



**REQUEST FOR PROPOSALS
Financial Auditing Services
Lowcountry Regional Water System
Hampton, SC
Issued: February 17, 2020**

HAMPTON, SOUTH CAROLINA

Financial Auditing Services

RFP DUE DATE/TIME: March 18, 2020 at 2:00 pm EST

RFP NUMBER: 2020-01

POINT OF RECEIPT: Attn: Marlene Marchyshyn
Finance Director
Lowcountry Regional Water System
513 Elm St West
Hampton, SC 29924

The Lowcountry Regional Water System is requesting proposals from qualified firms or licensed certified public accountants to provide services to audit its financial statements. The audit will cover fiscal year ending September 30, 2020 and may require a single audit for major federal programs. The audit shall include an examination of the financial statements of all funds and account groups of the Lowcountry Regional Water System. The audit shall be performed in accordance with generally accepted auditing standards as set forth by the American Institute of Certified Public Accountants, the standards for financial audits set forth in the U.S. General Accounting Office's *Governmental Auditing Standards*, the provisions of the Single Audit Act Amendments of 1996, and the provisions of U.S. Office of Management and Budget (OMB) Circular A-133, *Audits of State and Local Governments and Non-Profit Organizations*

In order to submit a proposal, please read and comply with the requirements listed in the General Information and Instructions section of the proposal documents.

Inquiries - All inquiries concerning this Request for Proposal (RFP) shall be addressed to the Finance Director. **Contact with other departments or representatives without permission of the Finance Director may render your proposal void.**

An original and three (3) bound copies of your proposal shall be submitted by the due date above. Outside of package must be clearly marked with RFP number and project description above.

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SECTION 1: GENERAL INFORMATION AND INSTRUCTIONS

Sealed proposals shall be enclosed and secured in an envelope/package and properly marked and displayed on outside of envelope/package bearing the name and address of auditor, proposal number, and project identification. Lowcountry Regional Water System shall not be responsible for unidentified proposals. Proposals shall be addressed to

**Marlene Marchyshyn, Finance Director
Lowcountry Regional Water System
513 Elm St West
Hampton, SC 29924**

Hand delivered proposals should be delivered to the same above referenced address.

Proposals shall be submitted to the Lowcountry Regional Water System Finance Director no later than **Wednesday, March 18, 2020 at 2:00 PM EST** at which time all proposals will be opened and **only the names of the respondents will be announced**. Proposals received later than the deadline will be returned unopened. Auditors mailing their proposal must allow a sufficient mail delivery period to insure timely receipt of their proposal. Lowcountry Regional Water System is not responsible for proposals delayed by mail and/or delivery services of any nature.

Prior to submitting a proposal, each auditor shall carefully examine the RFP document, study and thoroughly familiarize himself/herself with the specifications/requirements thereof and notify Lowcountry Regional Water System of any conflicts, errors, or discrepancies.

All proposals shall remain firm for at least sixty (60) calendar days from the date of receipt.

By submission of a proposal, the auditor guarantees that all goods and services meet the requirements of the solicitation during the contract period.

Failure to submit all required information may be determined as a non-responsive proposal.

Questions – All questions concerning this solicitation must be submitted in writing and directed to the Finance Director by fax, 803-943-1014, Attn: Marlene Marchyshyn or by e-mail, marlene.marchyshyn@lowcountrywater.com. Proper reference to this Request for Proposals is required. **The deadline for submitting questions is Monday, March 09, 2020 at 5:00 pm EST**, ten (10) calendar days prior to the affixed date for receipt of proposals. Verbal information obtained otherwise will not be considered in the awarding of the proposal.

Addendum to Proposal – If it becomes necessary to revise any part of this RFP, an Addendum will be issued in writing to all prospective auditors on file whom have received this solicitation. All addenda issued by Lowcountry Regional Water System must be acknowledged in writing by auditor on the appropriate form, and a copy returned with their response.

Deviations – Any deviations from the Scope of Work indicated herein must be submitted in writing and clearly noted and explained in detail on a separate form and attached to the submitted

proposal; otherwise, it will be considered that items/services offered are in strict compliance with this solicitation and the successful auditor shall be held accordingly responsible.

Any deviations within a submitted proposal between prices quoted and restated in the summation sheet shall be resolved by the Finance Director as being the lower price, unless the auditor requests in writing, a correction or withdrawal of proposal prior to the date and time set for receipt of proposals.

Certificate of Familiarity – The attached Certificate of Familiarity and Non-Collusion must be completed and returned with proposal. Failure to include this form may be cause for rejection of a proposal.

Signature – A proposal shall be made in the official name of the auditor or firm under which business is conducted (showing the official business address) and must be signed in ink by a person duly authorized to legally bind the person, partnership, company, or corporation submitting the proposal.

Additional Information – Auditors are to include all applicable requested information and may include any additional information they wish to be considered pertinent to this solicitation. Additional information shall be a separate section of the proposal, and shall be clearly identified as such.

Amendments, Withdrawals, and Mistakes – Offers, amendments or withdrawal requests must be received by the time advertised for RFP closing. Proposals may be withdrawn by the auditor prior to, but not after, the time set for RFP closing. Mistakes may be crossed-out and corrections inserted adjacent thereto, and shall be initialed, in ink, by the person signing the proposal.

Confidential Information – Auditors must clearly mark as “Confidential” each part of their offer, which they consider proprietary information that could be exempt from disclosure under Subarticle 7 Public Access to Procurement Information, Section 11-35-410, Code of Laws of South Carolina, 1976 as amended. If any part is designated as “confidential”, there must be attached to that part an explanation of how this information fits within one or more categories listed in Section 11-35-410. Lowcountry Regional Water System reserves the right to determine whether this information should be exempt from disclosure and no legal action may be brought against Lowcountry Regional Water System or its agents for its determination in this regard.

Award of Contract – If awarded, this contract will be awarded to the auditor whose proposal is within the competitive range and determined to be in the best interest of Lowcountry Regional Water System (see Section 6, “Selection Process and Criteria”). Lowcountry Regional Water System will be the sole judge as to whether a proposal has or has not satisfactorily met the requirements of this RFP.

The document that will form the contract shall include this entire solicitation, all applicable amendments, and the successful auditor’s proposal.

This solicitation does not commit Lowcountry Regional Water System to award a contract, to pay any cost incurred in the preparation of a proposal or to procure a contract for this solicitation. Lowcountry Regional Water System reserves the right to accept or reject any or all proposals received as a result of this solicitation, to negotiate with all qualified auditors, or to cancel in part or in its entirety this solicitation, if it is in the best interest of the Lowcountry Regional Water

System to do so. Lowcountry Regional Water System reserves the right to interview any, all, or none of the respondents.

Assignment of Contract – Once a contract has been put into place; the auditor shall not assign, sublet, or transfer the contract without the written consent of the Finance Director.

Post Award Changes – After contract award, all changes to the Scope of Work or to the specifications must have prior written approval from the Finance Director.

Notice of Award – The Notice of Award will be posted at the main office of the Lowcountry Regional Water System located at 513 Elm St West, Hampton, SC 29924.

Prohibition of Gratuities – The following applies to all procurements issued by Lowcountry Regional Water System: Amended section 8-13-700 and 705 of the 1976 Code of Laws of South Carolina states: “Whoever gives or offers to any public official or public employee any compensation including a promise of future employment to influence his action, vote, opinion or judgment as a public official or public employee or such public official solicits or accepts such compensation to influence his action, vote, opinion or judgment shall be subject to the punishment as provided by Section 16-9-210 and Section 16-9-220.”

Protest Procedure – Any prospective bidder, offeror , or proposer, who is aggrieved in connection with the solicitation document shall protest in writing to the General Manager within ten (10) calendar days of the date of issuance of the Request for Proposal or other solicitation document, whichever is applicable, or any amendment thereto, if the amendment is at issue. Any actual bidder, offeror, or proposer, who is aggrieved in connection with the award of a contract, shall protest in writing to the General Manager within five (5) calendar days of the posting of the Statement of Award. A protest shall be in writing, submitted to the General Manager, and shall set forth the specific grounds of the protest with enough particularity to give notice of the issues to be decided.

Contract Administration – Questions or problems arising after award of this contract shall be directed to the General Manager by calling 803-943-1006. Copies of all correspondence concerning this contract shall be sent to the General Manager, 513 Elm St West, Hampton, SC 29924. All change orders must be authorized in writing by the General Manager. Lowcountry Regional Water System shall not be bound to any change in the original purchase order or contract without prior written approval of the General Manager.

Force Majeure – The auditor shall not be liable for any excess costs if the failure to perform the Contract arises out of causes beyond the control and without fault or negligence of the auditor. Such causes may include, but are not restricted to acts of God or of the public enemy, acts of the Government in its sovereign or contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather; but in every case the failure to perform must be beyond the control and without the fault or negligence of the auditor. If the failure to perform is caused by the default of a subcontractor, and if such default arises out of causes beyond the control of both the auditor and subcontractor, and without the fault or negligence of either of them, the auditor shall not be liable for any excess costs for failure to perform, unless the supplies or services to be furnished by the subcontractor were obtainable from other sources in sufficient time to permit the auditor to meet the required delivery schedule.

Publicity Releases – The auditor agrees not to refer to award of this contract in commercial advertising in such a manner as to state or imply that the products or services provided are endorsed or preferred by the Lowcountry Regional Water System. With regard to news releases, only the name of the Lowcountry Regional Water System, type and duration of contract may be used and then only with prior approval of the Lowcountry Regional Water System. The auditor also agrees not to publish, or cite in any form, any comments or quotes from the Lowcountry Regional Water System Staff, unless it is a direct quote from the General Manager.

South Carolina Law Clause – Upon award of a contract under this proposal, the person, partnership, association or corporation to whom the award is made must comply with the laws of South Carolina, which require such person or entity to be authorized and/or licensed to do business within the State. Notwithstanding the fact that applicable statutes may exempt or exclude the auditor from requirements that it be authorized and/or licensed to do business in this State, by submission of this signed bid, the auditor agrees to subject himself to the jurisdiction and process of the courts of the State of South Carolina as to all matters and disputes arising or to arise under the contract and the performance thereof, including any questions as to the liability for taxes, licenses, or fees levied by the State or its political subdivisions.

Affirmative Action – The successful bidder will take affirmative action in complying with all Federal and State requirements concerning fair employment and treatment of all employees, without regard or discrimination by reason of race, color, religion, sex, national origin, or physical handicap.

Illegal Immigration Reform Act – Title 8, Chapter 14, Act 280: By submittal of this bid, you are certifying that you are in compliance with Title 8, Chapter 14, or that this law is inapplicable to you and your subcontractors.

SECTION 2: INTRODUCTION AND BACKGROUND

Lowcountry Regional Water System is a public water and system that serves a population of approximately 7,200. The system was officially chartered February 17, 2012 with the issuance of its Corporate Certificate by the State of South Carolina through the Office of Secretary of State. The governing bodies of the Town of Brunson, Town of Hampton, Town of Varnville, Town of Yemassee and the County of Hampton resolved to form a Joint System under Title 6 Chapter 25 of the South Carolina Code of Laws as amended known as the Joint Authority Water and Sewer Systems Act for the purpose of creating a regional water and sewer system for Hampton County and surrounding areas by consolidating the operations of certain water and sewer providers in the area, and by acquiring water and sewer systems and extending service to new customers. On October 31, 2012 the Corporate Certificate was amended to include the Town of Gifford, as a member of the Lowcountry Regional Water System. On June 1, 2013, the Lowcountry Regional Water System (LRWS) became operational with the transfer of title of the governing member water and sewer systems. The Lowcountry Regional Water System's Fiscal Year is October 1 to September 30. Total revenues for fiscal year 2019 were over \$2.5 million and expenditures were over \$2.3 million.

The governing bodies of the Lowcountry Regional Water System constitutes its members and appoints a Commissioner to serve as their representative on the Lowcountry Regional Water System Commission. The Commission of the Lowcountry Regional Water System is responsible

for legally enacting the annual budget for all funds by the passing of a Resolution. Budgeted revenues, appropriations, and encumbrances are incorporated into the accounting system. The Lowcountry Regional Water System maintains approximately 15 - 20 bank accounts at any one time. In addition, the Lowcountry Regional Water System serves as a billing and collection agent for certain ancillary fees or charges imposed by its governing bodies. The Lowcountry Regional Water System maintains records for a General Fund, Operation and Maintenance Fund, Fire Service Fee Fund, Sewer Impact Fee Fund, Depreciation (Short Term Assets) Fund, Equipment and Vehicle Replacement Fund, Contingency Fund, Multiple Construction Funds and Bond and Bond Reserve Funds. The Lowcountry Regional Water Systems has five (5) departments and employs approximately 1 part-time and 19 full-time employees.

Lowcountry Regional Water System uses QS1 accounting software for General Ledger, Payroll, Human Resources, Accounts Payable, Billing, and Purchasing. The Billing Manager is responsible for the collection, receipting, and recording of cash receipts and investments. The Finance Department is responsible for the processing of payroll, accounts payable, capital asset, and general ledger transactions.

The Brittingham Group, L.L.P. performed the most recent audit covering the fiscal year ended September 30, 2019. The audit report dated January 23, 2020 was unqualified in all material respects.

SECTION 3: SCOPE OF WORK

The Lowcountry Regional Water System is soliciting the services of a qualified firm of licensed certified public accountants to audit its financial statements. Under South Carolina law, the Lowcountry Regional Water System must provide for an independent annual audit of all financial records and transactions of its system to be made by a certified public accountant (or firm of such accountants), who has no personal interest, direct or indirect, in the fiscal affairs of the Lowcountry Regional Water System or its officers. The audit shall be conducted as soon as possible after financial records for the fiscal year, are complete and ready to audit.

This RFP has been compiled for the purpose of providing information, requirements, guidelines, specifications, and other data that can be used by auditors who wish to submit a proposal for consideration. All proposals must address the audit services detailed herein.

The audit shall include an examination of the financial statements of all funds and account groups of the Lowcountry Regional Water System. A copy of the Lowcountry Regional Water System's Annual Audit Report and Financial Statements for the year ended September 30, 2019 is available for review at its offices located at 513 Elm St West, Hampton, SC 29924.

The audit will cover fiscal year ending September 30, 2020 and may require a single audit for major federal programs. Additional work and/or special projects will be negotiated. If the auditor is unwilling to continue under the terms of the contract, the Lowcountry Regional Water System may release them from its obligations. However, six (6) months notice by the auditor will be required and it will not be permitted to bid on the next contract. If the auditor fails to provide the required reports within 120 days of the end of the fiscal year, the Lowcountry Regional Water System retains the rights to discontinue the contract and retain another auditor. It is the intention

of the Lowcountry Regional Water System to award this contract for one year with four (4) one year renewals if both parties are in agreement.

The Lowcountry Regional Water System desires the auditor to express an opinion on the fair presentation of its basic financial statements in conformity with generally accepted accounting principles.

The auditor is required to audit the financial statements, individual fund accounts, and other supplementary schedules.

The auditor may submit invoices based on milestones limited to 50% of the agreement prior to the final report delivered and presented to the Commission of the Lowcountry Regional Water System.

3.1 AUDITING STANDARDS TO BE FOLLOWED

To meet the requirements of this bid process, the audit shall be performed in accordance with generally accepted auditing standards as set forth by the American Institute of Certified Public Accountants, the standards for financial audits set forth in the U.S. General Accounting Office's *Governmental Auditing Standards*, the provisions of the Single Audit Act Amendments of 1996, and the provisions of U.S. Office of Management and Budget (OMB) Circular A-133, *Audits of State and Local Governments and Non-Profit Organizations*.

3.2 REPORTS TO BE ISSUED

The following is a list of required reports that the auditor must prepare:

- Auditor's opinion on the Lowcountry Regional Water System's financial statements
- Report on Internal Controls and Compliance Based on an Audit, which must be performed in accordance with *Government Auditing Standards*
- Report on Compliance with Requirements Applicable to Each Major Program and Internal Control Over Compliance in Accordance with OMB Circular A-133
- Schedule of Findings and Questioned Costs
- Electronic submission of Data Collection Form (SF-SAC)
- SAS 114 Required Communications

Twenty (20) copies of the completed and bound Financial Statements and one copy on electronic medium (Compact Disk or Flash Drive) provided in both Adobe PDF and Microsoft Word formats will be required prior to the Lowcountry Regional Water System Commission meeting scheduled for the 4th Tuesday of January. The Auditor must attend the Commission meeting and present the report to the Commissioners and answer any questions that the Commission or staff may have regarding the report.

3.3 SUBCONTRACTING

Firms anticipating subcontracting any portion of this engagement shall so state in their proposal and identify their proposed subcontractor(s). Following the award of the audit contract, no additional subcontracting will be allowed without express prior written consent of the Lowcountry Regional Water System.

3.4 TIME REQUIREMENTS

If needed, a pre-audit conference may be held with the Finance Director and the General Manager and the successful firm to discuss the scope of the audit and the audit schedule. The

start date for preliminary field work will be no later than **August 1st**. The Lowcountry Regional Water System will submit records as requested and have year-end records ready for the audit by **October 25th**.

A tentative schedule for the fiscal year audit is requested as part of the response to the proposal. A similar time schedule will be developed for audits of future fiscal years, if the Lowcountry Regional Water System exercises its option for additional audits. All aspects of the audit must be concluded within 120 days of the end of the fiscal year unless authorized by the Lowcountry Regional Water System.

3.5 WORKING PAPER RETENTION AND ACCESS TO WORKING PAPERS

All working papers and reports must be retained, at the auditor's expenses, for a minimum of three (3) years, unless the auditor is notified in writing by the Lowcountry Regional Water System. The Auditor will be required to make working papers available, upon request, to the Lowcountry Regional Water System, its's representatives, auditors of entities of which the Lowcountry Regional Water System may have a financial association including the governing bodies of its members, state and federal agencies as may be required or necessary. The auditor shall respond to reasonable inquiries of successor auditors and allow successor auditors to review working papers relating to matters of continuing accounting significance at no additional charge.

SECTION 4: ASSISTANCE TO BE PROVIDED

During the audit, the auditor may be required to meet with appointed officials, the General Manager, and/or other Lowcountry Regional Water System staff to discuss the audit or related matters.

The auditor's principal contact for the Lowcountry Regional Water System will be Marlene Marchyshyn, Finance Director, or a designated representative, who will coordinate the assistance to be provided by the Lowcountry Regional Water System to the auditor.

The Lowcountry Regional Water System will provide the auditor with reasonable workspace, desks and chairs. The auditor will also be provided the internet, a telephone line, photocopying facilities and fax machines.

SECTION 5: PROPOSAL REQUIREMENTS

Auditors shall include with their proposals sufficient information to demonstrate that they meet the following requirements for this project. Please label your responses for each of the following sections:

5.1 QUALIFICATIONS

Include a thorough summary of the auditor's qualifications to perform the work required, including but not limited to:

- Independence, Quality Control and Nondiscrimination Affirm that the auditor meets the latest revision of the independence standards of the American Institute of Certified Public Accountants and the Government Auditing Standards, published by the U.S. General Accounting Office.

In particular, auditors must consider the following:

○Auditor must ensure that they conduct their audits objectively and can report their findings, opinions, and conclusions objectively. Auditor must be free from personal and external impairments to independence, should be organizationally independent, and should maintain an independent attitude and appearance. Auditor must maintain their independence so that opinions, conclusions, judgments, and recommendations will be impartial and will be viewed as impartial by knowledgeable third parties.

○Auditor must explain whether there is anything about their situations that might lead others to question their independence.

○Auditor must consider three general classes of impairments to independence whether personal, external, and/or organizational. If any of these impairments affects an auditor's ability to do the work then either the auditor should decline to perform the audit, or in those situations where the auditor cannot decline to perform the audit, the impairment must be reported in the scope section of the audit report.

The auditor is responsible for having policies and procedures in place to help determine if their personnel have any personal impairment. Managers and supervisors need to be alert for personal impairments of their staff members. Auditors are responsible for notifying the Lowcountry Regional Water System if they have any personal impairment. These impairments apply to individual auditors, and to the auditor. Personal impairments may include, but are not limited to, the following:

- Official, professional, personal, or financial relationships that might cause an auditor to limit the extent of the inquiry, to limit disclosure, or to weaken or slant audit findings in any way;
- Preconceived ideas toward individuals, groups, organizations, or objectives of a particular program that could bias the audit;
- Previous responsibility for decision-making or managing an entity that would affect current operations of the Lowcountry Regional Water System;
- Biases, including those induced by political or social convictions that result from employment in, or loyalty to, a particular group, organization, or level of government;
- Subsequent performance of an audit by the same individual who, for example, had previously approved invoices, payrolls, claims, and other proposed payments of the Lowcountry Regional Water System; concurrent or subsequent performance of an audit by the same individual who maintained the Lowcountry Regional Water System official accounting records; and
- A financial interest that is direct or is substantial though indirect, with the Lowcountry Regional Water System.

○The auditor must include a description of the firm's internal quality control program.

- External quality control review program and results received in the last three (3) years.
 - Affirmation that the auditor does not have a record of substandard audit work or has not been suspended or debarred from performing audits.
 - Disciplinary actions registered against auditor and results during the past three (3) years.
 - Affirm that the auditor does not discriminate in employment of persons upon the basis of race, color, creed, national origin, sex, age, or physical handicap.
- Personnel Qualifications of Partners and Staff; Please provide information on personnel to be used on the projects, their qualifications, and past experience with similar projects to include:
- Identify the partners, audit managers, field supervisors, and other staff who will work on the audit, including staff from other than the main office.
 - Describe any additional continuing professional education in governmental accounting and auditing during the last two (2) years for each staff member listed.
 - Verify that the auditor meets the continuing education and external quality control review requirements contained in the Government Auditing Standards, published by the U.S. General Accounting Office.
 - Affirm that the auditor is a properly licensed Certified Public Accountant.
 - Describe any additional license or certifications attained.
 - Include policies regarding notification of changes in key personnel.
 - Provide a copy of the auditing firm's most recent peer review report.

5.2 EXPERIENCE

Please provide the following information:

- A comprehensive list of similar governmental projects completed within the last three (3) years involving your firm.
- The auditor shall indicate if they are a member of the AICPA's Governmental Audit Quality Center and other related memberships and professional affiliations.
- The auditor shall provide a copy of the firm's most recent peer review report.
- The auditor's experience auditing programs wholly or partially financed by the Federal or State Government funds:

- For audits completed in accordance with the Single Audit Act, the auditor shall examine the financial systems and records as they relate to the various federal grants and agreements and shall issue reports on internal and administrative control and on compliance with federal and state laws and regulations as required by generally accepted auditing standards promulgated by the American Institute of Certified Public Accountants (AICPA).

5.3 PROJECT DESCRIPTION

Include a detailed description of how the project is to be approached and completed. The response to the proposal should clearly state an understanding of the work to be performed. Appropriateness and adequacy of proposed procedures will be considered.

5.4 WORK SCHEDULE

The preliminary schedule to complete the required work is based upon a start date of August 1 for preliminary fieldwork, October 30 for the trial balance review, and the fourth (4th) Tuesday in January for audit completion including printing of the final reports and submission and presentation to the Commission of the Lowcountry Regional Water System. Clearly state a proposed schedule to meet these deadlines. Also, address auditor's overall workload during this period and availability to meet stated deadline. Reasonableness of time estimates and timeliness of expected completion as well as meeting statutory deadlines will all be considered.

5.5 COMPENSATION

Although cost is a significant factor, it will not be the sole factor. Explain how fees are determined, and how you would propose to minimize them and still maintain your quality standards in this audit.

Estimate the total hours, the estimated out-of-pocket costs, and the resulting all-inclusive maximum fee for which the requested work will be done. State an all-inclusive fee for which the work will be done for the first, second, third, fourth and fifth years. State the hourly rates to be charged for each staff classification. All other fees and charges must be included. All fees and charges related to the audit must be included. Include the hourly rate for ongoing assistance and any other consulting or management services that can be offered without affecting the independence of the firm. Proposals shall include the cost for the initial year and each subsequent year.

5.6 EXCEPTIONS

The proposal should refer to the acceptance of the statements and requirements set forth in this RFP. If there are any requirements of the RFP that are not acceptable, please list exceptions here and explain.

5.7 REFERENCES

Provide a list of the entity name, contact person's name, and telephone numbers of clients for whom similar projects were completed in the past three (3) years. A minimum of three (3) references is required. Preferably, list specific references that may be contacted and are governmental sector clients.

5.8 CONTRACT

If your company requires a contract or Statement of Work in addition to the Lowcountry Water System's purchase order, you must provide a sample contract with your proposal.

5.9 INSURANCE

Include a statement that your firm will comply with all the insurance requirements stated in Section 7.

SECTION 6: SELECTION PROCESS AND CRITERIA

An Evaluation Committee will be formed to review each proposal for compliance to the RFP. It will be the option of the Lowcountry Regional Water System to conduct interviews. Interviews may be conducted with some or all of the respondents. The Evaluation Committee will make their recommendation to the Commission of the Lowcountry Regional Water System, if applicable. The Commission of the Lowcountry Regional Water System has the right to accept or refuse the Evaluation Committee's recommendation.

The Evaluation Committee shall evaluate each of the responses using the following general criteria:

EXPERIENCE and REFERENCES (Responses to Sections 5.2 and 5.7)

QUALIFICATIONS (Responses to Section 5.1)

COST (Response to Section 5.5)

PROJECT DESCRIPTION AND SCHEDULE (Responses to Section 5.3 and 5.4)

OVERALL RESPONSIVENESS TO RFP REQUIREMENTS (Responses to Sections 5.6, 5.8 and 5.9 as well as overall proposal document)

SECTION 7: INSURANCE

The successful consultant shall procure, maintain, and provide proof of insurance coverage for injuries to persons and/or property damage as may arise from, or in conjunction with, the work performed on behalf of the Lowcountry Regional Water System by the consultant, his agents, representatives, employees or subcontractors. Proof of coverage as contained herein shall be submitted fifteen (15) days prior to the commencement of work and such coverage shall be maintained by the consultant for the duration of the contract period, for occurrence policies. **Include a statement in your proposal that your firm will comply with these insurance requirements.**

1. Workers' Compensation

Limits as required by the Workers' Compensation Act of SC, to include State's endorsement for businesses outside of SC. Employer's Liability, \$1,000,000.

2. Professional Liability

Minimum limits are \$1,000,000 per occurrence.

Coverage Provisions

1. All deductibles or self-insured retention shall appear on the certificate(s).
2. Lowcountry Regional Water System, its' officers/ officials, employees, agents and volunteers shall be added as "additional insured" as their interests may appear. This provision does not apply to Professional Liability or Workers' Compensation/Employers' Liability.
3. The consultant's insurance shall be primary over any applicable insurance or self-insurance maintained by the Lowcountry Regional Water System.
4. Shall provide 30 days written notice to the Lowcountry Regional Water system before any cancellation, suspension, or void of coverage in whole or part, where such provision is reasonable.
5. All coverage for subcontractors of the consultant shall be subject to all of the requirements stated herein.
6. All deductibles or self-insured retention shall appear on the certificate(s) and shall be subject to approval by the Lowcountry Regional Water System. At the option of the Lowcountry Regional Water System, either; the insurer shall reduce or eliminate such deductible or self-insured retention; or the consultant shall be required to procure a bond guaranteeing payment of losses and related claims expenses.
7. Failure to comply with any reporting provisions of the policy(s) shall not affect coverage provided the Lowcountry Regional Water System, its officers/officials, agents, employees, and volunteers.
8. The insurer shall agree to waive all rights of subrogation against the Lowcountry Regional Water System, its' officers/officials, agents, employees, or volunteers for any act, omission, or condition of premises, which the parties may be held liable due to negligence.
9. The consultant shall furnish the Lowcountry Regional Water System certificates of insurance including endorsements affecting coverage. The certificates are to be signed by a person authorized by the insurance company(s) to bind coverage on its behalf, if executed by a broker, notarized copy of authorization to bind, or certify coverage must be attached.
10. All insurance shall be placed with insurers who are lawfully authorized to do business in the State of SC, and who maintain an A.M. Best rating of no less than an A: VII. If A.M. Best rating is less than A: VII, approval must be received from the Lowcountry Regional Water System.

SECTION 8: OTHER

All inquiries concerning this proposal shall be addressed to:

Marlene Marchyshyn, Finance Director
Lowcountry Regional Water System
513 Elm St West
Hampton, South Carolina 29924
Telephone: (803) 943-1006
Fax: (803) 943-1014
E-mail: marlene.marchyshyn@lowcountrywater.com

Contact with other departments or Lowcountry Regional Water System representatives without permission of the Finance Director may render your proposal void.

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STATE OF SOUTH CAROLINA
DEPARTMENT OF REVENUE

**NONRESIDENT TAXPAYER REGISTRATION
AFFIDAVIT INCOME TAX WITHHOLDING**

I-312
(Rev. 4/29/19)
3323

dor.sc.gov

Mail to: The company or individual you are contracting with.

The undersigned nonresident taxpayer hereby certifies as follows:

1. Legal Business Name: _____
2. Trade Name, if applicable (doing business as): _____
3. Mailing Address: _____
4. Federal Employer Identification Number (FEIN): _____
5. Hiring or Contracting with:
Name: _____
Address: _____
- Receiving Rentals or Royalties From:
Name: _____
Address: _____

6. I hereby certify that the above named nonresident taxpayer is currently registered with (check the appropriate box):

- The South Carolina Secretary of State or
- The South Carolina Department of Revenue (SCDOR):

Date of Registration: _____

7. I understand that by this registration, the above named nonresident taxpayer has agreed to be subject to the jurisdiction of the SCDOR and the courts of South Carolina to determine its South Carolina tax liability, including estimated taxes, together with any related interest and penalties.
8. I understand the SCDOR may revoke the withholding exemption granted under Code Section 12-8-550 (temporarily doing business or professional services in South Carolina) or Code Section 12-8-540 (rentals) at any time it determines that the above named nonresident taxpayer is not cooperating with the SCDOR in the determination of its correct South Carolina tax liability.

I hereby certify that I have examined this affidavit and to the best of my knowledge and belief, it is true, correct, and complete. I understand that under SC Code Section 12-54-44 (B)(6)(a), I can be fined and/or imprisoned for furnishing a false statement.

Signature of Nonresident Taxpayer (Owner, Partner or Corporate Officer, when relevant)

Date

If Corporate officer, state title: _____

Print Name

33231028

**INFORMATION
NONRESIDENT TAXPAYER REGISTRATION AFFIDAVIT**

Submit this form to the company or individual you are contracting with.

Do not submit this form to South Carolina Department of Revenue (SCDOR).

PURPOSE OF AFFIDAVIT

A person is not required to withhold taxes for a nonresident taxpayer who submits an affidavit certifying that they are registered with either the South Carolina Secretary of State or the SCDOR.

REQUIREMENTS TO MAKE WITHHOLDING PAYMENTS

Code Section 12-8-550 requires persons hiring or contracting with a nonresident taxpayer to withhold 2% of each payment made to the nonresident where the payments under the contract exceed \$10,000. However, this section does not apply to payments on purchase orders for tangible personal property when those payments are not accompanied by services to be performed in this state.

Code Section 12-8-540 requires persons making payment to a nonresident taxpayer of rentals or royalties at a rate of \$1,200 or more a year for the use of or for the privilege of using property in South Carolina to withhold 7% of the total of each payment made to a nonresident taxpayer who is not a corporation and 5% if the payment is made to a corporation.

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CERTIFICATE OF FAMILIARITY

The undersigned, having fully familiarized himself/herself with the information contained within this entire solicitation and applicable amendments, submits the attached bid and other applicable information to the Lowcountry Regional Water System, which I verify to be true and correct to the best of my knowledge. I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm or person submitting a bid for the same materials, supplies or equipment, and is in all respects, fair and without collusion or fraud. I agree to abide by all conditions of this bid and certify that I am authorized to sign this bid. I further certify that this bid is good for a period of sixty (60) days, unless otherwise stated.

Company Name as registered

Authorized Signature with the IRS

Correspondence Address

Printed Name

City, State, Zip

Title

Date

Telephone Number Fax Number

CONTRACTOR'S LICENSE # _____
(If Applicable)

Remittance Address

E-mail Address (PLEASE PRINT)

City, State, Zip

Telephone Number

Toll-Free Number if available

Federal Tax ID Number

SC Sales and Use Tax Number