

# SAMPLE

## MIAMI-DADE COUNTY SINGLE EXECUTION AFFIDAVITS

This sworn statement is submitted with the Permit for:

PERMIT NUMBER: XX-XXXXXX

COUNTY OF: Miami-Dade

STATE OF: Florida

Before me the undersigned authority appeared John C. Name,  
(Print Name)  
who is personally known to me or who has provided ID type and number as  
identification and who did (did not) take an oath, and who stated:

That he is the duly authorized representative of

XYZ Corporation  
(Name of Permittee)  
1234 Road Street. Anytown, FL 33111  
(Address of Permittee)  
X / X - X / X / X / X / X / X / X / X / X /  
Federal Employment Identification Number

hereinafter referred to as the contracting entity being its

President  
(Sole Proprietor)(Partner)(President or Other Authorized Officer)

and as such has full authority to make this affidavit and say as follows.

### **I. OWNERSHIP DISCLOSURE AFFIDAVIT**

That the information given herein and in the documents attached hereto is true and correct.

1. The full legal name and business address\* of the person  OR entity (Contractor) contracting or transacting business with Miami-Dade County is:

John C. Name  
or  
XYZ Corporation  
1234 Road Street, Anytown, FL 33111

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2. If the contract or business transaction is with a Corporation<sup>\*\*</sup>, provide the full legal name and business address<sup>\*</sup> and title for each officer.

John. C. Name, President, 1234 Road St., Anytown, FL 33111
Ben. A. Name, Vice President, 1234 Road St., Anytown, FL 33111

3. If the contract or business transaction is with a Corporation<sup>\*\*</sup>, provide the full legal name and business address<sup>\*</sup> for each director.

John. C. Name, Director, 1234 Road St., Anytown, FL 33111
Ben. A. Name, Director, 1234 Road St., Anytown, FL 33111
William C. Fold, Director, 3333 Smith Ave., Coopertown, FL 33112

4. If the contract or business transaction is with a Corporation<sup>\*\*</sup>, provide the full legal name and business address<sup>\*</sup> for each stockholder who holds directly or indirectly five percent (5%) or more of the corporation's stock and state the percentage.

John. C. Name, 1234 Road St., Anytown, FL 33111 - 50%
Ben. A. Name, 1234 Road St., Anytown, FL 33111 - 50%

5. If the contract or business transaction is with a Trust, provide the full legal name and address<sup>\*</sup> for each trustee and each beneficiary. All such names and addresses are:


6. The full legal name and business addresses<sup>\*</sup> of any other individuals (other than subcontractors, material men, suppliers, laborers, or lenders) who have, or will have, any interest (legal, equitable, beneficial or otherwise) in the contract or business transaction with Miami-Dade County are:


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7. If a Corporate Joint Venture, list the names and titles of the Officers of the Corporate Members of the Joint Venture:

(a) President:	_____	(a) President:	_____
Vice-Pres:	_____	Vice-Pres:	_____
Secretary:	_____	Secretary:	_____
Treasurer:	_____	Treasurer:	_____

8. If a Non-Corporate Partnership or Joint Venture, list the names of the Principals of the Non-Corporate Partnership or Joint Venture:

(c) _____	(d) _____
(Name)	(Name)
(c) _____	(d) _____
(Title)	(Title)

9. State whether the person or entity (Contractor) contracting or transacting business with Miami-Dade County has a collective bargaining agreement with its employees **(Yes/No)**:

10. Use Attachment I to list the health care benefits to be paid to employees performing work under this Contract.

(See Attachment I)

11. Use Attachment II to list the current breakdown of the Contractor's work force **and** ownership as to race, national origin, and gender.

(See Attachment II)

\* **Post Office Box addresses not acceptable.**

\*\* **If a Joint Venture, list this information for each member of the Joint Venture**

## II. ANNUAL DRUG-FREE WORKPLACE AFFIDAVIT (Section 2-8.1.2 of the Code)

That in compliance with Section 2-8.1.2 of the Code, the contracting entity certifies:

(A) That as of the commencement date of this agreement with Miami-Dade County it shall provide a drug-free workplace for its employees in accordance with the provisions of Section 2-8.1.2 of the Code.

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1. Will provide a written statement to each employee notifying the employee that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance, as defined in Section 893.02(4), Florida Statutes, as same may be amended from time to time, in the contracting entity's workplace(s) is prohibited and specifying the action the contracting entity will take against employees for violation of such prohibition. Such written statement shall also inform the employee of:
  - (i) The dangers of drug abuse in the workplace;
  - (ii) The contracting entity's policy of maintaining a drug-free environment at all of its workplaces, including but not limited to all locations where employees perform any task relating to any portion of the above contract;
  - (iii) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (iv) The penalties that may be imposed upon employees for drug abuse violations.
2. Will require each employee to sign a copy of the written statement referred to in Paragraph 1 above to acknowledge receipt of the written statement and advice as to specifics of such policy. The contracting entity covenants to retain the statements signed by its employees. The contracting entity covenants to post in a prominent place at all of its workplaces a written statement of its policy containing the foregoing elements (1) (i) through (iv);
3. Will notify each employee in the statement required by Paragraph 1 above that as a condition of employment that the employee will:
  - (i) Abide by the terms of the statement, and
  - (ii) Notify the contracting entity of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
4. Will notify the County within ten (10) days after receiving notice under Paragraph 3 above from an employee or otherwise receiving actual notice of conviction;
5. Will impose appropriate personnel action against such employee referred in Paragraph 4 above up to and including termination, or require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by Federal, State or local health, law enforcement, or other appropriate agency;
6. Will make a good faith effort to continue to maintain a drug-free workplace through implementation of Paragraphs 1 through 5 of this Affidavit.

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(B) That the contracting entity will certify annually on or before the anniversary date of the lease, concession permit, license, construction contract, professional services agreement, management or other agreement that is in compliance with the provisions of Section 2-8.1.2 of the Code.

### III. FAMILY LEAVE PLAN AFFIDAVIT (County Code Chap. 11A, Art V)

That in compliance with the County Code, Chap. 11A, Art V, the following is provided and is in compliance with all items in the aforementioned Code:

An employee who has worked for the above firm at least one year shall be entitled to 90 days family leave during any 24 month period for medical reasons, for the birth or adoption of a child, or for the care of a child, spouse or other close relative who has a serious health condition without risk of termination of employment or employer retaliation (or if less than 50 are employed in Miami-Dade County at time of execution of Affidavit, employer so certifies that when it employs 50 or more in Miami-Dade County, it will comply with all provisions of said Ordinance).

### IV. CRIMINAL RECORD AFFIDAVIT (Section 2-8.6 of the Code)

**(Select only one)**

That as of the date of this affirmation, the above named entity:

has not been convicted of a felony during the past ten (10) years, nor does it, as of the date of the contract submission, have an officer, director, or executive who has been convicted of a felony during the past ten (10) years.

\_\_\_\_\_ has been convicted of a felony during the past ten (10) years, or as of the date of the contract submission, has an officer, director, or executive who has been convicted of a felony during the past ten (10) years.

### V. DISABILITY NONDISCRIMINATION AFFIDAVIT

That the above named entity is in compliance with, and agrees to continue to comply with, and assures that any subcontractor, or third party contractor under this project complies with all applicable requirements of the laws listed below including, but not limited, those provisions pertaining to employment, provision of the programs and services, transportation, communications, access to facilities, renovations, and new construction.

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The Americans with Disabilities Act of 1990 (ADA), Pub.L. 101-336, 104 Stat 327, 42 U.S.C. 12101-12213 and 47 U.S.C. Sections 225 and 611 including Title I, Employment; Title II, Public Services; Title III, Public Accommodations and Services Operated by Private Entities; Title IV, Telecommunications; and Title V, Miscellaneous Provisions.

The Rehabilitation Act of 1973, 29 U.S.C. Section 794

The Federal Transit Act, as amended, 42 U.S.C. Section 1612

The Fair Housing Act, as amended, 42 U.S.C. Section 3601-3631

## **VI. SWORN STATEMENT OF PUBLIC ENTITY CRIMES (Florida Statutes, § 287.133(3)(a))**

1. 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 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.

2. 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, non-jury trial, or entry of a plea of guilty or nolo contendere.

3. 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.

4. 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 or

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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.

5. Based on information and belief, the statement, which I have marked below, is true in relation to the entity submitting this sworn statement. (Please indicate which statement applies).

Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity have 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 the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in 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; and (Please indicate which additional statement applies).

\_\_\_\_\_ There has been a proceeding concerning the conviction before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer did not place the person or affiliate on the convicted vendor list. (Please attach a copy of the final order).

\_\_\_\_\_ The person or affiliate was placed on the convicted vendor list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in the public interest to remove the person or affiliate from the convicted vendor list. (Please attach a copy of the final order).

\_\_\_\_\_ The person or affiliate has not been placed on the convicted vendor list. (Please describe any action taken by or pending with the Florida Department of General Services).

## **VII. ARREARAGE AFFIDAVIT (Section 2-8.1 of the Code)**

I, being first duly sworn, state that the individual or entity submitting this affidavit is current in its obligations to the County and is not otherwise in default of any County contract. In addition, I being first duly sworn, state that the individual or entity submitting this affidavit is not in arrears under any individual contract in excess of the enforcement threshold of \$25,000 and which arrearage has been delinquent for greater than 180

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days, or if such arrearage exists, the County has agreed in writing to a repayment schedule.

## VIII. CODE OF BUSINESS ETHICS AFFIDAVIT

The contracting entity has adopted a Business Code of Ethics that complies with the requirements of Section 1 of Ordinance No. 01-96.

The above named entity hereby affirms its understanding that its failure comply with its Code of Business Ethics shall render any contract between it and the County voidable, and subject it to debarment from future County work pursuant to Section 10-38(h)(2) of the Code of Miami-Dade County. The Inspector General shall be authorized to investigate any alleged violation by a contractor of its Code of Business Ethics. Nothing contained herein shall be construed to limit the powers and duties of the Inspector General as stated in other sections of the Code of Miami-Dade County.

## IX. AFFIRMATIVE ACTION PLAN/PROCUREMENT POLICY

### **Select only one**

\_\_\_\_\_ The contracting entity has a current Affirmative Action Plan and/or Procurement Policy as required by Section 2-8.1.5 of the Code, processed and approved for filing with Miami-Dade County Department of Business Development (DBD) under File No. \_\_\_\_\_ and the expiration date \_\_\_\_\_; or

\_\_\_\_\_ The contracting entity has a Board of Directors which is representative of the population make-up of the nation and hereby claims exemption in accordance with the requirements of Section 2-8.1.5 of the Code. Said contracting entity has a current Board of Directors Disclosure form as required by Section 2-8.1.5, processed and approved for filing with Miami-Dade County Department of Business Development under File No. \_\_\_\_\_ and the expiration date of \_\_\_\_\_; or

The contracting entity has annual gross revenues less than or equal to \$5 million.

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This single execution shall have the same force and effect as if each of the above nine affidavits had been individually executed.

\_\_\_\_\_  
XYZ CORPORATION  
Full name of entity

By: \_\_\_\_\_ President \_\_\_\_\_ 02.06.06  
Signature of Representative Title Date  
\_\_\_\_\_  
John C. Name  
Print Name of Representative

STATE OF: \_\_\_\_\_

COUNTY OF: \_\_\_\_\_

SUBSCRIBED AND SWORN TO (or affirmed) before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_,  
(Authorized Representative)

of \_\_\_\_\_, who is personally

known to me or has produced \_\_\_\_\_ as  
(Type of Identification)

and who did / did not take an oath.

\_\_\_\_\_  
(Signature of Notary)

\_\_\_\_\_  
(Notary Commission Number)

\_\_\_\_\_  
(Signature of Notary)

\_\_\_\_\_  
(Notary Commission Number)

Notary Public – State of \_\_\_\_\_  
(State)

Notary Stamp or Seal: