

AMENDMENT A

Due to the possible adverse weather conditions from Hurricane Ian, county offices are closed on Thursday, September 29, 2022, and Friday, September 30, 2022, by the Franklin County Board of County Commissioners. Therefore, submission dates for the following Request for Qualifications have been extended to Friday, October 7, 2022, at 4:00 p.m. (ET).

- *Internet Marketing for Franklin County Tourists Development Council*
- *Print and General Marketing for Franklin County Tourists Development Council*
- *Local Radio and On-Line Advertising for Franklin County Development Council*
- *Local Television Airtime and Video Production for Franklin County Development Council*

All submitted packets will be opened and read aloud on Tuesday, October 18, 2022, at the Franklin County Board of County Commissioners' regular meeting.

Contact Michael Morón (michael@franklincountyflorida.gov / (850) 653-9783 option 7) for additional information.

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REQUEST FOR QUALIFICATIONS AND INSTRUCTIONS
LOCAL RADIO AND ON-LINE ADVERTISING FOR
FRANKLIN COUNTY TOURIST DEVELOPMENT COUNCIL**

Prepared by: FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
Dated: SEPTEMBER 6, 2022

**REQUEST FOR QUALIFICATIONS
FOR LOCAL RADIO AND ON-LINE ADVERTISING
FOR FRANKLIN COUNTY TOURIST DEVELOPMENT COUNCIL**

The Franklin County Board of County Commissioners (BOCC) is soliciting proposals from qualified firms to perform local radio and on-line advertising services by the radio station for the Franklin County Tourist Development Council.

To be considered, submittals must be received by the Franklin County Office of the Clerk of Court, located at 33 Market Street, Suite 203, Apalachicola, Florida 32320, on Friday, September 30, 2022, by 4:00 p.m. (ET).

All RFQ submittals will be publicly opened and read aloud during the regularly scheduled meeting of the Franklin County Board of County Commissioners on Tuesday, October 4, 2022. This meeting starts at 9:00 a.m. (ET).

A copy of the Instructions and RFQ Documents can be obtained from the Franklin County Administration Department, located at 34 Forbes Street, Apalachicola, Florida 32320 (for pick up and mailing address), or by calling Michael Morón at 850-653-9783, ext. 155, or by downloading from <https://www.franklincountyflorida.com/resources/county-bids-awards/>.

This solicitation does not commit the Board of County Commissioners (BOCC) to award any contracts, to pay any costs incurred in the preparation of a response to this RFQ, or to contract for any services. The County reserves the right to reject any or all submittals received because of this solicitation, or to cancel in part or in its entirety this RFQ, if it is in the best interest of the County to do so.

Franklin County is an Equal Opportunity Employer and Drug/Smoke Free Workplace.

PART I
GENERAL INFORMATION

1. Proposals must be made in the official name of the firm or individual under which business is conducted (showing official business address) and must be signed in ink by a person duly authorized to legally bind the person, partnership, company, or corporation submitting the response to this RFQ.
2. One clearly identified original, and seven copies of your proposal are required.
3. Proposals will be received by the Franklin County Office of the Clerk of Court, located at 34 Forbes Street, Apalachicola, Florida 32320, attention Michael Morón, until 4:00 p.m. on September 30, 2022. The applicant is required to have printed on the sealed envelope or wrapping containing its submission, with the notation "Local Radio and On-Line Advertising RFQ" in lettering which is at least one inch high
4. Finalists will be notified in writing after the (BOCC) Selection Committee reviews and selects no more than the top three ranked applicants to make presentations to the selection committee. Thereafter, the final recommendation will be submitted to the Board of County Commissioners. No contact regarding this Request for Competitive Solicitation will be allowed between the applicant and the TDC Board Members, BOCC selection committee, or Board of County Commissioners.

PART II
SCOPE OF WORK

The provider shall provide the following: Advertising the Franklin County tourism product on radio and provided radio station on-line advertising.

- As a vendor, you will have access to information that is treated as confidential and proprietary by Franklin County TDC, including without limitation, information pertaining to business operations and strategies, customers, pricing, or marketing, in each case whether spoken, written, printed, electronic, or in any other form or medium (collectively, the "Confidential Information"). Any Confidential Information that you access or develop in connection with the Services, including but not limited to any Work Product, shall be subject to the terms and conditions of this clause. You agree to treat all Confidential Information as strictly confidential, not to disclose Confidential Information or permit it to be disclosed, in whole or part, to any third party without the prior written consent of Franklin County TDC, in each instance, and not to use any Confidential Information for any purpose except as required in the performance of the Services. You shall notify Franklin County TDC immediately in the event

you become aware of any loss or disclosure of any Confidential Information. Also, provide other duties assigned by Franklin County,

Contract Duration

The duration of the contract may be for multiple years and is open for negotiation.

Any questions regarding this RFQ may be directed to:

Michael Morón
Franklin County Administration Department
34 Forbes Street,
Apalachicola, Florida 32320

PART III **SUBMISSION REQUIREMENTS**

1. Interested firms or individuals should submit a Letter of Interest not exceeding three (3) pages in length unless otherwise specified. Letters of Interest should not contain links to websites and will, at a minimum include the following information:
 - a. RFQ Name: Local radio and on-line advertising for Franklin County
 - b. Firm name and address
 - c. Proposed responsible office for firm
 - d. Contact person, phone and fax number and internet e-mail address
 - e. Statement regarding qualifications, having a minimal experience in Destination Marketing Organization (DMO) marketing of five years, and own the firm for the advertised work.
 - f. Proposed key personnel, their abilities, and their proposed roles (
 - g. Indication as to whether the prime firm is a Disadvantaged Business Enterprise (DBE)
 - h. The third page will consist of the project team's approach to the project, including the following factors:
 - Five years' experience of the firm
 - The firm's ability to furnish the required services
2. Two letters of reference from governmental clients. If the firm does not have two governmental clients from whom it can obtain letters of reference, letters from non-governmental clients may be substituted, but the failure to have governmental references may affect the ranking the firm receives.

3. The forms included as Attachments A - G to this RFQ.

Attachment A - No Lobbying Affidavit
Attachment B – Anti-Collusion and No Gifts Affidavit
Attachment C - Public Entity Crime Statement
Attachment D - Conflict of Interest Disclosure Form
Attachment E – Immigration Law Certification
Attachment F - Drug-Free Workplace Certification
Attachment G - Exceptions (if needed)

PART IV **EVALUATION CRITERIA**

Proposals will be evaluated based on the information provided under Part III with points awarded as follows:

- Ability of the firm to furnish the required services, including experience of the firm and firm personnel (Up to 70 points)
- Letters of reference (Up to 30 points)

PART V **CONTRACTUAL REQUIREMENTS**

1. **CONTRACTS**: A sample copy of the contract document may be obtained by contacting the County Attorney's office at (850) 653-1757.
2. **FLORIDA LAW CLAUSE**: Upon award of a contract under this RFQ, the person, partnership, association, or corporation to whom the award is made must comply with local and State laws which require such person or entity to be authorized and/or licensed to do business in Franklin County. Notwithstanding the fact that applicable statutes may exempt or exclude the successful offeror from requirements that it be authorized and/or licensed to do business in Franklin County, by submission of a signed RFQ response, the offeror agrees to subject itself to the exclusive jurisdiction and process of the Courts of Franklin County, as to all matters and disputes arising or to arise under any contract and the performance thereof including any questions as to the liability for taxes, licenses, or fees levied by State or local government.
3. **AFFIRMATIVE ACTION**: The offeror will comply with all Federal and State requirements concerning fair employment and employment of the handicapped and concerning the treatment of all employees, without regard or discrimination by reason of race, religion, sex, national origin, or physical handicap.
4. **PRIME VENDOR RESPONSIBILITIES**: The offeror will be required to

assume sole responsibility for the complete effort as required by this RFQ. The BOCC will consider the offeror to be the sole point of contact with regard to contractual matters.

SECTION VI
REJECTION OF SUBMITTALS

1. The County may reject a submittal if:
 - a. The vendor conceals any material fact.
 - b. It does not strictly conform to the law or requirements of the RFQ.
 - c. The vendor submits more than one submittal for the same work under the same or a different name.
 - d. The vendor has a financial interest in the firm of another vendor for the same work.
 - e. There is evidence of collusion among vendors. Participants in such collusion will receive no recognition for any future work of the County until such participant shall have been reinstated as a qualified vendor.
 - f. The vendor has uncompleted work which in the judgment of the County might hinder or prevent the prompt completion of additional work if awarded.
 - g. The vendor has failed to pay or satisfactorily settle all bills due for labor, material, or services on former contracts within three years prior to the submittal.
 - h. The vendor defaulted under a previous contract with the County or otherwise failed to perform under a previous contract in a satisfactory manner.
2. The County may reject any or all bids whenever it is deemed in the best interest of the County to do so.
3. The County may waive any minor informalities or irregularities in any bid.
4. There is no obligation on the part of the County to award the contract to the vendor with the lowest prices. The County reserves the right to award the contract to a

vendor submitting a responsive submittal with a resulting negotiated agreement which is most advantageous and in the best interest of Franklin County. Franklin County shall be the sole judge of the submittals and the resulting negotiated agreement that is in its best interest and its decision shall be final.

5. Bid Protest Procedure

a. Any vendor that has submitted a formal submittal to Franklin County, and who is adversely affected by the decision with respect to the award of the contract, may file with the County's Administration Office, 34 Forbes Street, Apalachicola, Florida or michael@franklincountyflorida.com a written Protest and supporting affidavits, if any, no later than forty-eight (48) hours (excluding Saturdays, Sundays and legal holidays) of the decision of the Franklin County Board of County Commissioners to award the contract.

b. The Protest shall be in the form of a letter stating all grounds claimed for the protest. Failure to do so shall constitute a waiver of all rights to seek any further remedies provided for under this Protest Procedure.

c. The County Administrator shall submit the Protest and supporting affidavits, if any, along with his or her own statement and supporting affidavits, if any, in support of the award of the contract to the Board of County Commissioners for a final determination of the protest.

PART VII
MISCELLANEOUS

- A. **No Lobbying:** All respondents are hereby placed on notice that any communication, whether written or oral, with Franklin County elected officials, County staff or selection committee members (except for the Contract/Purchasing personnel designated to receive requests for interpretation or corrections or technical questions) is prohibited. These persons shall not be lobbied, either individually or collectively, regarding any Invitation to Bid, Request for Proposal, Request for Qualifications and/or any other solicitations issued by the County. To do so is grounds for immediate disqualification from the selection process. All respondents must submit the attached No Lobbying Affidavit with their submittal stating that they and their subcontractors, sub-consultants and other agents agree to abide by the no lobbying restrictions to be considered for this request. Any respondent that does not submit the required No Lobbying Affidavit will be automatically disqualified from further consideration.

NOTE: For respondents' convenience, this certification form is attached and made a part of the procurement package.

- B. **Collusion, Gratuities and Kickbacks:** It shall be unethical for any respondent to collude with any other respondent or offer, give or agree to give any County Commission member, County employee or County representative (including selection committee members) a gift, gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation or preparation of any part of the procurement process.

NOTE: For respondents' convenience, this certification form is attached and made a part of the procurement package.

- C. **Modifications:** The County reserves the right to modify, alter or change the scope or other aspects of this solicitation.

- D. **Level Playing Field:** The contents of this solicitation are intended to provide a level playing field on which firms or individuals may base their responses.

- E. **Public Entity Crime Affidavit:** As provided by Florida Statute 287.133(2)(a), a person or affiliate who has been placed on the convicted vendor list following a conviction for a Public Entity Crime may not submit a bid on a contract to provide any goods or services to a Public Entity, may not submit a bid on a contract with a Public Entity for the construction or repair of a public building or a public work, may not submit bids on leases of real property to a Public Entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant

under a contract with any Public Entity, and may not transact business with any Public Entity in excess of the threshold amount provided in s. 287.017 for Category Two for a period of 36 months from the date of being placed on the convicted vendor list. Any person must notify the County within 30 days after a conviction of a Public Entity crime applicable to that person or to an affiliate of that person.

NOTE: For respondents' convenience, this certification form is attached and made a part of the procurement package.

- F. **Conflict of Interest:** The award hereunder is subject to the provisions of Chapter 112, Florida Statutes. All respondents must disclose with their submission the name of any officer, director, employee or agent who is also a public officer, employee or an agent of the Franklin County Board of County Commissioners, or any of its agencies.

Furthermore, all respondents must disclose the name of any County officer, employee or agent who owns, directly or indirectly, an interest of five percent (5%) or more in the firm or any of its parent companies or subsidiaries.

NOTE: For respondents' convenience, this certification form is attached and made a part of the procurement package.

- G. **Immigration Laws:** Respondents must comply with all applicable immigration laws in their employment practices.

NOTE: For respondents' convenience, this certification form is attached and made a part of the procurement package.

- H. **Tie BIDs:** Preference shall be given to businesses with drug-free workplace programs. Whenever two or more bids which are equal with respect to quality and service are received by the County for the procurement of commodities or contractual services, a bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process.

Established procedures for processing tie bids will be followed if none of the tied vendors has a drug-free workplace program.

NOTE: For respondents' convenience, this certification form is enclosed and made a part of the procurement package.

- I. **Exceptions:** Any exceptions, substitutions, deletions, or deviations from these specifications shall be explained in detail on a separate page entitled

“EXCEPTIONS”. Respondents must show proof that any exceptions are equal or superior to those specified.

NOTE: For respondents’ convenience, an exceptions form is enclosed and made a part of the procurement package.

- J. ***Additional Information:*** Further information relative to this RFP may be obtained by contacting Michael Moron, Franklin County Administration Department, located at 34 Forbes Street, Apalachicola, Florida 32320.

**ATTACHMENT A
NO LOBBYING AFFIDAVIT**

STATE OF FLORIDA
COUNTY OF _____

This _____ day of _____, 20____, _____

being first duly sworn, deposes and says that he/she is the authorized representative of

_____ (Name of contractor, firm or individual)

respondent to the attached Invitation to Bid, Request for Proposal, Request for Qualifications and/or any other solicitation issued by Franklin County for Auditing Services, and that the respondent and any of its agents agrees to abide by the Franklin County no lobbying restrictions in regard to this solicitation.

Affiant

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20____, by _____.

Signature of Notary Public
State of Florida

Print, Type or Stamp Commissioned
Name

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

**ATTACHMENT B
ANTI-COLLUSION & NO GIFTS AFFIDAVIT**

**STATE OF FLORIDA
COUNTY OF _____**

_____ being first duly sworn, deposes and says that
he/she is the authorized representative of

(name of proposer) and certifies as true the following statements.

Anti-collusion statement: The respondent has not divulged to, discussed, or compared his/her/its submission with other respondents and has not colluded with any other respondent or parties to the solicitation whatsoever.

No gifts statement: The respondent understands that no rebates, gifts, gratuities or offers of employment are permitted with, prior to, or after the submission. Any such violation will result in rejection of the submission and removal from the procurement list(s).

Affiant

Sworn to (or affirmed) and subscribed before me this _____ day of _____,
20____, by _____.

(stamp) _____
Signature of Notary Public
State of Florida

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

**ATTACHMENT C
PUBLIC ENTITY CRIME AFFIDAVIT**

Public Entity Crime Affidavit: As provided in Florida Statute 287.133(2)(a), a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in s. 287.017 for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list.

SWORN STATEMENT PURSUANT TO FLORIDA STATUTE 287.133 ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted to FRANKLIN COUNTY, FLORIDA

by: _____

(print individual's name and title)

for: _____

(print name of entity submitting sworn statement)

whose business address is: _____

and (if applicable) its Federal Employer Identification Number (FEIN) is:

_____.

2. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid, proposal, reply, or contract for goods or services, any lease for real property, or any contract for the construction or repair of a public building or public work, involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or

material misrepresentation.

3. I understand that “convicted” or “conviction” as defined in Paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.
4. I understand that an “affiliate” as defined in Paragraph 287.133(1)(a), Florida Statutes, means:
 - A. A predecessor or successor of a person convicted of a public entity crime; or
 - B. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term “affiliate” includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm’s length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.
5. I understand that a “person” as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or any entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term “person” includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.
6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Indicate which statement applies.)
 - Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity, has been charged with and convicted of a public entity crime after July 1, 1989.
 - The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity, has been charged with and convicted of a public entity crime subsequent to July 1,

1989.

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

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES FOR CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

Signature

Sworn to and subscribed before me this _____ day of _____,
20____.

Personally known _____ OR Type of Identification Produced:

Notary Public – State of Florida

My Commission Expires: _____

SEAL OR STAMP

**ATTACHMENT D
CONFLICT OF INTEREST DISCLOSURE FORM**

For purposes of determining any possible conflict of interest, all respondents must disclose if any Franklin County Board of County Commissioners' employee(s), elected official(s), or any of its agents is also an owner, corporate officer, director, employee, agent, etc., of their business.

Indicate either "yes" (a county employee, elected official or agent is associated with your business), or "no". If yes, give person(s) name(s) and position(s) with your business.

YES _____
Name(s)

NO _____
Position(s)

Firm Name: _____
By (Printed): _____

By (Signature): _____

Title: _____

Address: _____

Phone Number: _____

**ATTACHMENT E
IMMIGRATION LAW CERTIFICATION**

Franklin County will not intentionally award county contracts to any contractor who knowingly employs unauthorized alien workers, constituting a violation of the employment provisions contained in 8 U.S.C. Section 1324 a(e) (Section 274a(e) of the immigration and nationality act (“INA”)).

Franklin County may consider the employment by any contractor of unauthorized aliens a violation of Section 274A(e) of the INA. Such violation by the recipient of the employment provisions contained in Section 274A(e) of the INA shall be grounds for unilateral cancellation of the contract by Franklin County.

Respondent attests that it is fully compliant with all applicable immigration laws, specifically relating to the INA and subsequent amendments.

Company Name

Signature

Title

Date

STATE FLORIDA
COUNTY OF _____

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

(stamp) _____
Notary Public – State of Florida

**ATTACHMENT F
DRUG-FREE WORKPLACE CERTIFICATION**

THE BELOW SIGNED bidder CERTIFIES that it has implemented a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

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

As the person authorized to sign this statement, I certify that this firm complies fully with the above requirements.

Date: _____ Signature: _____

Company: _____ Name: _____

Address: _____ Title: _____

Phone Number: _____

**ATTACHMENT G
EXCEPTIONS TO SOLICITATION**

Each respondent may submit this form, as necessary, to sufficiently list all exceptions and variations from specifications. Please list, as shown, by page and item, if respondent is unable to supply the specified item or chooses to provide the specified item in an alternative manner. The County shall be the sole judge of a proposed substitution equivalency.

Specification:	Page:	Item:	Not Available/Explanation:
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