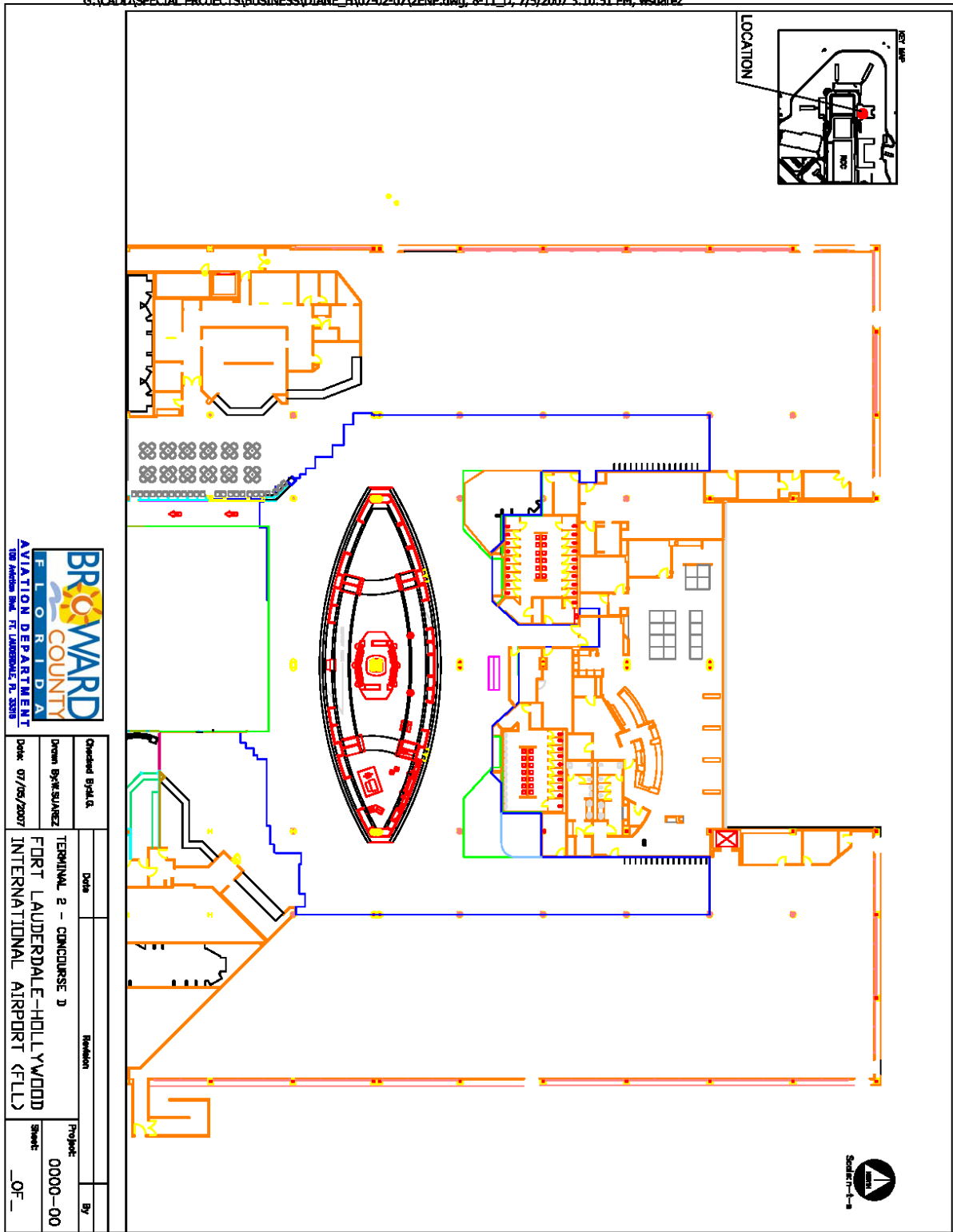
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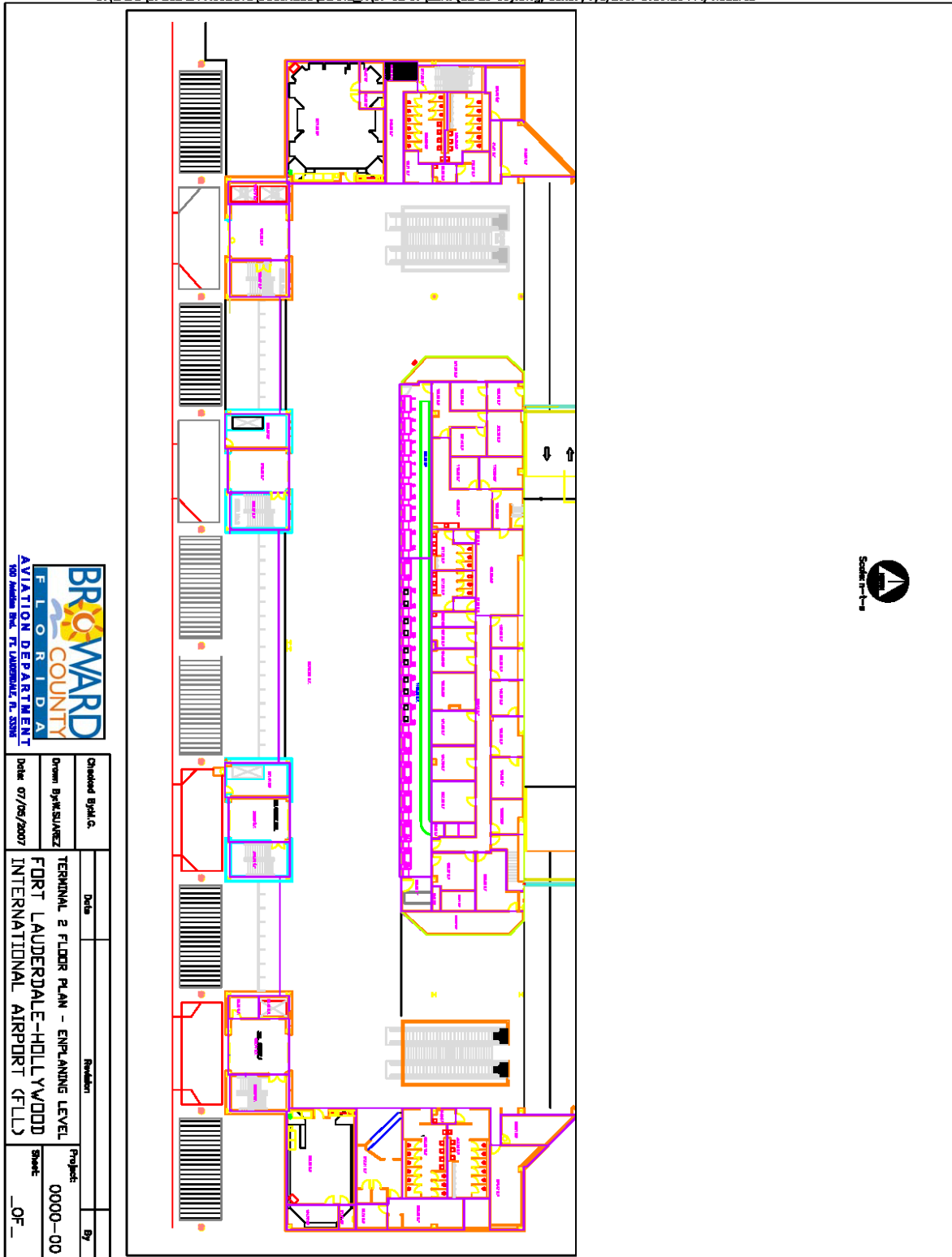
Checked By: Dora B. BYRNE-SWANEY	Date:	Revision:	Project:
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TERMINAL 2 - BAGGAGE CLAIM			Sheet: _OF_
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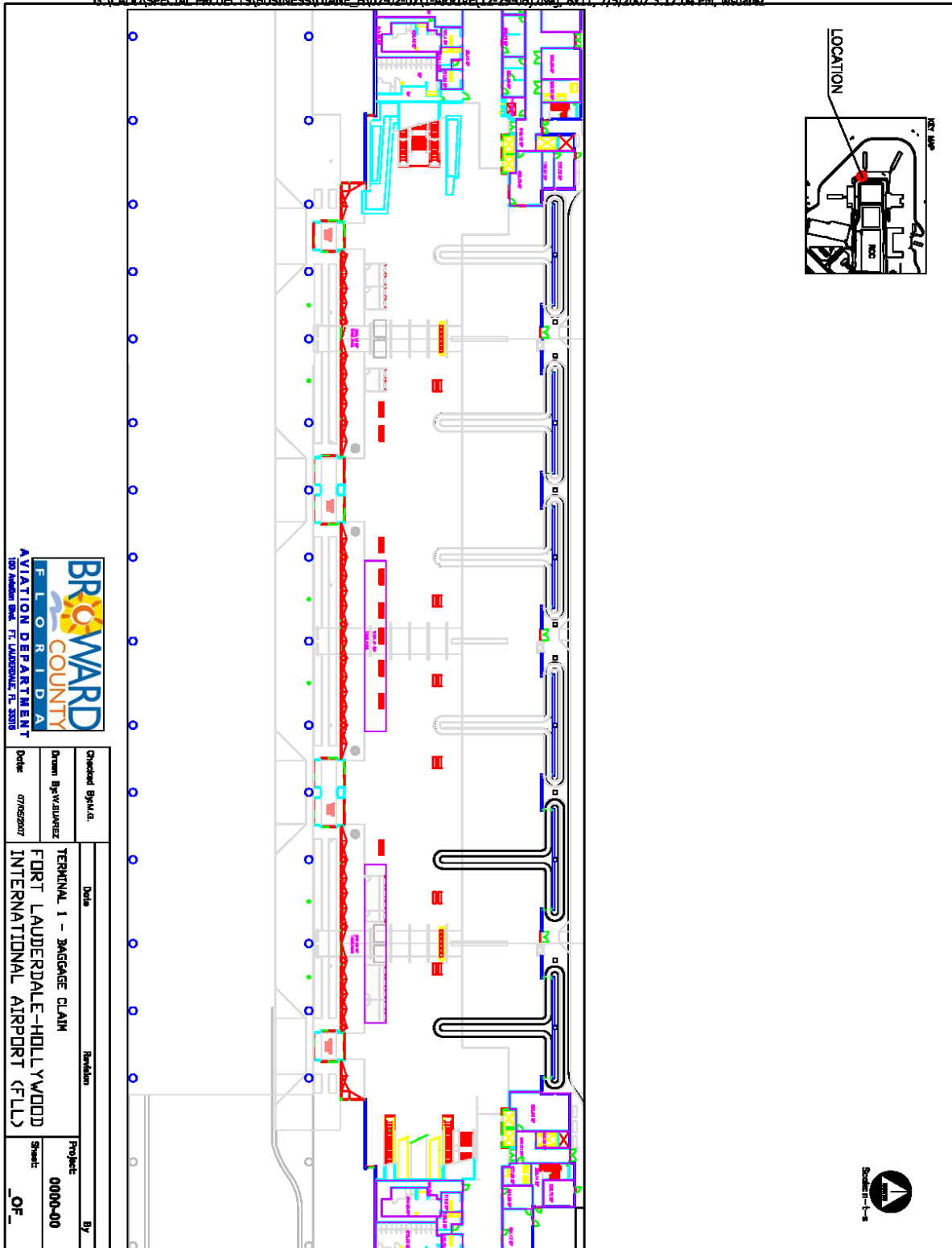


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Date: 07/05/2007				
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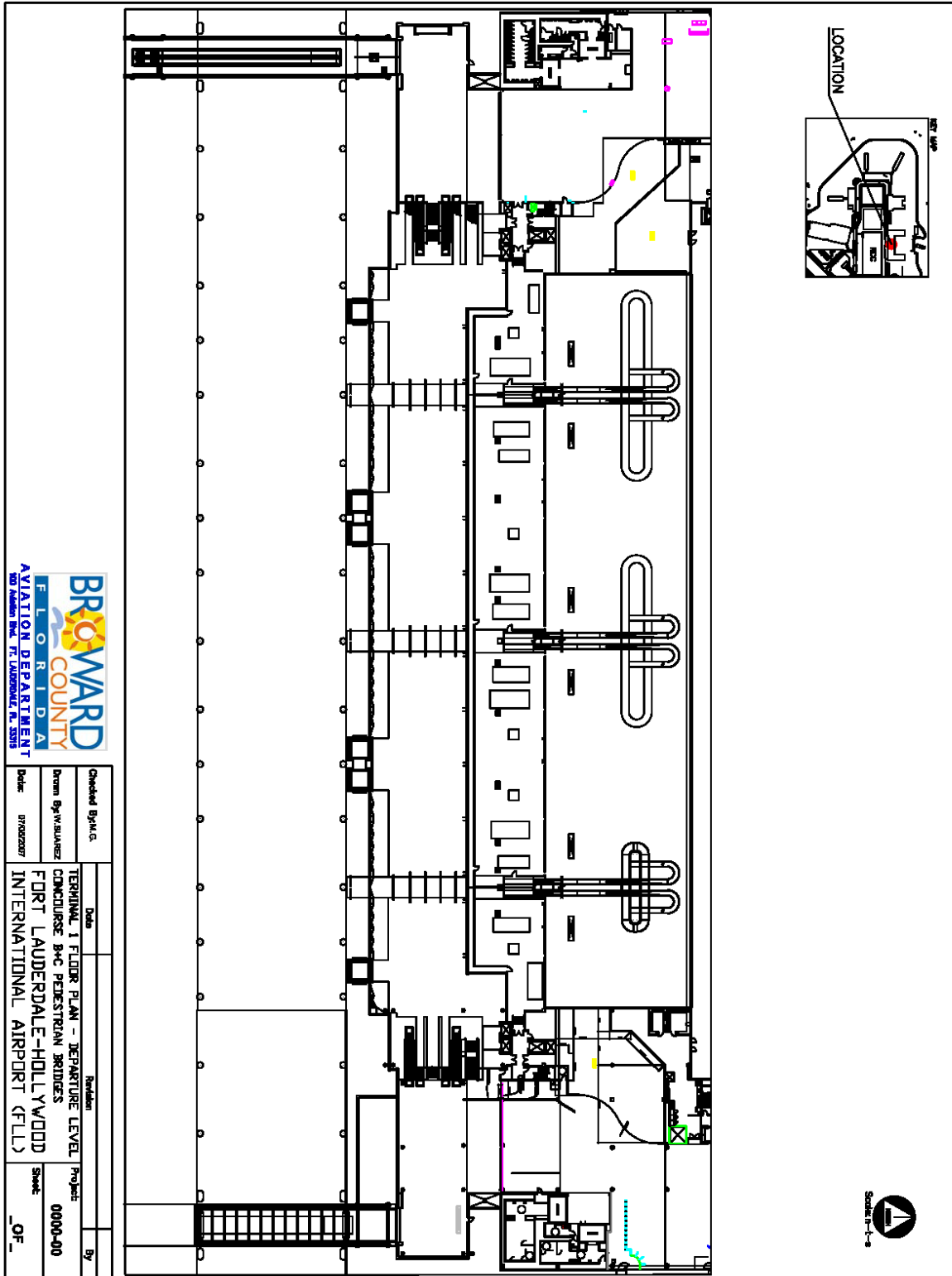


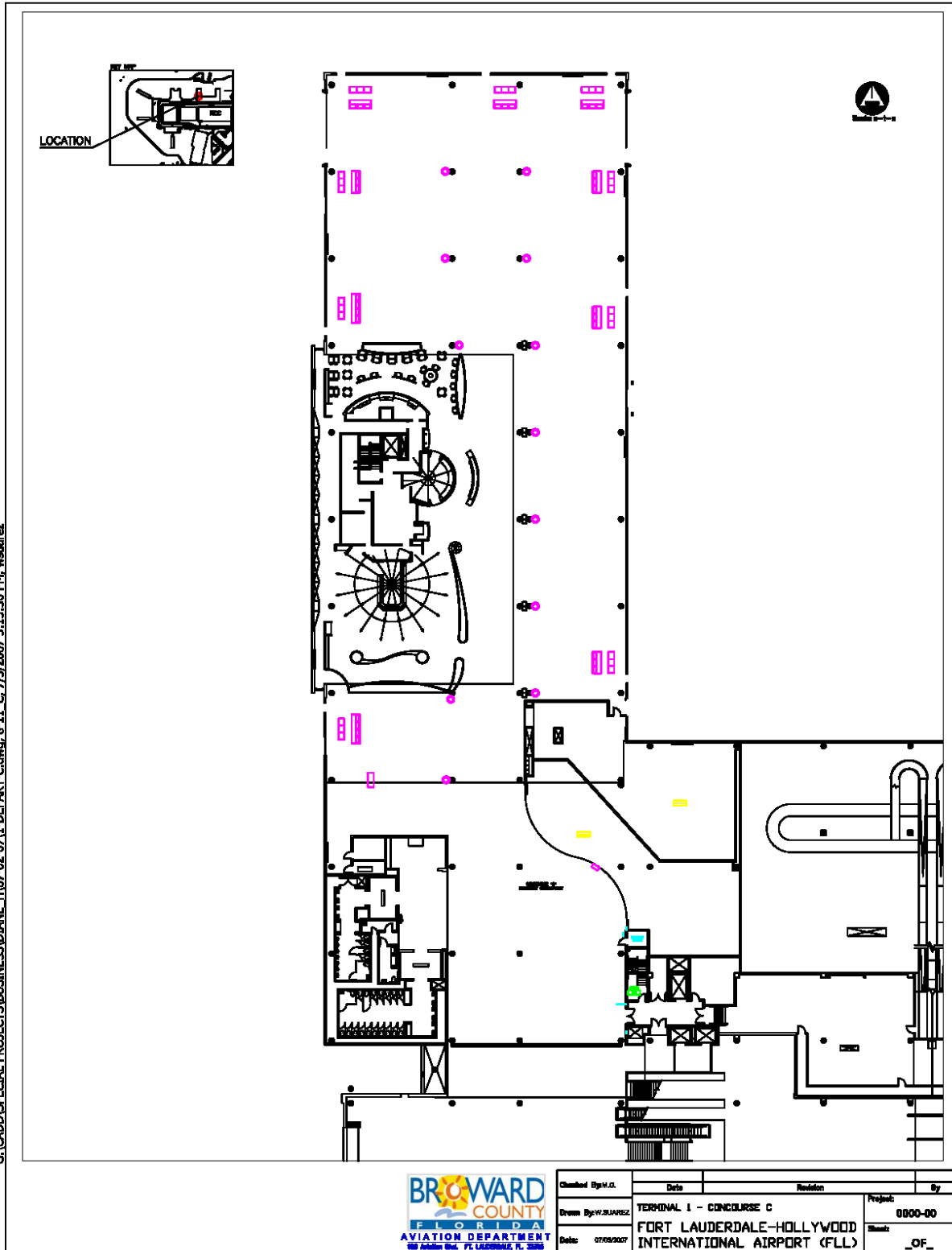
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Drawn By: W.SUAREZ	07/05/2007	TERMINAL 1 - BAGGAGE CLAIM	0000-00
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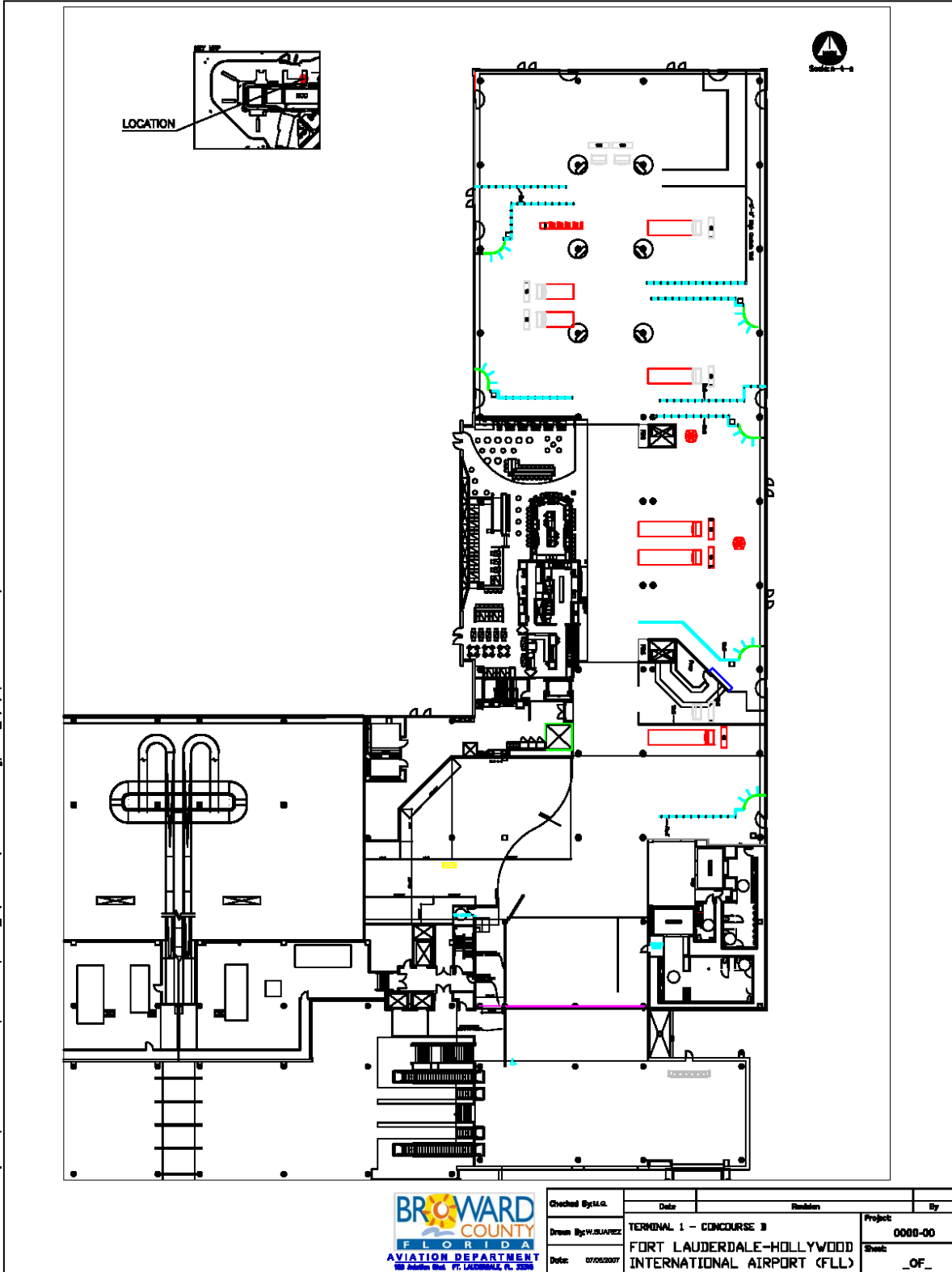




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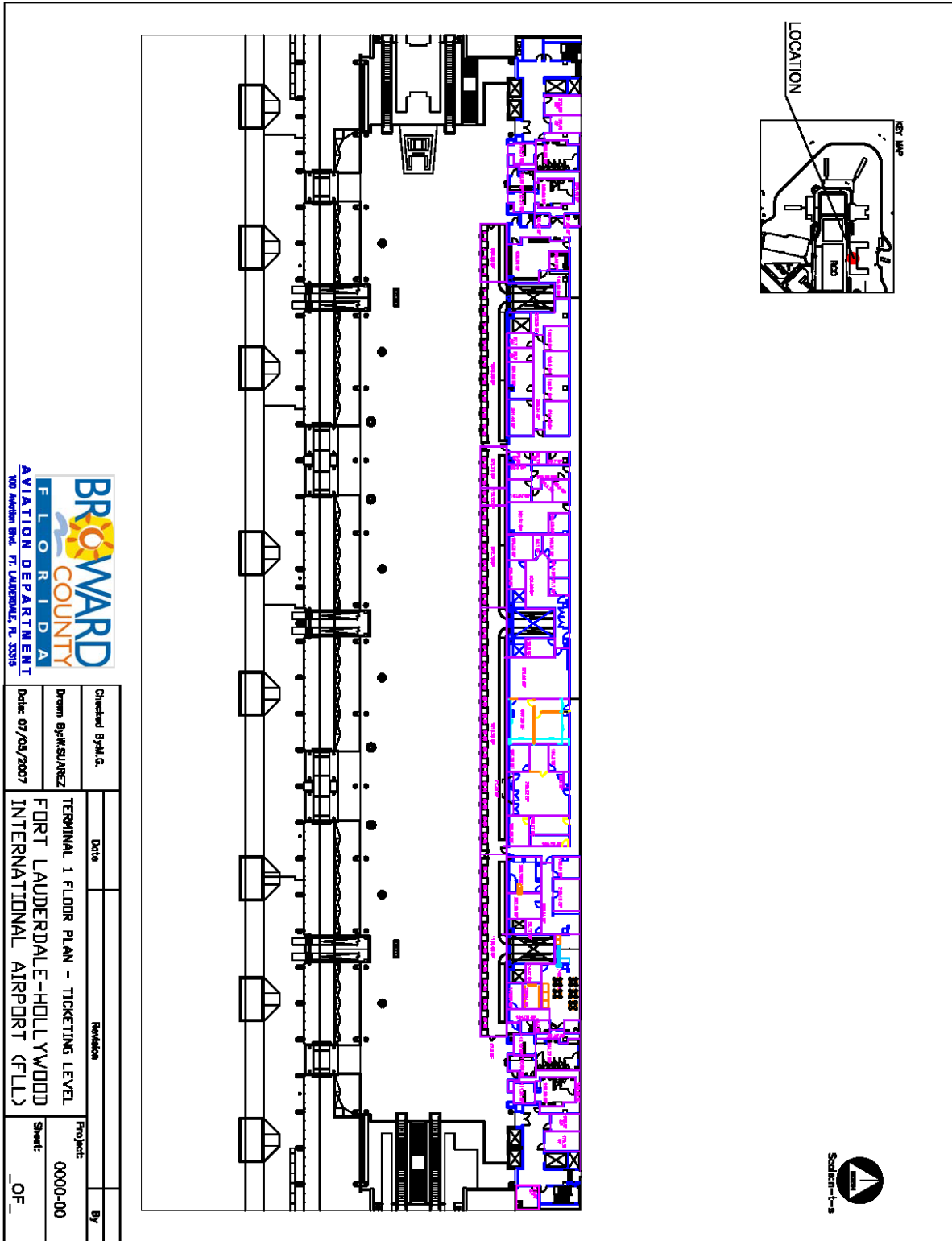


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Checked By: M.G.	Date	Revision	By
Drawn By: W.SLUAREZ		TERMINAL 1 - CONCOURSE B	Project: 0000-00
Date: 07/05/2007		FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT (FLL)	Sheet: _OF_

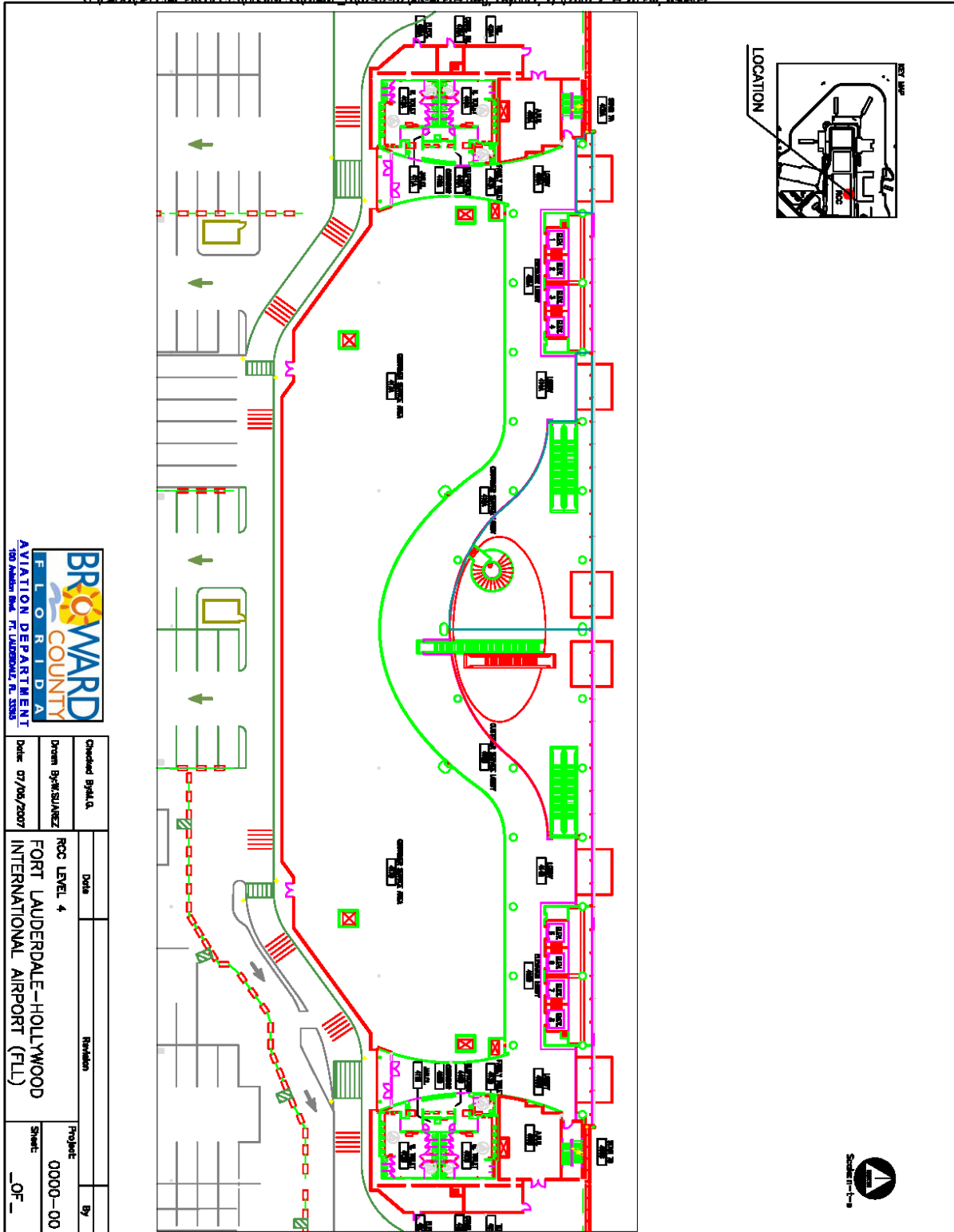
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Checked By: g.	Date	Revision	Project	By
Drawn By: K.SUAREZ			TERMINAL 1 FLOOR PLAN - TICKETING LEVEL	
Date: 07/09/2007			FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT (FLL)	
			Sheet: 0000-00	
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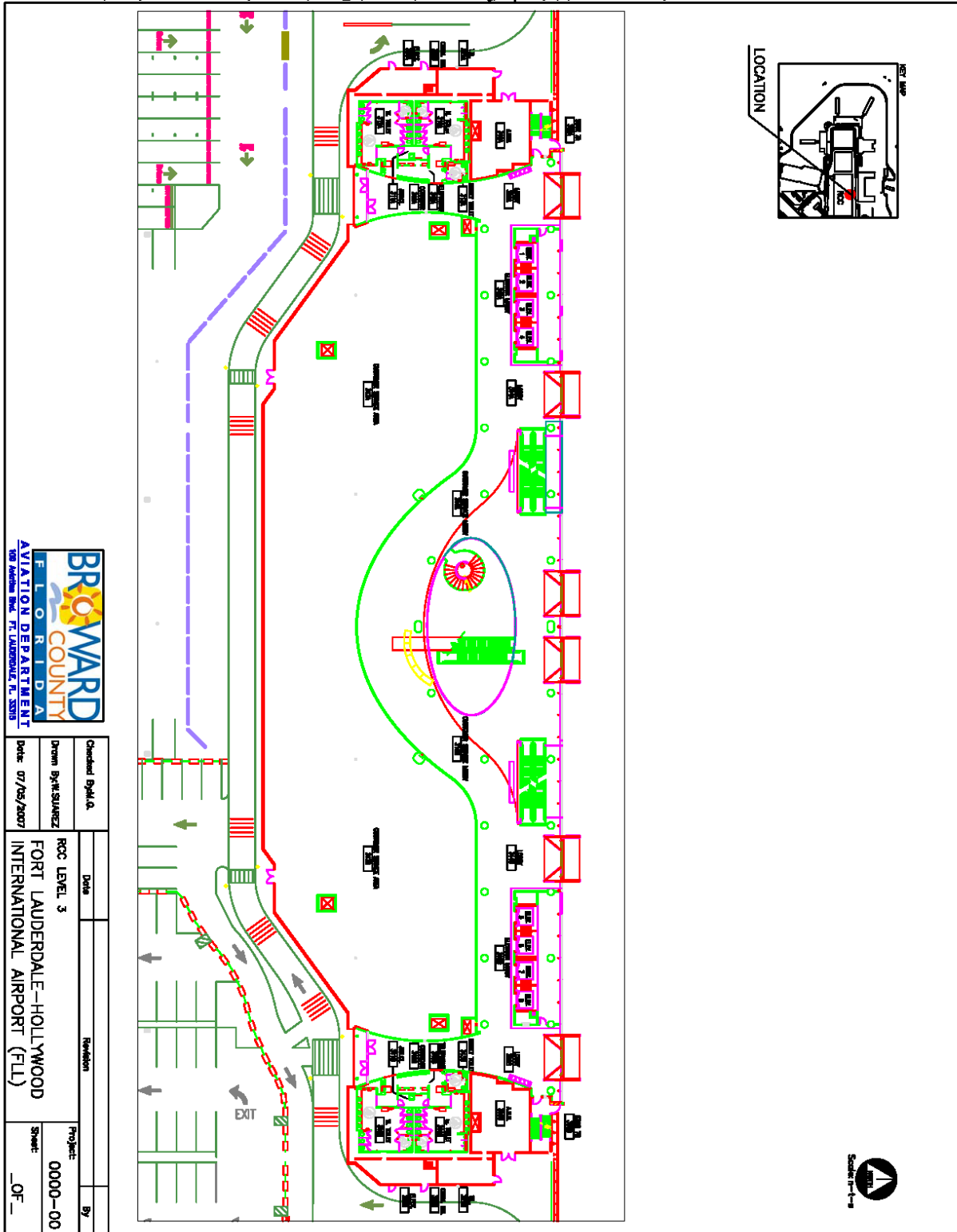


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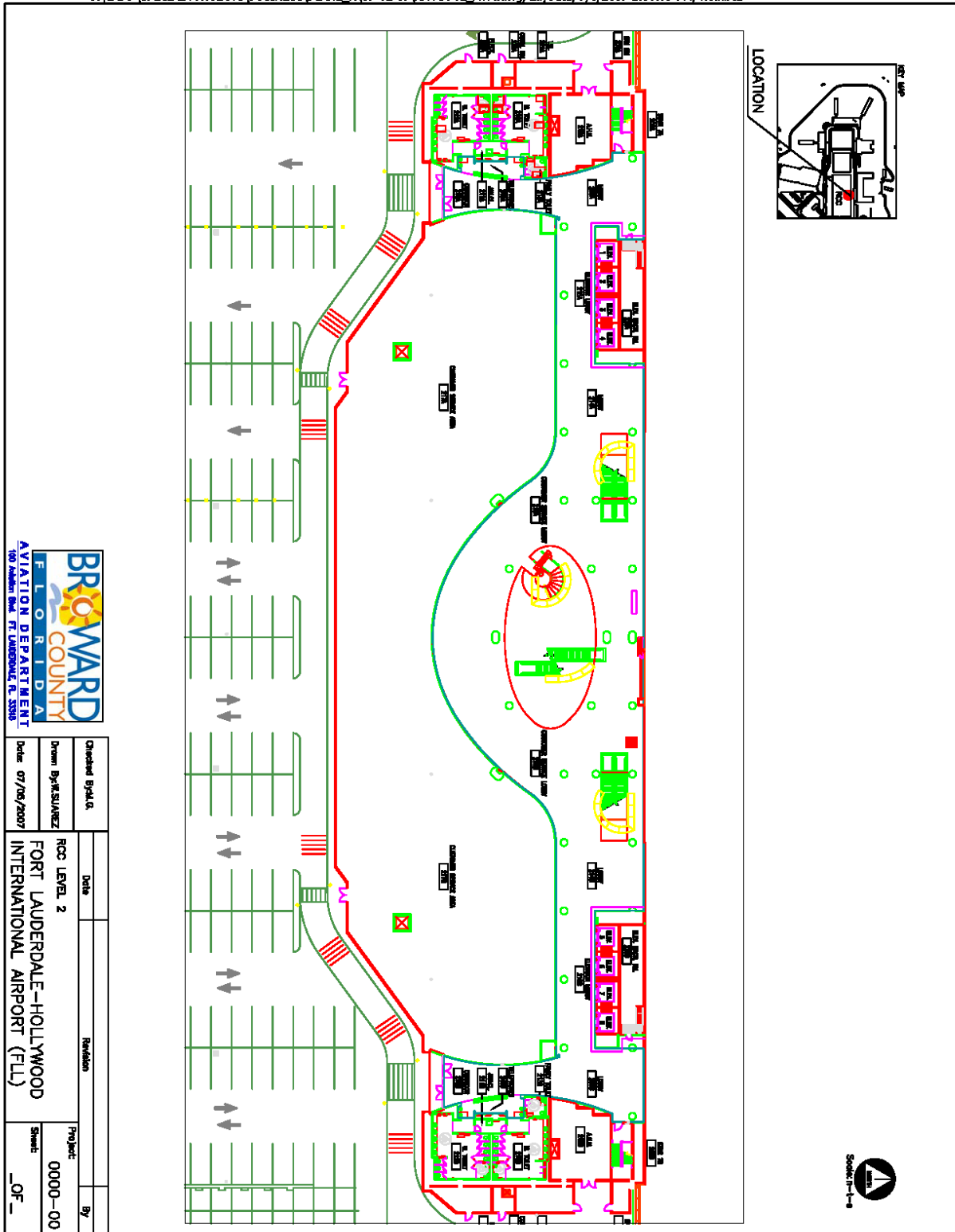


Checked By: BJA/LA	Date:	Revision:	Project:
Drawn By: BJA/SJW/EZ	Date: 07/05/2007		0000-00
FLL			Sheet: _OF_
FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT (FLL)			

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Checked By: BJA
 Drawn By: WSUAREZ
 Date: 07/06/2007

Date: _____
 Revision: _____
 Project: FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT (FL)

By: _____
 Project: 0000-00
 Sheet: _OF_

**REQUEST FOR LETTERS OF INTEREST
 RLI #20130523-0-AV-01
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ATTACHMENT 5 - INSURANCE REQUIREMENTS

Insurance Requirements for Airport Advertising for Concessions

The following coverages are deemed appropriate for minimum insurance requirements for this project and will be required of the selected firm and identified in the negotiated agreement. Any deviation or change during the contract negotiation period shall be approved by Risk Management.

TYPE OF INSURANCE	Limits on Liability in Thousands of Dollars		
		Each Occurrence	Aggregate
GENERAL LIABILITY <input checked="" type="checkbox"/> Commercial General Liability <input checked="" type="checkbox"/> Premises-Operations <input type="checkbox"/> Explosion & Collapse Hazard <input type="checkbox"/> Underground Hazard <input checked="" type="checkbox"/> Products/Completed Operations Hazard <input checked="" type="checkbox"/> Contractual Insurance <input checked="" type="checkbox"/> Broad Form Property Damage <input checked="" type="checkbox"/> Independent Contractors <input checked="" type="checkbox"/> Personal Injury <input checked="" type="checkbox"/> Advertising Injury	Bodily Injury		
	Property Damage		
	Bodily Injury and Property Damage Combined	\$1000k	\$1000k
	Personal Injury		
AUTO LIABILITY <input checked="" type="checkbox"/> Comprehensive Form <input checked="" type="checkbox"/> Owned <input checked="" type="checkbox"/> Hired <input checked="" type="checkbox"/> Non-owned <input checked="" type="checkbox"/> Any Auto If applicable	Bodily Injury (each person)		Broward County reserves the right to review and revise any insurance requirements at the time of contract renewal, not limited to the limits, coverages and endorsements based on insurance market conditions and/or changes in the scope of services.
	Bodily Injury (each accident)		
	Property Damage		
	Bodily Injury and Property Damage Combined	\$1000k non airside	
<input type="checkbox"/> POLLUTION & ENVIRONMENTAL LIABILITY (IF Applicable)	Max Ded \$50k	\$1000k	\$1000k
<input checked="" type="checkbox"/> WORKER'S COMPENSATION AND EMPLOYER'S LIABILITY (NOTE *)	<input checked="" type="checkbox"/> STATUTORY		
		(each accident)	\$500K MIN
<input type="checkbox"/> PROFESSIONAL LIABILITY ~ E&O	Max. Ded. \$		\$
<input checked="" type="checkbox"/> PROPERTY COVERAGE / ALL RISK	Max. Ded. Shall not exceed 10% of value		Replacement Cost
<input type="checkbox"/> PROPERTY COVERAGE, BUILDERS OR INSTALLATION FLOATER. Subject to waiver based on type and nature of project. If project greater than \$50k – installation floater required for replacement of material, equipment, installation. All risk, agreed value.	Maximum Deductible	\$ 10K	Agreed value
	Each Claim	Vendor Responsible for Deductible	
Contractor responsible for all tools, materials, equipment, machinery, etc., until completion and acceptance by County.			
Description of Operations/Locations/Vehicles Certificate must show on general liability and excess liability Additional Insured: Broward County. Also when applicable certificate should show B.C. as a named insured for property and builders risk and as a loss payee for installation floater when coverage's are required. Certificate Must be Signed and All applicable Deductibles shown. CONTRACTOR RESPONSIBLE FOR ALL DEDUCTIBLES UNLESS OTHERWISE STATED. Indicate bid number, RLI,RFP, and project manager on COI.			

NOTE * - If the Company is exempt from Workers' Compensation Coverage, please provide a letter on company letterhead or a copy of the State's exemption which documents this status and attaché to the Certificate of Insurance for approval. If any operations are to be undertaken on or about navigable waters, coverage must be included for U.S. Longshoremen & Harbor Workers' Act/ & Jones Act

CANCELLATION: Thirty (30) Day written notice of cancellation required to the Certificate Holder:

Name & Address of Certificate Holder
 Broward County
 2200 SW 45th Street, Suite 101
 Dania Beach, FL 33312
 RE: (D. Harris, BCAD)


 Digitally signed by Dawn Mehler
 DN: cn=Dawn Mehler, o=Broward County, ou=Aviation Department, email=dmebler@broward.org, c=US
 Date: 2013.05.22 15:49:18 -0400
 Dawn Mehler
 Aviation Department
 Risk Insurance and Contracts Manager
 Date Issued 5/22/13

InsuranceLimitsForm 03 Revised certificateofinsrevised2005.DOC COI



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ATTACHMENT 6

DRUG FREE WORKPLACE POLICY CERTIFICATION

THE UNDERSIGNED RESPONDENT HEREBY CERTIFIES THAT:

1. _____ THE RESPONDENT HAS A DRUG FREE WORKPLACE POLICY AS IDENTIFIED IN THE COMPANY POLICY ATTACHED TO THIS CERTIFICATION.

AND/OR

2. _____ THE RESPONDENT HAS A DRUG FREE WORKPLACE POLICY THAT IS IN COMPLIANCE WITH SECTION 287.087 OF THE FLORIDA STATUTES.

AND/OR

3. _____ THE RESPONDENT HAS A DRUG FREE WORKPLACE POLICY THAT IS IN COMPLIANCE WITH THE BROWARD COUNTY DOMESTIC PARTNERSHIP ACT OF 1999, BROWARD COUNTY ORDINANCE # 1999-03, AS AMENDED, AND OUTLINED AS FOLLOWS:

- (a) Publishing a statement notifying its employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Respondent's workplace, and specifying the actions that will be taken against employees for violations of such prohibition;
- (b) Establishing a continuing drug-free awareness program to inform its employees about:
 - (i)The dangers of drug abuse in the workplace;
 - (ii)The Respondent's policy of maintaining a drug-free workplace;
 - (iii)Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (iv)The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Giving all employees engaged in performance of the contract a copy of the statement required by subparagraph (a);
- (d) Notifying all employees, in writing, of the statement required by subparagraph (a), that as a condition of employment on a covered contract, the employee shall:
 - (i)Abide by the terms of the statement; and
 - (ii)Notify the employer in writing of the employee's conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893, Florida Statutes, or of any controlled substance law of the United States or of any state, for a violation occurring in the workplace NO later than five (5) days after such conviction.
- (e) Notifying Broward County government in writing within 10 calendar days after receiving notice under subdivision (d) (ii) above, from an employee or otherwise receiving actual notice of such conviction. The notice shall include the position title of the employee;
- (f) Within 30 calendar days after receiving notice under subparagraph (d) of a conviction, taking one of the following actions with respect to an employee who is convicted of a drug abuse violation occurring in the workplace:
 - (i)Taking appropriate personnel action against such employee, up to and including termination; or
 - (ii)Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to maintain a drug-free workplace program through implementation of subparagraphs (a) through (f).

OR

4. _____ THE RESPONDENT DOES NOT CURRENTLY HAVE A DRUG FREE WORKPLACE POLICY BUT IS WILLING TO COMPLY WITH THE REQUIREMENTS AS SPECIFIED IN NO. 3

(RESPONDENT SIGNATURE)

(PRINT RESPONDENT NAME)

STATE OF _____

COUNTY OF _____

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

_____ as _____ of
(Name of person who's signature is being notarized) (Title)

_____ known to me to be the person described herein, or who produced
(Name of Corporation/Company)

_____ as identification, and who did/did not take an oath.
(Type of Identification)

NOTARY PUBLIC:

_____ My commission expires: _____
(Signature) (Print Name)



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Attachment 7

Scrutinized Companies List Certification

This certification form should be completed and submitted with your proposal but must be completed and submitted prior to award.

The Respondent, by virtue of the signature below, certifies that:

- a. The Respondent, owners, or principals are aware of the requirements of Section 287.135, Florida Statutes, regarding Companies on the Scrutinized Companies with Activities in Sudan List or on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List; and
- b. The Respondent, owners, or principals, are eligible to participate in this solicitation and not listed on either the Scrutinized Companies with Activities in Sudan List or on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List; and
- c. If awarded the Contract, the Respondent, owners, or principals will immediately notify the COUNTY in writing if any of its principals are placed on the Scrutinized Companies with Activities in Sudan List or on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List.

(Authorized Signature)

(Print Name and Title)

(Name of Firm)

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____ (name of person whose signature is being notarized) as _____ (title) of _____ (name of corporation/entity), known to me to be the person described herein, or who produced _____ (type of identification) as identification, and who did/did not take an oath.

NOTARY PUBLIC:

(Signature)

State of _____ at Large (SEAL)



(Print name)

My commission expires:

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ATTACHMENT 8

Non-Collusion Statement Form

By signing this offer, the Respondent certifies that this offer is made independently and free from collusion. Respondent shall disclose below, to their best knowledge, any Broward County officer or employee, or any relative of any such officer or employee as defined in Section 112.3135 (1) (c), Fla. Stat. (1989), who is an officer or director of, or has a material interest in, the Respondent's business, who is in a position to influence this procurement. Any Broward County officer or employee who has any input into the writing of specifications or requirements, solicitation of offers, decision to award, evaluation of offers, or any other activity pertinent to this procurement is presumed, for purposes hereof, to be in a position to influence this procurement. For purposes hereof, a person has a material interest if they directly or indirectly own more than 5 percent of the total assets or capital stock of any business entity, or if they otherwise stand to personally gain if the contract is awarded to this Respondent.

Failure of a Respondent to disclose any relationship described herein shall be reason for debarment in accordance with the provisions of the Broward County Procurement Code.

<u>NAME</u>	<u>RELATIONSHIP</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

	(Respondent Signature)

	(Print Respondent Name)



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ATTACHMENT 9

Cone of Silence Certification

In the event the Respondent does not indicate any names, the County shall interpret this to mean that the Respondent has indicated that no such relationships exist.

(Form is to be signed even if no names are listed)

The undersigned Respondent hereby certifies that:

1. _____ the Respondent has read Broward County's Cone of Silence Ordinance, Section 1-266, Article xiii, Chapter 1 as revised of the Broward County Code; and
2. _____ the Respondent understands that the Cone of Silence for this competitive solicitation shall be in effect beginning upon the appointment of the Evaluation Committee (for Requests for Proposals - RFPs) or Selection Committee (for Request for Letters of Interest - RLIs) for communication regarding this RFP/RLI with the County Administrator, Deputy and Assistants to the County Administrator and their respective support staff or any person, including Evaluation or Selection Committee members, appointed to evaluate or recommend selection in this RFP/RLI process. For Communication with County Commissioners and Commission staff, the Cone of Silence allows communication until the initial Evaluation or Selection Committee Meeting.
3. _____ the Respondent agrees to comply with the requirements of the Cone of Silence Ordinance.

(Respondent Signature)

(Print Respondent Name)

STATE OF _____

COUNTY OF _____

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

_____ as _____
of (Name of person who's signature is being notarized) (Title)

_____ known to me to be the person described
herein, or who produced (Name of Corporation/Company)

_____ as identification, and who did/did not take
an oath. (Type of Identification)

NOTARY PUBLIC:

(Signature)

(Print Name)

My commission expires: _____



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ATTACHMENT 10

Lobbyist Registration – Certification

This certification form should be completed and submitted with your proposal. If not included with the RLI submittal at the time of the RLI opening deadline, the Lobbyist Certification Form must be completed and returned by a date and time certain established by the County.

The Respondent, by virtue of the signature below, certifies that:

- a. It understands if it has retained a lobbyist(s) to lobby in connection with a competitive solicitation, it shall be deemed non-responsive unless the firm, in responding to the competitive solicitation, certifies that each lobbyist retained has timely filed the registration or amended registration required under Section 1-262, Broward County Code of Ordinances; and
- b. It understands that if, after awarding a contract in connection with the solicitation, the County learns that the certification was erroneous, and upon investigation determines that the error was willful or intentional on the part of the Respondent, the County may, on that basis, exercise any contractual right to terminate the contract for convenience.

Based upon these understandings, the Respondent further certifies that: (Check One)

- 1. _____ It has not retained a lobbyist(s) to lobby in connection with this competitive solicitation.
- 2. _____ It has retained a lobbyist(s) to lobby in connection with this competitive solicitation and certified that each lobbyist retained has timely filed the registration or amended registration required under Section 1-262, Broward County Code of Ordinances.

(Respondent Signature)

(Print Respondent Name)

STATE OF _____

COUNTY OF _____

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

_____ as _____ of
(Name of person who's signature is being notarized) (Title)

_____ known to me to be the person described herein, or who produced
(Name of Corporation/Company)

_____ as identification, and who did/did not take an oath.
(Type of Identification)

NOTARY PUBLIC:

_____ My commission expires: _____
(Signature)

(Print Name)



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**ATTACHMENT 11
LITIGATION HISTORY**

RLI#: _____ MATERIAL CASE SYNOPSIS	<input type="checkbox"/> Vendor : _____ <input type="checkbox"/> Vendor's Parent Company: _____ <input type="checkbox"/> Vendor's Subsidiary Company: _____ <input type="checkbox"/> Vendor's Predecessor Organization: _____
Party	Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/>
Case Name	
Case Number	
Date Filed	
Name of Court or other tribunal	
Type of Case	Civil <input type="checkbox"/> Administrative/Regulatory <input type="checkbox"/> Criminal <input type="checkbox"/> Bankruptcy <input type="checkbox"/>
Claim or Cause of Action and Brief description of each Count	
Brief description of the Subject Matter and Project Involved	
Disposition of Case <small>(Attach copy of any applicable Judgment, Settlement Agreement and Satisfaction of Judgment.)</small>	Pending <input type="checkbox"/> Settled <input type="checkbox"/> Dismissed <input type="checkbox"/> Judgment Vendor's Favor <input type="checkbox"/> Judgment Against Vendor <input type="checkbox"/> If Judgment Against, is Judgment Satisfied? Yes <input type="checkbox"/> No <input type="checkbox"/>
Opposing Counsel	Name: Email: Phone number:



NAME OF COMPANY: _____

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**ATTACHMENT 12
VENDOR'S LIST**

(Non-Certified Subcontractors and Suppliers Information)

THIS FORM SHOULD BE SUBMITTED WITH THE RLI/RFP; HOWEVER, IT MUST BE SUBMITTED WITHIN 5 CALENDAR DAYS OF COUNTY'S REQUEST.

Provide this information for any sub vendor(s) who will provide a service to the County for this solicitation. This includes major suppliers as well.

-
1. Firm's Name: _____
 2. Firm's Address: _____
 3. Firm's Telephone Number: _____ Firm's Email Address: _____
 4. Contact Name and Position: _____
 5. Alternate Contact Name and Position: _____
 6. Alternate Contact Telephone Number: _____ Email Address: _____
 7. Bid/Proposal Number: _____ Contracted Amount: _____
 8. Type of Work/Supplies Bid: _____ Award Date: _____
1. Firm's Name: _____
 2. Firm's Address: _____
 3. Firm's Telephone Number: _____ Firm's Email Address: _____
 4. Contact Name and Position: _____
 5. Alternate Contact Name and Position: _____
 6. Alternate Contact Telephone Number: _____ Email Address: _____
 7. Bid/Proposal Number: _____ Contracted Amount: _____
 8. Type of Work/Supplies Bid: _____ Award Date: _____

I certify that the information submitted in this report is in fact true and correct to the best of my knowledge

Signature	Title	Date
-----------	-------	------

Note: the information provided herein is subject to verification by the Purchasing Division. Use additional sheets for more subcontractors or suppliers as necessary.

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ATTACHMENT 13

TERMINAL ENPLANEMENT HISTORY

The following are enplaned passenger count by Concourse for the past five (5) years and Year to Date:

Terminal 1, Concourse B:

	Enplanements
January 1, 2013 through April 30, 2013	722,177
Calendar Year 2012	1,952,153
Calendar Year 2011	2,011,172
Calendar Year 2010	1,868,003
Calendar Year 2009	2,157,425
Calendar Year 2008	2,237,300

Terminal 1, Concourse C:

	Enplanements
January 1, 2013 through April 30, 2013	700,479
Calendar Year 2012	1,677,884
Calendar Year 2011	1,354,052
Calendar Year 2010	1,006,742
Calendar Year 2009	1,308,848
Calendar Year 2008	2,072,580

Note: The highlighted enplanement number was due to the relocation of JetBlue to Terminal 3 Concourse F.

Terminal 2, Concourse D:

	Enplanements
January 1, 2013 through April 30, 2013	698,416
Calendar Year 2012	1,817,380
Calendar Year 2011	1,810,512
Calendar Year 2010	1,889,339
Calendar Year 2009	1,664,751
Calendar Year 2008	1,716,087

Terminal 3, Concourse E:

	Enplanements
January 1, 2013 through April 30, 2013	578,154
Calendar Year 2012	1,606,506
Calendar Year 2011	1,157,935
Calendar Year 2010	1,559,836
Calendar Year 2009	1,629,521
Calendar Year 2008	1,789,309

Terminal 3, Concourse F:

	Enplanements
January 1, 2013 through April 30, 2013	1,085,012
Calendar Year 2012	2,213,343
Calendar Year 2011	2,338,001
Calendar Year 2010	2,286,738
Calendar Year 2009	1,485,862
Calendar Year 2008	1,165,859

Terminal 4, Concourse H:

	Enplanements
January 1, 2013 through April 30, 2013	602,806
Calendar Year 2012	2,394,992
Calendar Year 2011	2,127,587
Calendar Year 2010	2,553,874
Calendar Year 2009	2,255,181
Calendar Year 2008	2,341,762

The following is the current list of airlines by Concourse that are providing services in Terminals 1 and 2:

Terminal 1:

Concourse B:

Alaska Airlines
Allegiant Air
Frontier
Southwest

Concourse C:

AirTran
Silver Airways
United
Virgin America

Terminal 2:

Concourse D:

Air Canada
Condor (departures)
Delta

Terminal 3

Concourse E

American Airlines
Bahamas Air
CanJet
Norwegian
Sunwing
Tiara
US Airways
Westjet

Concourse F

JetBlue

Terminal 4

Concourse H

Air Transat
Avianca
Caribbean Air
Spirit

International Arrivals

Commuter Terminal

IBC Airways
Sky Bahamas

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ATTACHMENT 14

TERMINAL GROSS SALES HISTORY

The following are gross sales amount from Calendar Year 2009 to June 2013 for all Terminals and outdoor locations:

Advertising Gross Sales All Terminals/Outdoor locations

	Gross Sales
January 1, 2012 through May 31, 2013	\$617,666.10
Calendar Year 2012	\$1,567,489.17
Calendar Year 2011	\$1,732,128.08
Calendar Year 2010	\$1,733,503.21
Calendar Year 2009	\$1,629,627.76