



**Purchasing Department
113 Mable T. Willis Blvd.
Walterboro, SC 29488
843.782.0504**

**RFQ: PD-29
PLANNING SERVICES
COMPREHENSIVE PLAN AND ORDINANCE UPDATE**

Due: Thursday, April 17, 2025 @ 11:00 am

MAIL OR DELIVER RESPONSE TO:

**Purchasing Department
Attn: Kaye B Syfrett
113 Mable T. Willis Blvd.
Walterboro, SC 29488**

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A. OVERVIEW

Colleton County, South Carolina (the "County"), is seeking qualified, licensed firms to provide planning services necessary for preparing the five-year update to its 2030 Comprehensive Plan and updating the Land Development Regulations and Zoning Ordinance to coincide with the changes within the Comprehensive Plan.

This solicitation does not commit Colleton County to award a contract, to pay any costs incurred in the preparation of proposals submitted, or to procure or contract for the services. The County reserves the right to accept, reject, or cancel in part or its entirety the offers received because of this request if deemed in the County's best interest to do so.

All documentation associated with this solicitation is on the Colleton County website at <https://www.colletoncounty.org/bids-proposal-requests>. Questions regarding this proposal must be submitted via email to **Josh Rowland at jrowland@colletoncounty.org no later than 11:00 a.m. on Thursday, April 3, 2025.** Answers to all questions will be posted on the County website as addendums to this proposal.

B. METHOD OF PROCUREMENT

This is a qualifications-based selection. The award will be given to the most responsible, responsive, and highly qualified firms ranked by the selection committee. Procedures for this procurement are identified in Section G, INSTRUCTIONS TO FIRM. Cost is NOT a factor in ranking firms that provide services herein. **DO NOT include any reference to consultant costs in the RFQ response.** Any RFQ response with any discussion of the cost will be disqualified. Firms are advised that this evaluation and selection process is a competition, not a prequalification. Note that all contracts will be based on a negotiated fee based on the project scope. A general scope of work is outlined below.

The County intends to award the contract to a single Firm. Following the award, a specific project scope and services will be defined.

C. GENERAL SCOPE OF SERVICES

The County is seeking a licensed firm experienced in providing land use planning for the preparation of the five-year update to Colleton County's 2030 Comprehensive Plan and the necessary updates to the Land Development Regulations and Zoning Ordinance to coincide with the changes within the Comprehensive Plan. The anticipated result of this effort is to provide a comprehensive review of the County's Comprehensive Plan and overhaul the Land Development and Zoning Ordinances to account for new residential development opportunities, structuralize and connect development patterns, and mitigate impacts on the County's resources. The Plan and Regulations are to be developed in conformity with SC State Statue 6-29-510, known as the SC Local Government Comprehensive Planning Enabling Act of 1994 as amended.

The firm will take a collaborative approach that involves stakeholder input. This would include various board members, staff, and development community members. The Consultant is expected to serve as the project manager and principal drafter of the revised codes. County staff will assist with coordinating public meetings and providing material input to drafts of the codes. A project schedule should conclude with the final adoption of the new codes.

Requested services include, but are not limited to, the following:

Comprehensive Plan

- Collection of field and published data related to County land use, environmental, cultural features, and infrastructure
- Use of survey information on public opinions and attitudes regarding planning topics
- Evaluation of historical planning documents relating to County development growth
- Conduct stakeholder interviews with local groups or individuals
- Creation of a platform for obtaining and receiving public comment
- Preparation of maps, charts, or other graphics for soliciting public input and subsequent plan adoption
- Coordination of relevant planning activities with other affected state agencies and local governments, including SCDES, SCDOT, SCPRT, SCDNR, adjoining counties, in-county municipalities, and the school district.
- Draft and implement *a resilience section to comply with the SC Code of Laws update*.
- Preparation of a draft and final Comprehensive Plan document

Zoning Ordinance and Land Development Regulations

- Evaluate the County's current Zoning and Land Development Ordinances
- Conduct community meetings with stakeholders, including property owners and representatives of the building industry
- Target portions of the development codes that are problematic and outdated.
- Recommend amendments to the Land Development Regulations that will resolve community concerns regarding sustainable development, open space, connectivity, and infrastructure while avoiding detrimental impacts on the development community and maintaining compliance with State and Federal laws.
- Prepare and provide modernized amendments to the Zoning and Land Development Regulations that will incorporate the County's Comprehensive Plan principles into these ordinances so optimal growth patterns and high-quality design are blended with the character and vision of the community.
- During the development and adoption process, the Consultant will prepare an Administrative Draft, a Public Review and Comment Draft, and a final draft for presentation to the Planning Commission and County Council.

Focus Areas within Ordinances

- Zoning Districts
 - Review the allowable uses in each district under permitted, conditional, and notable exceptions.
 - Review allowable densities in each district.
 - Review the potential need for lot coverage within these districts.
 - Review conditional use regulations to ensure standards are up to date and compatible with future trends.
 - Review existing locations of Zoning Districts to ensure compatibility with future land use maps and future and existing infrastructure and airport.
- Review and update as necessary the following sections:
 - Affordable housing opportunities and/or incentives.
 - Multifamily standards to address current and future development trends.
 - Sign regulations for new and large-scale development trends focusing on aesthetic characteristics.
 - Review and update development standards for residential, commercial, and industrial parking

- requirements.
 - Landscaping, buffering, and environmental protection regulations:
 - Include wetland buffers for development that comply with state and federal regulations.
 - Review landscaping buffering plans for large-scale development.
 - Address transitional development patterns to ensure a natural flow between districts.
- New zoning map in electronic form using standard ESRI products
- Review and update development standards for various development types, including:
 - Road design specifications and potential implementation of county driveway and encroachment permit standards.
 - Open space, green space, and landscaping requirements.
 - Implement sidewalk requirements, connectivity options, and street-lighting standards within specific zoning districts.
- Review the need for offsite improvements for residential, commercial, and industrial developments.

D. SUBMITTAL FORMAT

Responding firms shall submit three (3) bound copies, **one (1) being the original**. Responses must be submitted in a sealed envelope/package containing the solicitation name and number.

The RFQ response must be submitted by the date and time listed in this RFQ. The response shall contain twenty-five (25) double-spaced pages, typed on one side only, excluding appendices. The minimum font size shall be 12 points. Answers should address the proposal content requirements in the same order as listed below. The Firm may wish to include additional information. If a Firm does not submit responses to these items, their submittal may be considered non-responsive and returned without further review/evaluation. Firms are advised that Colleton County reserves the right to conduct an independent investigation of any information, including prior experiences, identified in the responses. Firms are responsible for effecting delivery by the deadline date and time; late submissions will be rejected. Colleton County accepts no responsibility for misdirected or lost proposals. Responses shall be explained and identified within the twenty-five (25) pages. Appendices may only be used to support or supplement the detailed answers but cannot be used as a substitute for the required narrative response.

The following is included in the 25-page RFQ response:

1. **Letter of Interest** - The Letter of Interest should be no longer than one (1) page and shall contain the following items:
 - a. An expression of the Prime Firm's interest in being selected for the project.
 - b. A statement confirming the commitment of key personnel identified in the submittal to the extent necessary to meet Colleton County's quality and schedule expectations.
 - c. Provide the name of the Prime Firm Principal, Officer of the Firm, or Project Manager responsible for this contract and who has the authority to sign the agreement for the Firm.
 - d. A summary of key points regarding the Prime Firm's qualifications.
 - e. Signing the letter of interest constitutes authorization of the Firm to submit qualifications for the purpose of negotiating and entering a contract with Colleton County.
 - f. Certification of the authorized submitter that the information is correct by including: "I certify that the information included within this document is, to the best of my knowledge, correct as of the date indicated."
2. **Project Organization Chart** - Limited to one (1) side of one sheet of paper. This chart must include the names of the critical individuals selected for this project, their roles on the project, the name of the Firm or Company by which they are employed, and the lines of communication, including

functional structure, levels of management, and reporting relationships for Key Individuals, and significant functions to be performed in managing and designing the project. It should also indicate the people who will be points of contact with the Colleton County Planning & Development Director.

3. **Qualifications for key individuals** - List all licenses and certifications for each individual.
4. **Names and qualifications for other key individuals** - that are considered critical to the success of this project in addition to those identified above. Qualifications should include information on experience related to similar projects and previous project work.
5. **A direct response to each of the selection criteria** identified below.
6. **Workload** - The Firm must provide a chart indicating the present workload of all key personnel, including all active projects (concurrent projects with other entities such as cities, other state agencies, counties, COGs MPOs, and the private sector) and their percentage availability for this project. Additionally, all proposals must list the percentage of work for the prime Firm and sub-firm(s) performing work as part of the project.

REQUIRED FORMS

Include all required forms at the end of the submitted proposals as specified in the last section of this RFQ.

E. SELECTION PROCESS

The Colleton County selection committee will evaluate each proposal based on the stated selection criteria and determine a short list of firms. The committee may invite those short-listed firms to make a presentation. After the presentation interviews, the selection committee will rank the short list of firms. The final ranking of firms and recommendation of an award will be presented to the County Council for final approval.

Colleton County reserves the right to reject any qualifications and to waive defects, technicalities, and irregularities in any submittal. The County reserves the right to finalize a contract based on all factors involved in the written qualifications submitted without further discussion or interviews.

F. SELECTION CRITERIA

The relative point value and selection criteria follow:

25%	Overall experience of the firm
25%	Ability, qualification, and experience of key personnel
25%	Related experience on similar projects
25%	Recent, current, and projected workload

* Note: In each criterion above where exceptional experience is evaluated, each project listed should include the client's name, the specific role of the team member for the firm, and a point of contact for the client with a telephone number and email address.

G. FINAL SELECTION AND NOTIFICATION

Colleton County intends to select one (1) firm to perform the work outlined in the scope. The successful firm shall be required to execute a formal contract with Colleton County within ten (10) business days after receiving the notice of award by Colleton County.

Colleton County will begin negotiating the project once the selected firm has entered into a contract. After successfully negotiating a fair and reasonable cost and time frame, the selected firm will be awarded a contract for services subject to any prior approval of grant funding agencies.

H. INSTRUCTIONS TO FIRM

1. **ADDITIONAL INFORMATION:** Colleton County reserves the right to request or obtain additional information about all responses to the RFQ.
2. **AMENDMENT:** Any amendment will be posted on the Colleton County website as an addendum. The RFQ may be amended before the RFQ response submittal date. All actual or prospective firms should monitor Colleton County's website for the issuance of addendums. Firms shall acknowledge receipt of any addendum to this RFQ by signing and returning the attached Addendum Acknowledgement form. If this RFQ is amended, all terms and conditions that have not been modified will remain unchanged. It is the Firm's responsibility to check the website regularly for updates and modifications.
3. **AUDITS:** Colleton County may audit the selected Firm before the contract award. This audit will ensure that the chosen firm is financially capable of performing the contract and has adequate accounting practices to track contract costs accurately.
4. **AWARD:** The selected firms will be posted on Colleton County's website.
5. **CERTIFICATION FORMS:** The submission forms in this document must be completed, signed, notarized, and submitted with the RFQ response. Failure to submit these forms may result in a non-responsive RFQ response.
6. **CLARIFICATIONS:** Colleton County, at its sole discretion, shall have the right to seek clarifications from any Firm to understand the information in their responses to the RFQ fully.
7. **COMMUNICATION:** Effective the date of the advertisement of this contract, no further contact is allowed with any Colleton County personnel concerning this RFQ except for questions of an administrative or contractual nature that shall be submitted in writing to the attention of one of the Contract Officers. This restriction is in effect until the selection has been announced. The employees of the proposed firm may not contact any Colleton County staff, including members of the Selection Committee, other than one of the Contract Officers to obtain information on the RFQ. Such contact may result in disqualification.
8. **CONFLICT OF INTEREST:** By submitting a proposal, the proposer agrees that if an organizational conflict of interest is discovered after the proposal is submitted, the proposer must make an immediate and full disclosure to Colleton County that includes a description of the action that the proposer has taken or proposes to take to avoid or mitigate such conflict. Colleton County considers it a conflict of interest for a firm to represent more than one party concerning any given project, regardless of which phases of the service are involved. If, after the award of the contract,

an organizational conflict of interest is determined to exist, Colleton County may, at its discretion, cancel the contract. If the proposer was aware of an organizational conflict of interest before the award of the contract and did not disclose the conflict to Colleton County, then Colleton County may terminate the agreement for default. The Firm must complete and submit a DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST CERTIFICATION certifying it does not have any financial or other interest in the outcome of the project, that it has no agreement, enforceable promise, or guarantee with any individual or company to provide any work on the project, that it does not have any association or professional or business relationships with anyone who has a financial interest in the outcome of the project, nor does anyone with a financial interest in the outcome of the project, exercise any control over the firm's pay, employment, bonuses, or other area subject to external influence.

9. **DEBARMENT CERTIFICATION:** Colleton County requires certification by prospective Firms and Firms sub-consultants as to current history regarding debarment, eligibility, indictments, convictions, or civil judgments. All firms are required to submit the debarment certification with its RFQ response for the prime firm and firms' sub-consultants. Any individual, business, organization, corporation, consortium, partnership, joint venture, or any other entity, including sub-firms currently debarred or suspended, is ineligible to participate as a candidate for this process. Any entity ineligible to conduct business in South Carolina for any reason is ineligible to respond to the RFQ. A CERTIFICATION REGARDING DEBARMENT, SUSPENSION, and OTHER RESPONSIBILITY MATTERS is included in the Appendix to this RFQ. These Certification forms will not count toward the 25-page limit.
10. **DRUG-FREE WORKPLACE CERTIFICATION:** By submitting an RFQ response, the Firm certifies that, if awarded a contract, it will comply with all applicable provisions of the Drug-Free Workplace Act, Title 44, and Chapter 107 of the South Carolina Code of Laws, as amended.
11. **ETHICS CERTIFICATION:** By submitting this RFQ, the Firm certifies that the Firm has and will comply with South Carolina's Ethics, Government Accountability, and Campaign Reform Act of 1991, as amended. The following statutes require special attention: (a) Offering, giving, soliciting, or receiving anything of value to influence action of public employee - §8-13-790, 8-13-705, 8-13-720; (b) Recovery of kickbacks - §8-13-790, (c) Offering, soliciting, or receiving money for advice or assistance of public official - §8-13-720, (d) Use or disclosure of confidential information - §8-13-725, Persons hired to assist in the preparation of specifications or evaluation of bids - §8-13-1150, (f) Solicitation of state employees - §8-13-755, §8-13-760 and §8-13-725. The state may rescind any contract and recover all amounts expended due to any action violating this provision.
12. **INSURANCE and BONDS:** Firm and sub-firms are responsible for obtaining all required statutory and contractual insurance and bonds, including but not limited to Professional liability insurance and Error and Omissions insurance, and shall be submitted to Colleton County prior to execution of a contract for services. The Firm shall maintain all forms of insurance required by law in the State of South Carolina. The Firm shall also maintain insurance coverage for comprehensive, general liability, automobile liability, and workers' compensation (by statutory authority). Colleton County will be named as an "additional insured" party. This policy shall remain in effect for any Contract for Services. Minimum insurance coverage limits can be seen below.
 - Professional Liability Insurance - Minimum \$1,000,000.00 Proof of in-force insurance must be provided in response to the RFQ
 - Errors and Omissions Insurance—Each contract for services must include Proof of in-force insurance for a minimum of \$2,000,000.00.
 - Other insurances:
 - Workers' Compensation - \$100,000 - each accident

- Statutory Coverage and Employer - \$100,000 for each employee
- Liability - \$500,000 - policy limit
- Comprehensive General Liability –
 - \$2,000,000 – bodily injury each occurrence
 - \$2,000,000 – bodily injury aggregate
 - \$2,000,000 – property damage each occurrence
 - \$2,000,000 – property damage aggregate
- Products-Completed Operations - \$1,000,000 – aggregate
- Business Auto Liability – Same as Comprehensive General Liability
- Excess or Umbrella Liability - \$2,000,000

13. **JOINT VENTURES:** If the Firm is a partnership, limited partnership, joint venture, or other association (hereinafter joint venture), provide a copy of the organizational document or agreement committing to form the organization. Provide documentation from its surety company acknowledging the formation of a joint venture to complete the project and that the joint venture can obtain a performance bond and payment bond in the estimated amount of the contract. Provide a statement executed by all general partners, joint venture members, or other association members, as applicable, evidencing agreement to be fully liable for the performance under the contract. Provide documentation with evidence that the person signing the contract has the authority to sign the contract on behalf of the joint venture. This information may be included in the appendices and will not be counted against the maximum page limitation.

14. **KEY INDIVIDUALS:** Key individuals are personnel deemed critical to the project's success. They often vary from project to project. It is incumbent on the prime Firm to decide who they consider “key.” In general terms, this can include, but is not limited to, the project manager and those individuals listed as leaders for each functionally specific discipline on the project organization chart.

15. **KEY INDIVIDUAL CHANGES:** If during the selection process, Colleton County is notified by the Firm that key individuals are not available, action must be taken as follows: (1) if notified before scoring is complete, but after the deadline for submittal, the Firm can submit the resume of the person who would be replacing the key individual. The selection committee will score using the new key individual; (2) if notified after the scoring is complete, but before final approval, and the change involves the top scoring Firm, the Firm can submit the resume of the person who will replace the key individual. The selection committee must determine if the new person would affect the selection results. If not, Colleton County will notate the change and the justification for keeping the selection results. If it does, the selection committee will re-score the top consultant and change the selection; or (3) if a Firm notifies Colleton County of a key individual change any time after the final approval, Colleton County must determine if the new key individual is acceptable. If not, the Firm will be rejected, and the next highest qualified Firm will be selected. To qualify for Colleton County’s authorization to replace a key individual, the Firm must submit a written request explaining the reason for the change. It must be documented that the proposed removal and replacement will provide services and/or management of the Project equal to or better than that submitted with the proposal. Colleton County will use the criteria specified in the advertisement and the qualification submitted by the firm to evaluate all requests. Colleton County reserves the right to reject the Firm from further consideration if the new member is not approved. Colleton County acknowledges that there are times when key individuals have to be changed due to changes in employment, unanticipated workload shifts, or schedule changes. Colleton County must approve all changes in writing for key individuals.

16. **LAWS AND REGULATIONS:** The firm is responsible for knowing and understanding state and federal contracting and project regulations, rules, policies, and procedures. Firms shall conform

to all state and federal requirements.

17. **MULTIPLE PROPOSALS:** Firms are prohibited from submitting multiple proposals as the prime Firm in response to this advertisement.
18. **OWNERSHIP:** All materials and written qualifications submitted under this RFQ shall become the property of Colleton County and will not be returned. All responders must visibly mark as "CONFIDENTIAL" each part of their submission that they consider containing proprietary information, the release of which would constitute an unreasonable invasion of privacy. All unmarked pages will be subject to release by law. Proposers should be prepared, upon request, to justify why such materials should not be disclosed under the South Carolina Freedom of Information Act, S.C. Code Section 30-4-10, et seq.
19. **REQUIRED PERCENTAGE OF WORK FOR PRIME FIRMS:** Firms must perform work valued at not less than 30% of the total work, excluding specialized services, with their staff. Specialized services are those services or items not usually furnished by a Firm performing a particular type of service requested.
20. **RESPONSIBLE:** The contract will be awarded to the Firm that has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance, which may be substantiated by past performance.
21. **RESPONSIVENESS:** Any RFQ response that fails to conform to the material requirements of the RFQ may be rejected as nonresponsive. Reasons for determining a proposal to be non-responsive may result from but are not limited to, the following: failure to provide all information requested in RFQ, conflict of interests, conditional proposals, and failure to provide complete and honest information. Firms will not be allowed to correct any material nonconformity. Any deficiency resulting from a minor informality may be clarified or waived at the sole discretion of Colleton County.
22. **RFQ PREPARATION COSTS:** Colleton County assumes no liability and will not reimburse costs incurred by firms (whether selected or not) in developing responses to this RFQ or participating in interviews.
23. **RIGHT TO MODIFY and AMEND RFQ:** Colleton County reserves the right to modify or amend any provision of this RFQ, including the determination of its intent to award a contract under this RFQ. Interested Firms are cautioned to rely solely on the contents of this RFQ and subsequent written amendments when preparing any list of qualifications. Any oral instructions, comments, or recommendations shall not bind Colleton County.
24. **RIGHT TO REJECT:** Colleton County reserves the right, in its sole discretion, to reject all RFQ responses if it determines that such rejection is in the best interest of Colleton County.
25. **RIGHT TO CANCEL:** Colleton County reserves the right to cancel the advertisement, negotiations, or contract at any time in the best interest of Colleton County.
26. **TERMS OF CONTRACT:** Standard contract terms; thirty-six (36) month period with an option for one (1) thirty-six (36) month renewal period. Colleton County projects utilizing State and/or Federal funding are non-negotiable.
27. **VALIDITY OF INFORMATION:** The Firm shall be held responsible for the validity of all information supplied in its RFQ, including that provided by potential subcontractors. Should the subsequent investigation disclose that the facts and conditions were not as stated, the RFQ may be rejected, or the contract may be terminated for default afterward, in addition to any other remedy available

under the contract or by law.

I. REQUIRED FORMS

The following completed forms are required to be returned with each RFQ:

- Firm's Submittal Form
- Certificate of non-collusion
- Certification of Primary Participant Regarding Debarment, Suspension, And Other Responsibility Matters
- Certification of Firm
- Disclosure of Potential Conflict of Interest Certification
- Drug-Free Workplace Certification
- Equal Employment Opportunity Certification and Addendum Acknowledgement



RFQ: PD-29

FIRM'S SUBMITTAL FORM

In compliance with the above RFQ: PD-29, the undersigned proposals provide professional engineering and design services for Colleton County with the instructions, terms, conditions, and requirements incorporated in the Request for Qualifications.

Name of Firm:

Address:

Federal Tax Identification Number:

Principal's Name and Title (type or print):

Email Address:

Principal's Signature:

State of Incorporation:

Is your business delinquent in paying any taxes owed to Colleton County? ☐ Yes ☐ No

Please note that the Procurement Department is required to verify that all taxes have been paid to the County by vendors with whom they intend to do business. If you owe delinquent taxes, your submittal may be disqualified from consideration. If you wish to inquire about your tax status, contact the Colleton County Delinquent Tax Office at (843) 549-5433.

THIS PAGE MUST BE COMPLETED AND SUBMITTED AS A PART OF YOUR PROPOSAL



RFQ: PD-29

CERTIFICATE OF NON-COLLUSION

By submission of a proposal, each person signing on behalf of any consultant certifies, and in the case of a joint proposal, each party thereto certifies as to its organization, under penalty of perjury, that to the best of knowledge and belief:

- 1) The proposal is submitted without collusion, consultation, communication, or agreement to restrict competition with any other bidder or competitor.
- 2) No attempt has been made or will be made by the proposer to induce any other person, partnership, or corporation to submit or not to submit a proposal to restrict competition.

Firm

Authorized Official/Title

Signature

Date

SWORN AND SUBSCRIBED before me this _____ day of _____, 2025

My commission expires _____

Notary Public

THIS PAGE MUST BE COMPLETED AND SUBMITTED AS A PART OF YOUR PROPOSAL



RFQ: PD-29

**CERTIFICATION OF PRIMARY & SUB-CONSULTANT PARTICIPANT REGARDING DEBARMENT,
SUSPENSION AND OTHER RESPONSIBILITY MATTERS**

The Firm of, _____certifies to the best of its knowledge and belief, that it and its principals:

- 1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency.
- 2) Have not within three years preceding this proposal been convicted of or had a civil judgment rendered against them for the commission of fraud or a criminal offense in connection with obtaining, attempting to get, or performing a public (Federal, State, or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- 3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or Local) with the commission of any of the offenses enumerated in paragraph (2) of this certification; and
- 4) Have not within a three (3) year period preceding this application/proposal had one or more public transactions (Federal, State, or Local) terminated for cause or default.

If the prime Firm cannot certify any of the statements in this certification, the Firm shall attach an explanation to this certification.

The Firm of, _____certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provisions of 31 U.S.C. Sections 3801 et seq, are applicable thereto.

Date

Authorized Official/Title

SAM's No. _____

Cage Code _____

DUN's No. _____

THIS PAGE MUST BE COMPLETED AND SUBMITTED AS A PART OF YOUR PROPOSAL



COLLETON COUNTY

SOUTH CAROLINA

RFQ: PD-29

CERTIFICATION OF FIRM

I hereby certify that I am the duly authorized representative of FIRM and that neither I nor the above FIRM I here represent has:

- a) employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person (other than a bona fide employee working solely for me or the above FIRM) to solicit or secure this contract.
- b) agreed, as an express or implied condition for obtaining this contract, to employ or retain the services of any firm or person in connection with carrying out the contract or
- c) paid, or agreed to pay, to any firm, organization, or person (other than a bona fide employee working solely for me or the above FIRM) any fee, contribution, donation, or consideration of any kind for, or in connection with, procuring or carrying out the contract except as here expressly stated (if any).
- d) either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action to restrain free competitive bidding in connection with the submitted proposal.

By execution of this Agreement, FIRM certifies that FIRM and all sub-firms, contractors, employees, and agents will comply with South Carolina's Ethics, Government Accountability, and Campaign Reform Act of 1991, as amended. The following statutes require special attention: (a) Offering, giving, soliciting, or receiving anything of value to influence action of public employee - §8-13-790, 8-13- 705, 8-13-720; (b) Recovery of kickbacks - §8-13-790, (c) Offering, soliciting, or receiving money for advice or assistance of public official - §8-13-720, (d) Use or disclosure of confidential information - §8-13-725, (e) Persons hired to assist in the preparation of specifications or evaluation of bids - §8-13-1150, (f) Solicitation of state employees - §8-13-755, §8-13-760 and §8-13-725. The state may rescind any contract and recover all amounts expended due to any action violating this provision.

I acknowledge that this certificate is subject to applicable State and Federal laws, both criminal and civil.

Firm

Authorized Official/Title

Signature

THIS PAGE MUST BE COMPLETED AND SUBMITTED AS A PART OF YOUR PROPOSAL



RFQ: PD-29

DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST CERTIFICATION

The firm hereby indicates that it has, to the best of its knowledge and belief:

_____ Determined that no potential organizational conflict of interest exists.

_____ Determined a potential organizational conflict of interest as follows:

Attach additional sheets as necessary.

1. Describe the nature of the potential conflict(s):

2. Describe measures proposed to mitigate the potential conflict(s):

Firm

Date

Signature/Title

Print Name

If a potential conflict has been identified, please provide the name and phone number of a contact person authorized to discuss this disclosure certification.

Name

Phone number

Company

THIS PAGE MUST BE COMPLETED AND SUBMITTED AS A PART OF YOUR PROPOSAL



RFQ: PD-29

DRUG-FREE WORKPLACE CERTIFICATION

This certification is required by the Drug-free Workplace Act, Section 44-107-10 et seq South Carolina Code of Laws (1976, as amended). The regulations require certification by Contractors/Vendors before award that they will maintain a drug-free workplace as defined below. The certification set out below is a material representation of the facts upon which reliance will be placed when determining the award of a contract. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of contract, or suspension or debarment from the right to submit bids or proposals for Colleton County projects.

For purposes of this Certification, a “Drug-free Workplace” is defined as set forth in Section 44-107019 (1), South Carolina Code of Laws (1976, as amended). The aforesaid Section defines the workplace to include any site where work is performed to carry out the Contractor’s/ Vendor’s duties under the contract. Contractor’s/Vendor’s employees shall be prohibited from engaging in unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in accordance with the requirements of the Drug-free Workplace Act.

By signing this document, the Firm hereby certifies that it will provide a drug-free workplace by:

- (1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Contractor’s/Vendor’s workplace and specifying the actions that will be taken against employees for violating the prohibition.
- (2) Establishing a drug-free awareness program to inform employees about:
 - (a) The dangers of drug abuse in the workplace.
 - (b) The Contractor’s/Vendor’s policy of maintaining a drug-free workplace.
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug violations.
- (3) Making it a requirement that each employee to be engaged in the performance of the contract be given a copy of the statement required by paragraph (1) above.
- (4) Notifying the employee of the statement required by paragraph (1) that, as a condition of employment under the contract, the employee will:
 - (a) Abide by the terms of the statement: and
 - (b) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after the conviction

- (5) Notifying the using agency within ten (10) days after receiving notice under subparagraph (4) (b) from an employee or otherwise receiving actual notice of the conviction.
- (6) Taking one of the following actions within thirty (30) days of receiving notice under subparagraph (4) (b) with respect to any employee who is convicted:
 - (a) Taking appropriate personnel action against the employee, up to and including termination; and
 - (b) Requiring the 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.
- (7) Making a reasonable faith effort to continue to maintain a drug-free workplace through the implementation of paragraphs (1), (2), (3), (4), (5), and (6) above.

Firm: _____

Address: _____

Authorized Representative Name/Title: _____

Email Address: _____

Signature: _____ **Date:** _____

Witness Name (Print): _____

Signature of Witness: _____

Note: This certification form is required for all contracts for a stated or estimated value of \$50,000 or more.

THIS PAGE MUST BE COMPLETED AND SUBMITTED AS A PART OF YOUR PROPOSAL



RFQ: PD-29

EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION

Colleton County requires compliance with State and Federal regulations governing Equal Employment Opportunity (EO), external equal opportunities (EO), External On-the-Job Training (OJT), Title VI, and the Americans with Disabilities Act (ADA) programs.

Sub-recipients of federal-aid contracts must include notifications in all solicitations for bids of work or material and agreements subject to Title VI of the Civil Rights Act of 1964 and other nondiscrimination authorities. Sub-recipients, contractors, and subcontractors may not discriminate against their employment practices or the selection and retention of any subcontractor.

By signing this document, the Firm hereby certifies its commitment to assure nondiscrimination in its programs and activities to the effect that no person shall, on the grounds of race, color, national origin, sex, age, disability, or income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any federally or non-federally funded program or activity administered by the sub-recipient and/or its contractors.

ADDENDA ACKNOWLEDGEMENT

The firm has examined and carefully studied the proposal and the following Addenda receipt, all of which are hereby acknowledged:

<i>Amendment No.</i>	<i>Issue Date</i>

Firm: _____

Address: _____

Authorized Representative Name/Title: _____

Email Address: _____

Signature: _____

Date: _____

THIS PAGE MUST BE COMPLETED AND SUBMITTED AS A PART OF YOUR PROPOSAL