

ALCALDE & FAY

GOVERNMENT & PUBLIC AFFAIRS CONSULTANTS

March 16, 2012

Ms. Cheri Smith, City Clerk
City of Key West
3126 Flagler
Key West, Florida 33040

RE: City of Key West RFP #004-12 – Federal Government Relations Services

Dear Ms. Smith:

Alcalde & Fay is pleased to have the opportunity to respond to RFP #004-12 to provide federal government relations services to the City of Key West, Florida.

The firm has provided federal government relations services to the City of Key West since 2007. During the course of our representation, the City has achieved great success in Washington, DC, receiving over \$9 million in federal funds from Congress and the U.S. Army Corps of Engineers (USACE) for the City's share of the Florida Keys Water Quality Improvement Program (FKWQIP). In addition, the City obtained \$1.25 million for the lower Key's shuttles and \$1 million for a transit facility and bus procurement.

Alcalde & Fay has also monitored significant legislation and federal policy for the City. Recently, we arranged and attended meetings, with the Mayor, with the U.S. Fish and Wildlife Service and Federal Emergency Management Agency in Washington to share the City's concerns with the implementation of the Species Focus Area Maps, and will continue to work on this matter for the City. Likewise, we provide the City with our *Grant Alert for Local Governments* and offer grant writing and review services.

We look forward to continuing our work on behalf of Key West. If you have any questions regarding this proposal, please contact us at 703-841-0626.

Sincerely,



L.A. 'Skip' Bafalis



Jim Davenport, Esq.



**PROPOSAL TO PROVIDE FEDERAL GOVERNMENT
RELATIONS SERVICES FOR THE CITY OF KEY WEST**

RFP# 004-12

MARCH 15, 2012

L.A. 'SKIP' BAFALIS
JIM DAVENPORT, ESQ.
ALCALDE & FAY
GOVERNMENT AND PUBLIC AFFAIRS
2111 WILSON BOULEVARD, 8TH FLOOR
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INTRODUCTION

LOCATION

Alcalde & Fay is a national government and public affairs firm located at 2111 Wilson Boulevard, 8th Floor, Arlington, Virginia, 22201, a short distance from the nation's Capitol.

PROJECT MANAGERS

L.A. 'Skip' Bafalis, Partner
Jim Davenport, Esq., Partner
(703) 841-0626 phone
(703) 243-2874 fax

CURRENT CLIENT LIST

Alliance for Responsible
Atmospheric Policy
Alliance Refrigerants Import Committee
American Pacific
Arison Family Trust
Association of California Egg Farmers
ATF Group
Babington Technology
Baytown, TX, City of
Boca Raton, FL, City of
Bunnell, FL, City of
CACI, Inc.
Carnival Foundation
Chincoteague, VA, Town of
Clearwater, FL, City of
Cocoa, FL, City of
Contra Costa County, CA
Cruise Lines International Association
CSC
Dallas, TX, City of
Dania Beach, FL, City of
Daytona Beach, FL, City of
Deerfield Beach, FL, City of

Dow AgroSciences LLC
Dynamic Animation Systems, Inc.
EOS Climate, Inc.
Fairfax County, VA
Flagler County, FL
Falcon Safety Products
Florida Inland Navigation District, FL
Fresno County, CA
Ft. Myers, FL, City of
Fulton County, GA
Golden Gate Bridge, Highway &
Transportation District, CA
Goodyear, AZ, City of
Hawkeye Community College, IA
Hendry County, FL
Highline Community College, WA
Hillsborough Community College, FL
Hillsborough County, FL
Homestead, FL, City of
Hopewell, VA, City of
Hudson Technologies, Inc.
Indiana University of Pennsylvania
Indianapolis Airport Authority, IN

Intel
International Climate
Change Partnership
Jacksonville Aviation Authority, FL
Jacksonville Beach, FL, City of
Jacksonville Port Authority, FL
Kenmore, WA, City of
Kern Council of Governments, CA
Key West, FL, City of
Lake County, FL
Lauderdale Lakes, FL, City of
Lauderhill, FL, City of
Leibowitz & Associates, P.A.
Livingstone College, NC
Los Angeles Airport Peace Officers
Association (LAAPOA)
M&M Energy
Maitland, FL, City of
Manatee County Port Authority, FL
Marin County, CA
Marion County, FL
Melbourne, City of/Melbourne Airport
Authority, FL
Miami Gardens, FL, City of
Miami, FL, City of
Miami-Dade County, FL
Miramar, FL, City of
Missouri City, TX, City of
Mosaic Fertilizer Company
MWH Americas, Inc.
New Mexico Tech, NM
Oak Lawn, IL, Village of
Ocoee, FL, City of
Okaloosa County, FL
Okeechobee Utility Authority, FL
Operation Warm
Orange County, FL
Osceola County, FL
Oviedo, FL, City of

Owens-Illinois, Inc.
Palm Beach County, FL
Palm Beach State College, FL
Pembroke Pines, FL, City of
Petaluma, CA, City of
Pinecrest, FL, Village of
Port Authority Police Benevolent
Association, Inc. (PAPBA)
Port of Los Angeles, CA
Port of Miami, FL
Putnam County, FL
Rio Rancho Public Schools, NM
Riviera Beach, FL, City of
San Bernardino City Unified School
District, CA
San Diego Unified Port District, CA
San Marcos, CA, City of
Sanford, FL, City of
Seminole County, FL
Sonoma County, CA
Sonoma County Water Agency, CA
Sonoma-Marín Area Rail Transit
District, CA
South Daytona, FL, City of
Tactical Electronics & Military Supply,
LLC
Tampa Port Authority, FL
Telos Digital Television Network
Transportation Agency for
Monterey County, CA
Transportation Authority of Marin, CA
Treasure Island, FL, City of
Tulare County Association of Governments,
CA
Vietnam Veterans Memorial Fund, Inc.
Virginia Beach, VA, City of
VSE Corporation
West Coast Inland Navigation District, FL
Winter Park, FL, City of

FIRM EXPERIENCE AND REFERENCES

EXECUTIVE SUMMARY

Alcalde & Fay was founded in 1973 by Hector Alcalde, after serving as the chief of staff to a congressman from Tampa for more than 11 years. For almost 40 years, we have successfully managed issues and represented a broad range of clients before the United States Congress and the Executive branch. The firm has built a distinguished reputation for effective public policy representation on behalf of numerous municipal governments, as well as a variety of corporations including those in the transportation, maritime, environmental, communications, energy and defense industries.

Alcalde & Fay was one of the first government and public affairs firms to specialize in federal advocacy for public bodies across the country. Since our inception, we have represented cities, counties, airport and seaport authorities, school districts and universities, among other public sector clients. Our firm provides services to nearly 120 clients, over 80 of which are public sector clients and 50 of which are based in Florida.

We have had the district privilege of representing the City of Key West in Washington, for over 5 years. Successful representation of public entities is a highly refined niche requiring a specialized skill-set only acquired by years of experience in representing such organizations; a niche in which Alcalde & Fay has honed our expertise. This expertise with public sector clients is illustrated by the fact that we have continuously represented the Tampa Port Authority, our firm's first client, for over 39 years. In addition, many of our public clients have utilized our services for 10 to 30 years, such as Miami-Dade County (1987) and Hillsborough County (1994).

We have decades of experience navigating the policy, regulatory, appropriations and authorizing processes on Capitol Hill. Our range of expertise is broad and substantial, including advocacy for water resource and environmental projects; transportation and infrastructure; law enforcement and emergency services; community and economic development; health and social services; among others.

The firm's staff counts over 40 partners and professionals including a former member of Congress, senior staff from Capitol Hill and the Executive Branch, and presidential appointees who reflect a rich diversity in both background and expertise. Other partners and associates have backgrounds in public relations, journalism, marketing and law. Drawing on the expertise of our professionals, we are able to provide effective advocacy on behalf of clients with the federal government.

Over the years, we have worked closely with many members of Congress, congressional staff and political appointees, several of whom are in positions of seniority and leadership. These relationships, combined with our understanding and experience in the public policy decision-making process in Washington, enable us to be effective advocates for our clients' goals.

If chosen to continue representing Key West, we will carry on our current work for the City, and be your eyes, ears and voice in Washington D.C. – representing you before Congress and the Executive Branch, guiding your issues and projects through the various processes, whether it is obtaining specific funding for a project of helping the City shape federal policy.

EXAMPLE OF CLIENTS WITH SIMILAR SCOPES OF SERVICES

While we already provide federal government relations services to the City of Key West, below are two other public clients that we represent with a scope of services similar to that of the City.

City of Deerfield Beach, Florida

The Honorable Peggy Noland, Mayor (954) 480-4263

Client Successes: \$2.8 million for State Road A-1-A improvements; \$1.682 million for the preparation of a General Reevaluation Report for Beach Segment 1; \$1.5 million for the Dixie Highway Flyover Bridge; \$450,000 Universal Hiring Program grant from the Department of Justice; \$490,000 for a Hurricane Mitigation Operation Center; \$224,834 for firefighting equipment from the Assistance to Firefighters Grant Program; and assisted in successfully challenging the 1996 Census increasing the population to over 50,000, enabling the City to become eligible for federal funding for which they were not previously considered.

City of Melbourne & Melbourne Airport Authority, Florida

Howard Ralls, Deputy City Manager, (321) 608-7212

Richard Ennis, Executive Director, (321) 723-6227 x219

Client Successes: \$2 million for St. John's Heritage Parkway; assisted in securing \$800,000 from the Department of Transportation's Small Communities Air Service Development Program to help bring commercial air service to the airport; \$1,783,065 for the PD&E for the Access Road to Melbourne International Airport; assisted in securing \$1.5 million from the Economic Development Administration's Public Works Grant Program for terminal apron construction; and \$133,950 for a VHF radio system.

PERSONNEL QUALIFICATIONS AND AVAILABILITY

To ensure effective representation on behalf of our clients, we have found it useful to employ a team approach drawing on partners and associates whose expertise would best assure success on your behalf. As with any good organization, our greatest strength and your best assurance of our successful service on behalf of Key West resides in the team that we would assemble to represent your interests in Washington. Although different members of the client team may take the lead on various projects, each of the team members would be knowledgeable about the City's objectives. The client team leader would be Key West's main point of contact.

The proposed client team for Key West will continue to be **L.A. 'Skip' Bafalis, Jim Davenport, and Trace Roller**. Each of these individuals has experience working on behalf of Key West in Washington.

L.A. 'SKIP' BAFALIS – CLIENT CO-TEAM LEADER



A former five-term Congressman from Florida, L.A. "Skip" Bafalis has a background that includes business and government representation. He began his political career in Palm Beach County with election to the Florida House of Representatives and then served in the Florida Senate for two terms. He then served ten years in the U.S. Congress and subsequently was the Republican nominee for Governor of Florida in 1982.

In Congress, Mr. Bafalis served on the Public Works Committee, now the Committee on Transportation and Infrastructure. He then moved to the Ways and Means Committee. An active member of the Trade Subcommittee and the Ranking Member of the Public Assistance and Unemployment Compensation Subcommittee, he became known for his expertise in trade and tax matters and authored and managed passage of wide-ranging estate and gift tax legislation.

Mr. Bafalis has been lobbying in Washington for over 25 years, and has extensive experience working on behalf of public clients. He maintains close working relationships with members of the House and Senate, many whom are former colleagues.

He holds a B.A. from St. Anselm's College in Manchester, New Hampshire. His alma mater has honored him with its "Alumni Award of Merit" for his contributions to the school and to the nation.

Mr. Bafalis will be a client co-team leader and will be responsible for 30% of the work for Key West and will dedicate all time necessary to accomplish the objectives of the City.

JIM DAVENPORT, ESQ. – CLIENT CO-TEAM LEADER



Jim Davenport, Partner, joined the firm in 1999. He manages many of the firm's public clients from Florida on a wide array of issues including economic development, transportation, education, environmental issues, and criminal justice. In this role, he works closely with numerous members of Congress and their staff, the Corps of Engineers, the Department of Justice, the Department of Housing and Urban Development, the Environmental Protection Agency, the Department of Transportation, and many other federal agencies.

Mr. Davenport has been effective in helping public clients secure millions of dollars in federal funding for projects ranging from bridges, roads, beaches and waterways to school programs, health initiatives, water and sewer systems and technology for law enforcement personnel. He is an experienced tactician in navigating the congressional legislative process and the federal agencies to obtain funding and legislative language on behalf of his public body clients.

Mr. Davenport has been a client team leader for the City of Key West for five years. In that capacity, he has led the City's successful effort to secure funding for the Florida Keys Water Quality Improvement Program and has worked closely with the U.S. Army Corps of Engineers, both in Jacksonville and Washington, Members of Congress, and the House and Senate Energy and Water Appropriations Subcommittees which have oversight over the USACE's budget.

Mr. Davenport has been active in government and public affairs for sixteen years. Prior to joining Alcalde & Fay, he served as Legislative Assistant in the office of the late Congressman Gerald B. Solomon of New York where he worked on a broad range of issues including economic development and health care. He also served as an associate for Wehner & York, LLP, handling election law.

Mr. Davenport graduated from St. Lawrence University in New York with a B.A. in Government. He obtained a J.D. from The Catholic University of America in Washington, DC.

Mr. Davenport will be a client co-team leader and will be responsible for 50% of the work for Key West and will dedicate all time necessary to accomplish the objectives of the City.

R. TRACE ROLLER



Trace Roller, Associate, has been with the firm for more than six years and works on behalf of several Alcalde & Fay municipal clients on a broad range of issues.

Prior to joining the firm, Mr. Roller served on the legislative staff of Texas Agriculture Commissioner Susan Combs, and later as Legislative Assistant for State Representative David Swinford in the Texas House of Representatives, where he successfully managed Chairman Swinford's legislative agenda during the 78th Texas Legislative Session. Mr. Roller began his public affairs career serving on staff with Senior Rules Committee member Congressman Pete Sessions of Texas.

In the private sector, Mr. Roller has gained invaluable experience assisting a varied clientele of public and private entities with full service government representation and public affairs advocacy at both the federal and state government level. At Alcalde & Fay, he assists a number of public clients with funding and legislative objectives.

A native of Houston, Texas, Mr. Roller holds a B.S. from Texas A&M University and a Master's degree in Political Management from George Washington University.

Mr. Roller will assist the client team leaders and will be responsible for 20% of the work for Key West and will dedicate all time necessary to accomplish the objectives of the City.

IMPLEMENTATION OF SCOPE OF SERVICES

FEDERAL CONSULTING SERVICES OFFERED

Having served as the City of Key West's federal lobbyist for the past five years, Alcalde & Fay fully understands the needs of the City and is prepared to perform the scope of services as described in the RFP. We will provide a full spectrum of federal governmental relations services for the City, and keep you apprised of our activities in a monthly report. We will always keep you apprised of deadlines and assist you in preparing any necessary documents to enhance our work on behalf of the City.

Several of our key federal lobbying services are described below.

Federal Appropriations

Since there is a ban in the 112th Congress on congressionally-directed appropriations, we will work with Representatives, Senators and the House and Senate Appropriations Committees to create and/or preserve federal programs that are important to Key West and to increase funding for competitive grant programs that would support the City's objectives. This strategy, under the current climate, enables us to submit grant applications and work directly with the federal departments for the City's most important priorities. Because the congressional appropriations and federal budget process typically last 12 months, our work for the City will continue throughout the year.

As the federal lobbyist for Key West, Alcalde & Fay has consistently and effectively advocated for federal funding for the Florida Keys Water Quality Improvement Program (FKWQIP), a congressionally authorized program, of which the City is one of the four local beneficiaries. On the City's behalf, we have worked extensively with the U.S. Army Corps of Engineers (USACE) both in Jacksonville and Washington (which has jurisdiction over FKWQIP), the House and Senate Energy and Water Appropriations Subcommittees (which have jurisdiction over the USACE budget), Representative Ileana Ros-Lehtinen, Senator Bill Nelson, Senator Marco Rubio (since 2011), and various congressional staff to obtain FKWQIP funds. Our efforts, to date, have resulted in over \$9 million in federal funding for Key West's share of FKWQIP.

Presently, we are working to establish a large funding set-aside for the Section 219 Environmental Infrastructure program within the Fiscal Year (FY) 2013 Energy and Water Development Appropriations Bill. This set-aside, if enacted into law, would

make funding available to environmental infrastructure projects, such as the FKWQIP. This project also requires a consistent advocacy effort with the USACE as well.

Federal Grants

We continuously monitor grant opportunities in each of the federal departments and agencies and will assist you in identifying grant opportunities and securing funding through these grants to meet your goals. On a regular basis, we send our *Grant Alert for Local Governments* to you, which is a compilation of the most recent federal grant solicitations.

As we identify grant solicitations that fit your needs, Alcalde & Fay's grant writing staff is available to help analyze the funding opportunity announcement and draft the grant proposal. We closely monitor trends and priorities amongst federal programs, and will work to refine your grant proposals and ensure they reflect Administration funding objectives.

Identifying and pursuing federal grants for our clients involves routine contact with federal department staff. Our relationships with career staff will prove beneficial to the City and enable it to more successfully pursue this type of federal funding.

Our grant services are not limited to the federal level; with our grant service, we are committed to exploring all potential grant funding sources. To that end, we have an extensive database of private foundation grant opportunities that we will work with you to pursue to support initiatives including: environmental preservation, parks and recreation, youth, homelessness, education and libraries.

Authorizing Legislation

In addition to federal appropriations and grants, specific policies or projects can be secured through authorizing legislation. In the Water Resources Development Act (WRDA), for instance, project authorizations can be secured for water resource projects to be carried out by the Army Corps of Engineers.

Federal Legislation, Rulemakings and Policy

Federal legislation, proposed rules and policy can have broad reaching impacts, both good and bad, on a municipal government. If selected to represent Key West, we would monitor pertinent pieces of federal legislation and regulatory activity and inform the City of significant developments as they occur. Similarly, we are prepared to

promote passage or defeat of any legislation or specific provisions of particular interest or concern to the City and work to affect the final bill to assure your maximum benefit.

Representation with Congress and the Executive Branch

We are accustomed to representing our clients in meetings with members of Congress, professional staff, federal department officials and career civil servants. Ideally, it is helpful for Key West officials to participate in these meetings at least once a year. We would arrange a day or two for you to come to Washington to discuss your priorities with your congressional delegation, other pertinent members of Congress, and federal agency officials.

Our relationships with federal department officials and staff are an asset to the City if it encounters a problem that falls under the department's jurisdiction. Often, a public client will need to cut through bureaucratic red tape and meet with the appropriate federal department employee in order to solve a problem expeditiously. Essentially, we always stand ready to assist at a moment's notice on these matters. For instance, in January we arranged and attended meetings, with the Mayor, with the U.S. Fish and Wildlife Service (FWS) and Federal Emergency Management Agency (FWS) in Washington to share the City's concerns with the implementation of the Species Focus Area Maps. At this point, we are working with City staff to arrange a conference call with the FWS Vero Beach office to discuss this matter more fully.

Relationships with Key West's Congressional Delegation and Congressional Committees

Recognized as a bipartisan firm, the partners and personnel of Alcalde & Fay are drawn from both political parties and have among them close working relations with key legislators and staff on both sides of the aisle. These relationships extend to the ranks of political appointees and senior career staff in the federal agencies.

In addition to a rapport with Key West's Congressional Delegation, it is critical that your lobbyist has solid working relationships with key chairmen, ranking members, and senior staff. That is our strength. For nearly four decades, we have worked with leadership and senior staff of many of the congressional committees. These long-standing relationships based on professionalism and mutual respect enable us to "stay ahead" of developments that might be a priority to our clients. These relationships allow us an opportunity to provide input while legislative initiatives are in their earliest evolutionary stages.

Senators Bill Nelson (D) and Marco Rubio (R) along with Representative Ileana Ros-Lehtinen (R) provide the base of local support for implementing the Key West's federal legislative agenda. However, through our representation of clients from across the country, we are capable of promoting the City's initiatives to other key leaders on Capitol Hill who are not from Florida. Perhaps most importantly, the firm is well acquainted with key committee chairmen and ranking members of Congress who will be instrumental in achieving the goals of the City, such as those that chair the House and Senate Appropriations Committees, House Transportation and Infrastructure Committee, and Senate Environment and Public Works Committee.

FEES

For the scope of services described herein, we would propose a monthly retainer of \$5,500. This monthly retainer is exclusive of out-of-pocket expenses for services such as telephone tolls, copying, postage and travel costs associated with making annual trips to the City, which are billed at the actual cost expended. We would not anticipate the average costs to exceed \$50 per month. This fee structure is similar to our current contract with the City.

Other partners and associates of Alcalde & Fay may be utilized on an as-needed basis, to complement the efforts of the Leon County Client Team when such efforts would benefit the client. There will be no additional charge for such work.

APPENDIX

ANTI-KICKBACK AFFIDAVIT

STATE OF FLORIDA

SS

COUNTY OF MONROE

I, the undersigned, hereby duly sworn, depose and say that no portion of the sum herein bid will be paid to any employee of the City of Key West as a commission, kickback, reward or gift, directly or indirectly by me or any member of my firm or by an officer of the corporation.

BY: L.A. 'Skip' Bafalis
L.A. 'Skip' BAFALIS

sworn and prescribed before me this 14 day of March, 2012

Lisa Hack
NOTARY PUBLIC, State of Florida
Virginia

My commission expires: 4/30/2014



County/City of Arlington
Commonwealth/State of Virginia
The foregoing Instrument was acknowledged
before me this 14 day of March
2012 by
L.A. Skip Bafalis
(name of person seeking acknowledgement)
Lisa Hack
Notary Public
My commission expires: 4/30/2014

LOCAL VENDOR CERTIFICATION PURSUANT TO CKW ORDINANCE 09-22 SECTION 2-798

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

- a. *Principle address as registered with the FL Department of State located within 30 miles of the boundaries of the city, listed with the chief licensing official as having a business tax receipt with its principle address within 30 miles of the boundaries of the city for at least one year immediately prior to the issuance of the solicitation.*
 - b. *Maintains a workforce of at least 50 percent of its employees from the city or within 30 miles of its boundaries.*
 - c. Having paid all current license taxes and any other fees due the city at least 24 hours prior to the publication of the call for bids or request for proposals.
- ☒ Not a local vendor pursuant to Ordinance 09-22 Section 2-798
- ☐ Qualifies as a local vendor pursuant to Ordinance 09-22 Section 2-798

If you qualify, please complete the following in support of the self certification & submit copies of your County and City business licenses. Failure to provide the information requested will result in denial of certification as a local business.

Business Name

Phone:

Current Local Address:

Fax:

(P.O Box numbers may not be used to establish status)

Length of time at this address

Signature of Authorized Representative

Date

STATE OF _____
COUNTY OF _____

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

By _____, of _____

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

or has produced _____ as identification

(type of identification)

Signature of Notary

Print, Type or Stamp Name of Notary

Return Completed form with
Supporting documents to:
City of Key West Purchasing

Title or Rank

SWORN STATEMENT PURSUANT TO SECTION 287.133(3)(A)
FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

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

1. This sworn statement is submitted to City of Key West
by L.A. Skip Batalis, Partner
(Print individual's name and title)
for Alcalde & Fay
(print name of entity submitting sworn statement)

whose business address is 2111 Wilson Blvd., 8th Fl. Arlington, VA 22201
and (if applicable) its Federal Employer Identification Number (FEIN) is 52-0996647
(If the entity has no FEIN, include the Social security Number of the individual signing
this sworn statement: _____)

2. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or of the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
3. I understand that "conviction" as defined in Paragraph 287.133(1)(g), 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 of information after July 01, 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:
1. A predecessor or successor of a person convicted of a public entity crime;
or

2. 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 of income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.
5. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in 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, or 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 subsequent to July, 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 01, 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 01, 1989. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list. (attach a copy of the final order).

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH ONE (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 THE CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

L.A. Skip Bufalis
(SIGNATURE)

3/14/12
(DATE)

STATE OF Virginia

COUNTY OF Arlington

PERSONALLY APPEARED BEFORE ME, the undersigned
authority L.A. Skip Bufalis who, after first being sworn by me,
(name of individual)

affixed his/her signature in the space provided above of this

14 day of March, 2012

Lisa Hack
NOTARY PUBLIC

My commission expires: 4/30/2014

