

RFQ - 4563 - 17 - JE

**Code Compliance and Vehicle Impoundment
Special Magistrates**

Judith E. Secher

621 North 44th Avenue

Hollywood, Florida 33021

September 25, 2017

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City of Hollywood, Florida

ACKNOWLEDGMENT AND SIGNATURE PAGE

This form must be completed and submitted by the date and the time of bid opening.

Legal Company Name (include d/b/a if applicable): JUDITH ELLEN SECHER Federal Tax Identification Number: 210-34-6648

If Corporation - Date Incorporated/Organized: _____

State Incorporated/Organized: _____

Company Operating Address: 621 NORTH 44TH AVE.

City HOLLYWOOD State FL Zip Code 33021

Remittance Address (if different from ordering address): _____

City _____ State _____ Zip Code _____

Company Contact Person: JUDITH E. SECHER Email Address: judithsecher@bellsouth.net

Phone Number (include area code): 305-215-4094 Fax Number (include area code): N/A

Company's Internet Web Address: N/A

IT IS HEREBY CERTIFIED AND AFFIRMED THAT THE BIDDER/PROPOSER CERTIFIES ACCEPTANCE OF THE TERMS, CONDITIONS, SPECIFICATIONS, ATTACHMENTS AND ANY ADDENDA. THE BIDDER/PROPOSER SHALL ACCEPT ANY AWARDS MADE AS A RESULT OF THIS SOLICITATION. BIDDER/PROPOSER FURTHER AGREES THAT PRICES QUOTED WILL REMAIN FIXED FOR THE PERIOD OF TIME STATED IN THE SOLICITATION.

Judith Ellen Secher Bidder/Proposer's Authorized Representative's Signature: _____ Date 9-25-2017

Type or Print Name: JUDITH ELLEN SECHER

THE EXECUTION OF THIS FORM CONSTITUTES THE UNEQUIVOCAL OFFER OF BIDDER/PROPOSER TO BE BOUND BY THE TERMS OF ITS PROPOSAL. FAILURE TO SIGN THIS SOLICITATION WHERE INDICATED BY AN AUTHORIZED REPRESENTATIVE SHALL RENDER THE BID/PROPOSAL NON-RESPONSIVE. THE CITY MAY, HOWEVER, IN ITS SOLE DISCRETION, ACCEPT ANY BID/PROPOSAL THAT INCLUDES AN EXECUTED DOCUMENT WHICH UNEQUIVOCALLY BINDS THE BIDDER/PROPOSER TO THE TERMS OF ITS OFFER.

ANY EXCEPTION, CHANGES OR ALTERATIONS TO THE GENERAL TERMS AND CONDITIONS, HOLDHARMLESS/INDEMNITY DOCUMENT OR OTHER REQUIRED FORMS MAY RESULT IN THE BID/PROPOSAL BE DEEMED NON-RESPONSIVE AND DISQUALIFIED FROM THE AWARD PROCESS.

JUDITH E. SECHER
621 NORTH 44TH AVENUE
HOLLYWOOD, FLORIDA
305-215-4094

September 26, 2017

Janice English
Procurement Contracts Officer
Room 303
City of Hollywood, Florida 33022

RE: RFQ 4563 – 17 –JE **LETTER OF TRANSMITTAL**

Dear Ms. English:

I am aware of the requirements and responsibilities of this position, having been employed by The City of Hollywood in this position for approximately five years. I have been a Special Magistrate at Code Enforcement, Red Light enforcement, and Vehicle Impoundment hearings. Additionally I have served as a magistrate for the cities of Boca Raton and Dania Beach for approximately two years.

I have familiarized myself with the City Code and applicable laws related to these hearings.

I have much enjoyed working with the Code Enforcement staff and other City employees, and have learned much from them.

I hope to improve in this capacity, if given the opportunity.

Sincerely,



Judith E. Secher

PROFILE OF VENDOR

- a. I am a sole practitioner in good standing with The Florida Bar. I do not maintain a practice, other than serving as a magistrate for three cities.
- b. I maintain a separate office in my home.
- c. During my over 30 years of litigation experience before judges, I have had the opportunity to observe how judges treat litigants who appear in their courts. As a magistrate I believe I have conducted hearings in a fair and respectful manner, based upon adopting the best practices and behavior of these judges.
- d. The following are contacts for code enforcement in the two cities where I am presently a magistrate, the cities of Dania Beach and Boca Raton:

e.

Eric Walton
Code Compliance Supervisor
City of Dania Beach
100 West Dania Beach Boulevard
Dania Beach, Florida 33004
ewalton@daniabeachfl.gov

Douglas Sheedy
Code Compliance Supervisor
City of Boca Raton
201 West Palmetto Park Road
Boca Raton, Florida 33432
561-393-7954
DSheedy@myboca.us

SUMMARY OF VENDOR'S QUALIFICATIONS

- a. I am a sole practitioner and member in good standing of the Florida Bar. (My Resume is attached and incorporated herein as Appendix B)
- b. I have been employed as a Special Magistrate with the City of Hollywood for approximately five years, for Code Enforcement, the Vehicle Impoundment Program, and Red Light violation hearings.

In addition to this experience, I have served as a Code Enforcement magistrate in two other cities for approximately two years. I have also had the benefit of extensive court experience as an Assistant State Attorney, as a litigator for the Miami-Dade Police Department and Miami Police Department, and other agencies.

PROJECT UNDERSTANDING

In order to fulfill the role of a Special Magistrate, it is essential to understand the City Codes, statutes, the rules of law, and the rules and practices of the magistrate court, in order to make wise decisions in each case. As a resident of the City, I am also cognizant of the local community of which I am a part.

SUMMARY OF VENDOR'S FEE STATEMENT

I accept the flat rate of \$100 per hour for attendance at hearings, and for reviewing and signing orders and any other documents relevant to the hearings. I have not and will not seek reimbursement for any other activities.

City of Hollywood, Florida

HOLD HARMLESS AND INDEMNITY CLAUSE

(Company Name and Authorized Representative's Name)

, the contractor, shall indemnify, defend and hold harmless the City of Hollywood, its elected and appointed officials, employees and agents for any and all suits, actions, legal or administrative proceedings, claims, damage, liabilities, interest, attorney's fees, costs of any kind whether arising prior to the start of activities or following the completion or acceptance and in any manner directly or indirectly caused, occasioned or contributed to in whole or in part by reason of any act, error or omission, fault or negligence whether active or passive by the contractor, or anyone acting under its direction, control, or on its behalf in connection with or incident to its performance of the contract.


SIGNATURE

JUDITH ELLEN SECHER
PRINTED NAME

JUDITH E. SECHER
COMPANY OF NAME
ATTORNEY

9-25-2017
DATE

Failure to sign or changes to this page shall render your bid non-responsive.

4.

City of Hollywood, Florida

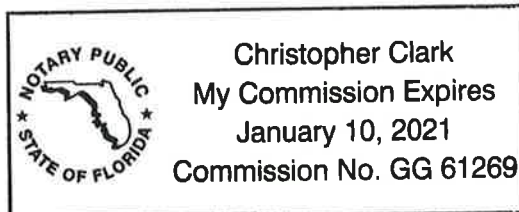
NON-COLLUSION AFFIDAVIT

STATE OF: FLORIDA

COUNTY OF: BROWARD, being first duly sworn, deposes and says that:

- (1) He/she is JUDITH E. SECHOR of JUDITH E. SECHOR the Bidder that has submitted the attached Bid.
- (2) He/she has been fully informed regarding the preparation and contents of the attached Bid and of all pertinent circumstances regarding such Bid;
- (3) Such Bid is genuine and is not a collusion or sham Bid;
- (4) Neither the said Bidder nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant has in any way colluded, conspired, connived or agreed, directly or indirectly with any other Bidder, firm or person to submit a collusive or sham Bid in connection with the contractor for which the attached Bid has been submitted or to refrain from bidding in connection with such contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Bidder, firm or person to fix the price or prices, profit or cost element of the Bid price or the Bid price of any other Bidder, or to secure an advantage against the City of Hollywood or any person interested in the proposed Contract; and
- (5) The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

(SIGNED) Justin Aeras ATTORNEY
Title



Failure to sign or changes to this page shall render your bid non-responsive.

City of Hollywood, Florida

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 form statement is submitted to CITY of HOLLYWOOD (for RFQ-4563-17-JE) by JUDITH ELLEN SECHER for JUDITH E. SECHER
(Print individual's name and title) (Print name of entity submitting sworn statement)
whose business address is 621 NORTH 44TH AVE. HOLLYWOOD, FL 33021
and if applicable its Federal Employer Identification Number (FEIN) is _____ If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement.
210-34-6648

2. I understand that "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 misinterpretation.

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 an 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 "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 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 "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, 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. (Please indicate which statement applies.)

Neither the entity submitting sworn statement, nor any of its officers, director, 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 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, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

City of Hollywood, Florida

X 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, but the Final Order entered by the Hearing Officer in a subsequent proceeding before a Hearing Officer of the State of the State of Florida, Division of Administrative Hearings, 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 1 (ONE) 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 THAT PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017 FLORIDA STATUTES FOR A CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

[Signature]
(Signature)

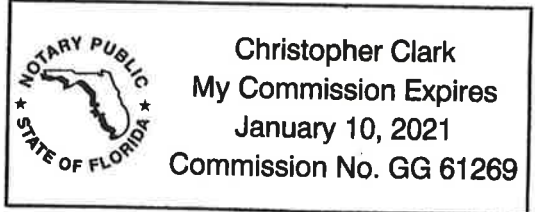
Sworn to and subscribed before me this 26 day of September, 20 17

Personally known _____

Or produced identification Florida drivers license Notary Public-State of Florida

Florida drivers license my commission expires 01-10-2021
(Type of identification)

Christopher Clark
(Printed, typed or stamped commissioned name of notary public)



chris clark

Failure to sign or changes to this page shall render your bid non-responsive.

City of Hollywood, Florida

CERTIFICATIONS REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

The applicant certifies that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, 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;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.

Applicant Name and Address:

JUDITH E. SECHER
621 N. 44TH AVENUE
HOLLYWOOD FL 33021

Application Number and/or Project Name:

RFQ-4563-17-JE

Applicant IRS/Vendor Number: 210-34-6648

Type/Print Name and Title of Authorized Representative:

JUDITH E. SECHER

Signature:  Date: 9-25-2017

Failure to sign or changes to this page shall render your bid non-responsive.

City of Hollywood, Florida

DRUG-FREE WORKPLACE PROGRAM

IDENTICAL TIE BIDS - Preference shall be given to businesses with drug-free workplace programs. Whenever two or more bids which are equal with respect to price, quality, and service are received by the State or by any political subdivision 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 have 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 violations 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 bid a copy of the statement specified in subsection (1).
4. In the statement specified in subsection (1), notify the employee that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of chapter 893 or of any controlled substance law of the United States or any state, for a 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, any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of these requirements.

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


VENDOR'S SIGNATURE

JUDITH ELLEN SECHER
PRINTED NAME

JUDITH E. SECHER
NAME OF COMPANY

City of Hollywood, Florida

SOLICITATION, GIVING, AND ACCEPTANCE OF GIFTS POLICY

Florida Statute 112.313 prohibits the solicitation or acceptance of Gifts. - "No Public officer, employee of an agency, local government attorney, or candidate for nomination or election shall solicit or accept anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor, or service, based upon any understanding that the vote, official action, or judgment of the public officer, employee, local government attorney, or candidate would be influenced thereby." The term "public officer" includes "any person elected or appointed to hold office in any agency, including any person serving on an advisory body."


The City of Hollywood policy prohibits all public officers, elected or appointed, all employees, and their families from accepting any gifts of any value, either directly or indirectly, from any contractor, vendor, consultant, or business with whom the City does business.

The State of Florida definition of "gifts" includes the following:

- Real property or its use,
- Tangible or intangible personal property, or its use,
- A preferential rate or terms on a debt, loan, goods, or services,
- Forgiveness of indebtedness,
- Transportation, lodging, or parking,
- Food or beverage,
- Membership dues,
- Entrance fees, admission fees, or tickets to events, performances, or facilities,
- Plants, flowers or floral arrangements
- Services provided by persons pursuant to a professional license or certificate.
- Other personal services for which a fee is normally charged by the person providing the services.
- Any other similar service or thing having an attributable value not already provided for in this section.

Any contractor, vendor, consultant, or business found to have given a gift to a public officer or employee, or his/her family, will be subject to dismissal or revocation of contract.

As the person authorized to sign the statement, I certify that this firm will comply fully with this policy.



 SIGNATURE

 JUDITH E. SECHER
 PRINTED NAME

 JUDITH E. SECHER
 NAME OF COMPANY

 ATTORNEY
 TITLE

Failure to sign this page shall render your bid non-responsive.

REFERENCES: RFQ4563-17-JE Code Compliance and Vehicle Impoundment Special Magistrates

Company Name: George N. Aylesworth, Esquire - Police Major/ Commander of the Miami-Dade Police Department Legal Bureau (retired)

Address: 1978 Greenlawn Drive
City, State, Zip: Englewood, Florida 34223
Point of Contact: George N. Aylesworth
Email: george.aylesworth@verizon.net

Explain How this Reference Work is Similar to this Request:
Over period of approximately 15 years, I appeared in the Miami-Dade courthouse as a plaintiff for the Miami-Dade Police Department, as my main assignment, providing me with an understanding of the court process and the position of a litigant before the court.

Company Name: Joel Cantor, Esquire
Address: 57 Mediterra Avenue
City, State, Zip: Ponte Vedra, Florida 32081
Point of Contact: Joel Cantor
Email: joelcantor@bellsouth.net

Explain How this Reference Work is Similar to this Request:
Mr. Cantor was my main contact for the first two years during which I conducted hearings as Special Magistrate for the City of Hollywood. Mr. Cantor represented The City at the hearings where I served as the Special Magistrate

Company Name: Clyde Pfleegor, Esquire (Professor)
Address: Miami Dade College, School of Justice, Building 8000
City, State, Zip: Miami, Florida 33147
Point of Contact: Clyde Pfleegor
Email: cpfleego@mdc.edu

Explain How this Reference Work is Similar to this Request:
Mr. Pfleegor was my supervisor, teaching the legal section of the police academy and corrections officers' training at the Miami-Dade College, School of Justice, 2011-2014. The teaching kept me current on the law, and improved my communication skills in explaining the law in a clear manner.

JUDITH E SECHER
621 NORTH 44TH AVENUE
HOLLYWOOD FLORIDA 33021

University of Miami School of Law, Miami, Florida - J.D., 1982

Emerson College, Boston, Massachusetts, 1969 - M.A., English and Speech ((Teaching Fellowship)

University of Pittsburgh, Pittsburgh, Pennsylvania, 1966 - B.A., English and Secondary Education

LEGAL AND OTHER EXPERIENCE:

6-12 to Present: Special Magistrate for Code Enforcement , City of Hollywood, City of Dania Beach and City of Boca Raton, Florida (Code Enforcement and Parking Enforcement magistrate)

2011 to 2014: Part Time Adjunct Professor, Miami-Dade College, School of Justice, Miami, Florida. Taught Police Academy Basic Law Enforcement (BLE) and Corrections Officer Academy classes

6-92 to 2-07: Police Legal Advisor, Miami-Dade Police Department, Miami, Florida. Litigated asset forfeiture cases, trained police officers, and provided written and verbal legal advice

11-90 to 5-92: Assistant City Attorney, City of North Miami Beach, Florida. Litigated civil cases.

7-89 to 11-90: Attorney, Shailer, Purdy & Jolly, P.A., Ft. Lauderdale, Florida. Litigated asset forfeiture cases representing the Broward County Sheriff and the Florida Department of Highway Safety and Motor Vehicles

12-83 to 7-89: Assistant City Attorney/Police Legal Advisor, City of Miami, Florida, litigated asset forfeiture cases, presented cases at the City Civil Service Board, and provided written and verbal legal advice

12-79 to 12-83: Legal Intern, Certified Legal Intern, and Assistant State Attorney, Office of the State Attorney, 11th Judicial Circuit, Miami-Dade County, Florida. As a certified Intern and Assistant State Attorney litigated misdemeanor cases, including violations of municipal code violations. As an Assistant State Attorney, I litigated in felony divisions.

1972 to 1979: High school teacher, Miami Senior High School (6 years) and Miami Edison Senior High School (1 year) in Miami-Dade County, Florida. Taught English and Speech classes, and sponsored the National Forensic League program at Miami Senior High School, The Miami team placed first in the state.

PROFESSIONAL AFFILIATIONS:

The Florida Bar and Florida Association of Police Attorneys (President 1988-1990)

PROFESSIONAL ACTIVITIES:

Author/Editor of *Florida Forfeiture Handbook* with James Swain, latest edition published by Lexis Nexis/Matthew Bender (2003 and 2005 editions) and Co-Author of *Florida Bar Governmental Handbook, Forfeiture Section* (2005)

Speaker at training programs on asset forfeiture, sponsored by federal, state and local agencies/ organizations, including: United States Department of Justice; American Prosecutors Research Institute; Florida Prosecuting Attorney's Association; Miami-Dade College School of Justice; Florida Department of Law Enforcement; Florida Bar; Florida Municipal Attorney's Association; Florida Association of Police Attorneys; Broward County Sheriff's Office; and Oceana Publications.