

# **REQUEST FOR PROPOSALS**

**FOR THE DEVELOPMENT OF  
104 TRINITY AVENUE SW  
LOCATED IN DOWNTOWN ATLANTA**

**PREPARED BY:**

**THE ATLANTA DEVELOPMENT AUTHORITY  
D/B/A INVEST ATLANTA**

**September 8, 2021**

**RESPONSES DUE: October 13, 2021**



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133 Peachtree Street NE, Suite 2900  
Atlanta, GA 30303

**REQUEST FOR PROPOSALS (“RFP”)**  
Development of 104 Trinity Avenue SW located in Downtown Atlanta

## **INTRODUCTION**

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The Atlanta Development Authority d/b/a Invest Atlanta (“Invest Atlanta”) is soliciting responses to this request for proposals (“RFP”) from qualified developers (each, a “Respondent”) to construct dense, mixed-income rental housing with mixed uses on the City of Atlanta (the “City”)-owned parcel located at the corner of Trinity Avenue SW and Central Avenue SW across from Atlanta City Hall. Invest Atlanta seeks to provide workforce housing for City residents to live affordably in downtown Atlanta.

Invest Atlanta operates as a public body corporate and politic of the State of Georgia and serves as the City’s economic development agency. Invest Atlanta represents a consolidation of the City’s economic and community development efforts in real estate, finance, marketing and employment, for the purpose of providing a focal point for improving the City’s neighborhoods and the quality of life for all of its citizens.

## **BACKGROUND**

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In 2016, the Atlanta City Council passed legislation to provide affordable housing options that would begin to minimize the number of households that pay more than 30 percent of their income in rent or mortgage payments. In 2019 under Mayor Keisha Lance Bottoms’ vision and leadership the City and its partners continued their commitment to providing affordable housing by creating the One Atlanta: Housing Affordability Action Plan (the “Plan”). This Plan focuses on addressing the growing housing disparity within the City by implementing 13 initiatives and 45 actions to achieve four (4) key goals to increase affordable housing:

1. Create or preserve 20,000 affordable homes by 2026 and increase overall supply;
2. Invest \$1 billion from public, private, and philanthropic sources to produce and preserve affordable housing;
3. Ensure equitable growth for all Atlantans and minimize displacement; and
4. Support innovation and streamline processes.

In order to accomplish the noted goals, the City looked at the current data and took on reasonable initiatives to fulfill its mission. The data demonstrated that new residents are drawn to Atlanta because of the strong economy, historically low cost of living, high quality of life, vibrant culture, and rich history. To meet the demands of a growing population, the City has experienced an increase in building multi-family housing developments. Much of the new construction has been at the higher cost end of the housing spectrum to meet the demand of new residents, who are predominantly renters and earn higher incomes than legacy residents. This is one reason why average rents and housing costs have increased. Despite the increase in developments, there is still a need to increase the supply of housing in Atlanta to keep pace with current and projected demand from low and moderate-income residents. The current shortages of affordable housing supply relative to demand are another reason why housing costs are increasing.

Understanding that land acquisition can be a significant cost in housing development, the City recognizes the need to use all of its publicly available land wisely to maximize housing opportunities and to accommodate Atlanta’s continued population and economic growth.

Furthermore, under this initiative the City has partnered with Invest Atlanta to solicit responses for the subject property. As the City’s redevelopment agent Invest Atlanta’s primary objective is to receive innovative plans to construct a world-class development that will ensure the property provides affordable rental housing stock for as many Atlanta residents as possible.

## PROJECT OBJECTIVES

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Through this RFP, Invest Atlanta has established the following hierarchy of objectives for redevelopment of the Site. Primary Objectives must be addressed to meet the vision of the City and Invest Atlanta. Secondary Objectives are desired by the City and Invest Atlanta and would be considered “value-added” components if included in the redevelopment proposal.

### Primary Objective

- **Housing affordability.** The primary goal of this development is to increase the available affordable rental housing stock and to provide greater access to housing at all levels of affordability. The proposals should aim to create as much density while maximizing affordable units across diverse income levels. Proposals must give estimated rents for each type of unit, with a breakdown of units by number of bedrooms, bathrooms, square footage, etc. These estimated rents should include charges for proposed amenities. Proposals are also encouraged to consider unit arrangements that are flexible enough to accommodate changing market conditions and that maximize affordability.
  - Levels of Affordability – Minimum 50-year ground lease being considered with 40% of the units being held as affordable units that includes 20% of the units being restricted for residents not to exceed 60% AMI. No more than 85% of units of the total project can be affordable, so that a minimum of 15% of units are at market rate.
  - Proposals should not include city or county incentives. An alternative plan that includes incentives may be considered; however, the levels of affordability and unit mix may change.
  - At minimum, successful proposals should include:
    - Construction costs;
    - Operating costs for the structure as well as resident utility costs and total cost of living for residents;
    - Diversity of unit types (bedrooms, bathrooms, square footage, etc.);
    - Flexibility for changing market conditions while maximizing affordability to a wide variety of income levels and household sizes;
    - Revenue sources other than rent paid by residents (ground floor retail, rooftop urban farm, etc.); and
    - Density.

### Secondary Objectives

- **Lifestyle affordability.** Proposals should consider multiple factors of affordability that address the total cost of living for residents. The goal is to have no on-site vehicle parking. Plans should include the utilization of other modes of transportation and parking resources that already exist in the area. Proposals should consider factors such as:
  - Transportation options for residents without vehicles;
  - Space for shared vehicles;

- Space for bicycle storage, grocery drop-off, deliveries, and passenger pick-up/drop-off;
  - Residential utilities;
  - Other amenities, including health and wellness, co-working space, internet access, etc.; and
  - On-site employment opportunities with priority given to residents.
- **Mix of Incomes and Households.** The successful design will accommodate a variety of household sizes, with units designed for households ranging in size from one person to four people. Units should be provided that are affordable to a broad variety of income levels. Proposals should consider:
    - Needs of various types of households;
    - Varying incomes and household sizes;
    - Mobility for disabled residents; and
    - Assistance with the economic mobility of tenants.
- **Mixed Use.** The successful design will view the development holistically, with potential uses including the following:
    - Non-residential uses throughout the development, including ground floor retail, rooftop farm or restaurant, commercial spaces, office spaces, etc.;
    - Consideration of food access of residents in downtown Atlanta;
    - Co-working and teleworking opportunities;
    - Routine services such as daycare, barber shops, banking, etc.; and
    - Recreational options.
- **Sustainability.** The successful design will prioritize the incorporation of building and operating practices such as efficient energy and water use as well as green infrastructure and urban climate resilience. It is important that this development account for sustainability throughout the term of the lease. Proposals should consider factors such as:
    - Water conservation and re-use;
    - Energy conservation and renewable energy generation and storage;
    - Waste reduction across project lifecycle;
    - Minimized carbon footprint and overall environmental impact;
    - Green space, including green roofs and small-scale interventions, such as pocket parks;
    - Urban agriculture and resilient food systems;
    - Urban heat island mitigation through nature-based and other design interventions (e.g., “cool roofs”); and
    - Best management practices for stormwater management designed for a 100-year storm event.
- **Exceptional Design.** The goal of the design is to create a safe, enjoyable urban lifestyle for residents at this location. Achieving this will require consideration of how people can best live in this neighborhood and how private and common spaces are designed for function, comfort, and beauty. The design of the building must be exemplary both in terms of the lifestyle it affords through its interior design and the simplicity and refinement it achieves in its exterior architecture.
    - The development should be as dense as feasible to maximize the number of housing units on the site. The successful design will consider the need for rental properties to adapt to changing markets that

will include a demand for a variety of unit sizes, layouts, and amenities in the decades to come.

Proposals should consider:

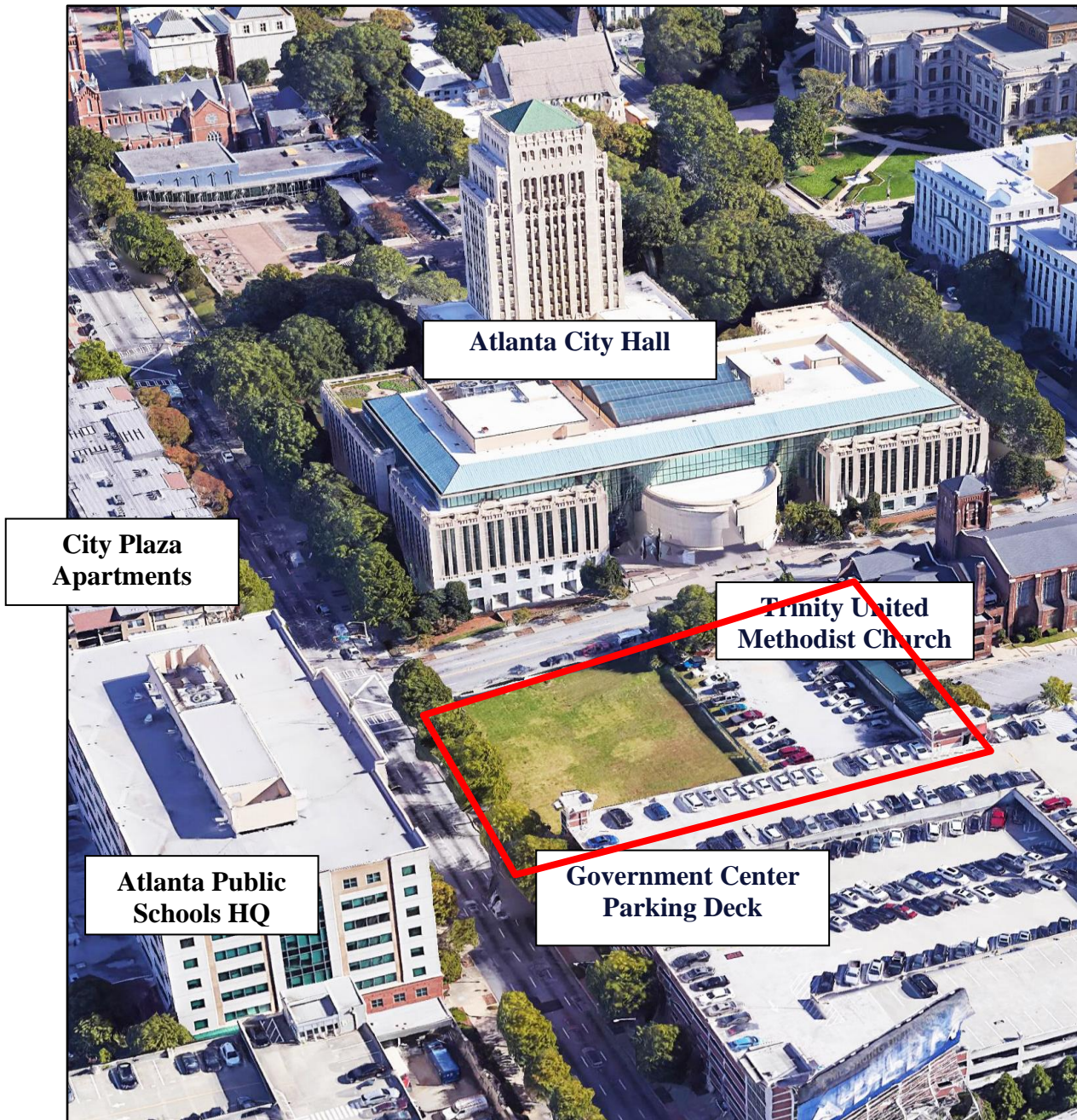
- Access to daylight and natural ventilation;
  - Interior unit functionality for daily tasks such as cooking and bathing;
  - Flexible and efficient furniture arrangement; and
  - Storage options.
- 
- **Construction Techniques.** The successful design will utilize cost-efficient construction techniques to help achieve the most affordable rental rates possible. This development should showcase construction methods that are safe and innovative in projects around the globe. These construction techniques should be replicable and a model for future housing development in the City.
  
  - **Financing Proposal.** The successful design will make the most creative use of its land and other assets at this location. It will innovate in design, construction, operations, and alternative revenue sources. Invest Atlanta intends the use of a ground lease and encourages developers to propose a lease arrangement that would meet both the criteria outlined herein as well as the needs of the developer.



## PROPERTY INFORMATION

- Site Information
  - 104 Trinity Avenue SW (“Site”), (City of Atlanta PID# 14007700100429 totaling approximately 1.34 acres.
  - Zoning District Designation – SPI-1 Downtown Special Public Interest District
  - Adjacent to Government Center Parking Deck
  - In walking distance to Atlanta City Hall, Atlanta Public Schools, State Capitol Building, Fulton County Courthouse and the Nathan Deal Judicial Center (also known as “Government Walk”)

*Figure 1: Map of Site and Context*



## **SUBMITTAL DEADLINE**

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All responses to this RFP (each, a “Response”) should be submitted via email to [104Trinity@investatlanta.com](mailto:104Trinity@investatlanta.com); no later than 5:00 p.m., Wednesday, October 13, 2021. Responses received after this time and date will not be considered.

## **INQUIRIES AND PROCESS TIMELINE**

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Prospective Respondents are strongly encouraged to submit inquiries regarding this RFP by email, in writing to:

Email: [104Trinity@investatlanta.com](mailto:104Trinity@investatlanta.com)

Only inquiries received via email will receive a response. All such written inquiries must be delivered by 5:00 p.m. September 24, 2021. Inquiries received after such date and time will not be considered and will not receive a response. Invest Atlanta will publish all received written inquiries and Invest Atlanta’s responses to those inquiries as an Addendum to this RFP on Invest Atlanta’s website ([www.investatlanta.com](http://www.investatlanta.com)) on or before the close of business on September 30, 2021.

<b>Due Date</b>	<b>Action Required</b>
<b>September 8, 2021</b>	Release of RFP
<b>September 24, 2021</b>	Inquiries regarding RFP due
<b>September 30, 2021</b>	Responses to Respondents inquiries posted on Invest Atlanta website
<b>October 13, 2021</b>	Responses to RFP due to Invest Atlanta
<b>October 29, 2021</b>	Evaluation and Finalist Notification
<b>November 15, 2021</b>	Finance Committee Meeting
<b>November 18, 2021</b>	Invest Atlanta Board Approval
<b>February 2022</b>	Contract/Development Agreement Negotiations
<b>April 2022</b>	Financial Closing

**Please note that Invest Atlanta reserves the right to adjust the dates above.**

## **SCOPE OF PROPOSAL AND EVALUATION METRICS**

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In order to be deemed responsive for evaluation under this RFP, submissions are limited to 75 pages, inclusive of all submission requirements, narratives, and addenda.

Responses submitted to this RFP should include the following information outlined below in the following order:



### **Section I- Cover Letter/Executive Summary**

- Include a cover letter indicating the full name and address of the Respondent and the branch office or other subordinate entity that will perform or assist in performing the redevelopment described.
- Please indicate the name of the senior contact person, appropriate telephone and facsimile numbers, and acknowledge Respondent's ability to commit to the contents of the response and any other information the Respondent deems relevant.
- The letter should summarize the Proposal in three (3) pages or less.
- Indicate whether the Respondent operates as an individual, partnership or corporation and what legal entity will be acquiring the Property.
- If applicable, include the state in which Respondent is incorporated or organized. If not Georgia, provide evidence of license to do business in Georgia.

### **Section II- Project Vision (40 Points)**

- Respondent's overall strategy for implementing and achieving the RFP's objectives. Submissions should clearly demonstrate a commitment to a reasonable and feasible plan for meeting the Primary Objectives.
- Respondent's commitment to affordable housing and community revitalization
- Conceptual Site Plan, including diagrams that depict, at minimum, the following:
  - General site and development plan indicating the proposed use(s), location, and height of any new buildings;
  - Circulation plan, including the location of all vehicular and pedestrian access ways;
- Conceptual Architectural Design, including the following:
  - A minimum of two project renderings demonstrating key visual elements;
  - Preliminary building elevations and/or diagrams/drawings/floor plans indicating land use for each floor level;
  - Propose Green Building Standards to be applied from the following: LEED, Enterprise Green Communities, Earthcraft, Energy Star and/or Water Sense, Indoor airPLUS, Atlanta NSP Requirements, GreenGlobes, SITES (for greenspace on the site) or others (please be specific).
- Economic and fiscal impact projections, including cost estimates, financial stream for continued maintenance, and total estimated taxes to the City of Atlanta at completion.

### **Section III- General Information about the Respondent (5 points)**

- The Respondent must identify the proposed entities that will comprise the development team. The list should identify any and all entities involved in the proposed project. A statement of qualification and experience of each entity involved in the historic rehabilitation process of the Property, the educational or community benefit to the community, and its long-term management is required.
- Provide a brief overview of the respondent's team. Identify the specific office responsible for this project and the available resources of that office. If the respondent is submitting a joint response with a development partner, describe each firm's role and contribution to the team, as well as overall management structure.

- Provide an organizational chart and information that clearly explains the ownership and management structure, relationship of each team member and their respective roles and contributions, as well as the project lead contact member(s) and decision-making hierarchy of the development team. Include resumes for all principals (ownership or financial interest > 10%) expected to be involved in the project, highlighting experience with rehabilitating and preserving historic properties, and their long-term management.
- Provide a summary of any pending lawsuits, unsatisfied judgments and/or judgment liens currently filed against Respondent or any officer, owner, principal, employee, subsidiary or affiliate of the Respondent.

#### **Section IV –Experience (10 points)**

- Provide a statement of Respondent’s experience with affordable housing, and community- based projects similar in scope to the proposed project as well as the Respondent’s history, qualifications and financial capability for the past five years. For similar projects, include the project manager, scope of work, timetable, estimated/actual cost and percent of work for which Respondent was responsible.
- Include a minimum of three (3) projects similar to the affordable housing and retail use proposed. Include the name, address, telephone number, point of contact, and description of the work performed for each such reference.

#### **Section V- Financing Strategy (15 points)**

Provide details on the projected financing strategy, including:

- Sources and Uses - A Sources and Uses table which includes an estimate of the cost of the project along with all potential public or private financial sources
  - Specify if the Respondent will utilize one of the tax credits for the rehabilitation and preservation of historic buildings.
- Development Budget - A development budget showing the project's total development costs, hard costs, and soft costs (architectural, engineering, legal, contingency costs and related fees)
- Financial Pro Forma - A narrative statement explaining the economic feasibility of the proposed project

#### **Section VI- Financial Capacity & Offer (30 points)**

Provide evidence of respondent’s ability to obtain financing resources to carry out the proposal. Each respondent shall provide the following:

- Overview of the respondent’s financial strength, including specific documentation of any resources that may be relied upon for completion of this project
- Description of any financial commitments, and/or any preliminary letters of intent to include term sheets, bank lines of credit with available balances and bank statements documenting equity sources
- A list of any litigation matters the firm was involved in during the last five (5) years that may impact the respondent’s ability to execute the potential services outlined in the RFP, including a description of any current, pending or threatened litigation involving the City and/or Invest Atlanta.
- Earnest Money should be included as part of the financial offer. Please specify Earnest Money timing and conditions.

## **SUBMISSION INSTRUCTIONS**

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Due to the conditions resulting from the COVID-19 pandemic, Responses to this Request for Qualifications must be submitted in electronic Portable Document Format (PDF) no later than 5:00 p.m. (EST), October 13, 2021. Proposals should include all identified components. Proposals received after the deadline time and date will not be considered.

## **SELECTION PROCESS**

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A committee assembled by Invest Atlanta staff and/or external experts (the “Selection Committee”) will review all qualified responses to this RFP. Qualified means that all required components of the RFP were received in a timely fashion as specified in this RFP. Selection will take place based on a three-step process as follows:

- (1) The Selection Committee, in accordance with the evaluation criteria described herein, will review all qualified proposals received by the proposal deadline. Further evaluation may include an oral interview with representatives of the most responsible and responsive Respondents.
- (2) Invest Atlanta reserves the right to identify a small group of shortlisted Respondents (“Finalists”) chosen from among the respondents to this RFP.
- (3) The Selection Committee will recommend a proposal(s) from among those submitted to the Invest Atlanta Board of Directors.
- (4) Upon approval from Invest Atlanta Board of Directors, Invest Atlanta and the successful Respondent will negotiate execute and deliver the necessary legal documents granting the agreed upon rights, title and/or interest in the Property to the successful Respondent.
- (5) No activity may commence without approval by the Board of Directors of Invest Atlanta and execution by all parties of a Development Agreement or other legally binding and enforceable documents.

Note: The Selection Committee may elect to conduct interviews with one or more of the strongest Respondents. Representatives of the Selection Committee may contact developers to request clarification or additional information to enable the committee to fully understand the proposal. Representatives of the Selection Committee may also request additional material, documents. After hearing all presentations and after all discussions have concluded, the Selection Committee shall evaluate the Respondents. Following the presentations, the Respondent(s) receiving the highest ranking shall be recommended to the Invest Atlanta Board of Directors as the Prospective Awardee. If for any reason a contractual agreement cannot be mutually agreed upon, Invest Atlanta may elect to terminate negotiations with the Prospective Awardee(s) and initiate negotiations with the next Respondent receiving the next highest ranking by the Selection Committee or choose to cancel the solicitation.

**Selected firm(s) must be prepared to enter negotiations for services outlined in this RFP.**

**Invest Atlanta will not, for any reason, reimburse a Respondent for costs and/or expenses in connection with responding to this RFP.**

## **OTHER**

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Responses should include a cover letter providing an introduction to the firm or team and the areas of expertise of the firm. The letter should also state the full name, address, phone and fax numbers of the organization and the branch office or other subordinate entity that will perform or assist in performing the services described therein. If responding as a team, the lead firm should be designated with a project manager identified as the single point of contact. Indicate the type of firm ownership (individual, partnership or corporation) and explain any proposed joint venture relationships. Include the state(s) in which the firm is incorporated and/or licensed to operate and provide a valid insurance certification.

Firms will be evaluated on the basis of overall experience and depth of resources. It is imperative that responses contain all information requested.

## **DIVERSITY, EQUITY & INCLUSION POLICY**

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Invest Atlanta encourages all Respondents to promote opportunities for diverse businesses, including Minority Business Enterprises (“MBE”), Female Business Enterprises (“FBE”) and Small Business Enterprises (“SBE”) to compete for business as subcontractors and/or suppliers. However, nothing herein should indicate that an MBE, FBE or SBE may not apply and be selected independently, as MBEs, FBEs, and SBEs that meet the qualifications of this RFP are encouraged to submit their qualifications for consideration. For an MBE, FBE or SBE to participate on the contract, said MBE, FBE or SBE must be certified as an MBE or FBE and be registered with the City's Office of Contract Compliance M/FBE Register. SBEs must be registered with the City and are defined as businesses not exceeding \$2.5 million in gross sales during the recent calendar or fiscal year.

Firms interested in obtaining applications for certification should contact these organizations:

- **City of Atlanta – Office of Contract Compliance (MBE/FBE):** Bruce T. Bell, Interim Director, Office of Contract Compliance, 55 Trinity Avenue, Atlanta, Georgia 30303, Tel: 404.330.6010, Fax: 404.658.7359, email: [bbell@atlantaga.gov](mailto:bbell@atlantaga.gov).
- **Small Disadvantaged Business (SDB)** certification by the U.S. Small Business Administration provided they reflect certification because of minority or women-owned status.

A firm selected by the Respondent to jointly respond to this RFP can only satisfy one of the three categories. The same firm may not, for example, be listed for participation as a MBE organization and a SBE organization even if the level of participation exceeds each category's goal. All firms must be registered or certified prior to the submittal of the Response. A Respondent is at risk in that there may be an issue of time to certify or register if it intends to use a firm that is not certified or registered at the time the Response is submitted. Invest Atlanta is an Equal-Opportunity Employer.

## **E-VERIFY AFFIDAVIT**

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Provide notarized proof of compliance with Illegal Immigration Reform and Enforcement Act, O.C.G.A. §13-10-90, et seq. (**Appendix A**) E-Verify. Respondents must comply with the Illegal Immigration Reform and Enforcement Act, O.C.G.A. §13-10-90, et seq. All services physically performed within the State of Georgia must be accompanied by proof of your

registration with the E-Verify Program, as well as verification of your continuing and future participation in the E-Verify program established by the United States Department of Homeland Security. A completed E-Verify Contractor Affidavit must be submitted to Invest Atlanta ([Appendix A-1](#)). To the extent there are subcontractors working on this contract, you are responsible for obtaining a fully signed and notarized subcontractor affidavit from those firms with whom you have entered into sub-contracts ([Appendix A-2](#)). In turn, should there be second tier subcontractors on this project, you must require the subcontractors to obtain E-Verify Affidavits from those second-tier subcontractors.

## **GEORGIA OPEN RECORDS ACT**

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The laws of the State of Georgia, including the Georgia Open Records Act, as provided in O.C.G.A §50-18-70, *et seq.*, require certain public records be made available for public inspection. Even though information (financial or other information) submitted by a Respondent may be marked as “confidential”, “proprietary”, etc., Invest Atlanta will make its own determination regarding what information may or may not be withheld from disclosure.

## **OTHER REQUIRED SUBMITTALS**

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Respondents are also required to complete, execute and indicated, and submit the following:

Invest Atlanta Diversity and Equity Certification Form (see Appendix D).

Invest Atlanta Contractor Disclosure and Declaration Form (see Appendix D).

## **TERMS AND CONDITIONS**

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Invest Atlanta reserves the right to select or reject all or part of any proposal, waive minor technicalities, and select one or more proposals in the manner and to the extent that they serve the best interests of Invest Atlanta. This RFP does not commit Invest Atlanta to award a contract, nor will Invest Atlanta pay any costs incurred in the preparation of a proposal in response to this RFP. Invest Atlanta reserves the right to request oral interviews with one or more teams, request proposal clarifications or additional information, and/or best-and-final offers from up to three Respondents prior to making a final selection.

All proposals and supporting materials as well as correspondence relating to this RFP become property of Invest Atlanta when received. Any proprietary information contained in the Response should be so indicated. However, a general indication that the entire contents, or a major portion, of the proposal is proprietary will not be honored.

- A. All applicable State of Georgia and Federal laws, City and County ordinances, licenses and regulations of all agencies having jurisdiction shall apply to the Respondent and the redevelopment of the Property throughout and are incorporated herein. The contract with the Prospective Purchaser, and all questions concerning the execution, validity or invalidity, capability of the parties, and the performance of the contract, shall be interpreted in all respects in accordance with the laws of the State of Georgia.
- B. Professionals requiring special licenses must be licensed in the State of Georgia, and shall be responsible for those portions of the work as may be required by law.
- C. Sub-Contractors as part of the Project team must be clearly identified in the Response, including roles, resumes of key personnel and project references.



- D. No Response shall be accepted from, and no contract will be awarded to, any person, firm, or corporation that (i) is in arrears to Invest Atlanta or the City with respect to any debt, (ii) is in default with respect to any obligation to Invest Atlanta or the City, or (iii) is deemed irresponsible or unreliable by Invest Atlanta. If requested, the Respondent shall be required to submit satisfactory evidence that they have the necessary financial resources to provide the proposed services.
- E. From the date Invest Atlanta receives a Respondent's proposal through the date a contract is awarded to a Respondent, no Respondent may make substitutions, deletions, additions or other changes in the configuration of Respondent's proposal or members of Respondent's team.

## **PROFESSIONAL SERVICES INSURANCE REQUIREMENTS**

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The Contractor shall provide Invest Atlanta with a certified copy of each of the policies or binders to the address listed under Section 1.1 indicating the existence of the policies prior to the beginning of the contract term. In the event a binder is delivered, it shall be replaced within ten (10) days by a certified copy of the policy. Each policy shall contain a valid provision or endorsement that the policy may not be canceled without giving thirty (30) days written notice thereof to the Invest Atlanta representative named in the contract. A renewal policy or certificate shall be delivered to Invest Atlanta at least thirty (30) days prior to the expiration date of each expiring policy. If at any time, any of the policies shall be or become unsatisfactory to Invest Atlanta as to form or substance, or any of the carriers issuing such policies shall be or become unsatisfactory to Invest Atlanta, the Contractor shall deliver to Invest Atlanta representative upon demand a certified copy of any policy required herein for review. The Certificates of Insurance shall state that Invest Atlanta is additionally insured.

### **Statutory Workers' Compensation Insurance:**

#### **Employers Liability:**

- Bodily Injury by Accident                      \$100,000 each accident
- Bodily Injury by Disease                      \$500,000 policy limit
- Bodily Injury by Disease                      \$100,000 each employee

### **Comprehensive General Liability Insurance:**

- (a) \$1,000,000 limit of liability per occurrence for bodily injury and property damage Owner's and Contractor's Protective
- (b) Blanket Contractual Liability
- (c) Blanket "X", "C", and "U"
- (d) Products/Completed Operations Insurance
- (e) Broad Form Property Damage
- (f) Personal Injury Coverage

### **Comprehensive Automobile Liability Insurance:**

- (a) \$1,000,000 limit of liability
- (b) Comprehensive form covering all owned, non-owned and hired vehicles

### **Excess Umbrella Liability Insurance:**

- (a) \$3,000,000 limit of liability

(b) Coverage at least as broad as primary coverage as outlined under Items 1, 2 and 3 above

**APPENDIX A-1**

**CONTRACTOR AFFIDAVIT UNDER O.C.G.A §13-10-91(b)(1)**

The undersigned contractor (“Contractor”) executes this Affidavit to comply with O.C.G.A § 13-10-91 related to any contract to which Contractor is a party that is subject to O.C.G.A. § 13-10-91 and hereby verifies its compliance with O.C.G.A. § 13-10-91, attesting as follows:

- a) The Contractor has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program;
- b) The Contractor will continue to use the federal work authorization program throughout the contract period, including any renewal or extension thereof;
- c) The Contractor will notify the public employer in the event the Contractor ceases to utilize the federal work authorization program during the contract period, including renewals or extensions thereof;
- d) The Contractor understands that ceasing to utilize the federal work authorization program constitutes a material breach of Contract;
- e) The Contractor will contract for the performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the Contractor with the information required by O.C.G.A. § 13-10-91(a), (b), and (c);
- f) The Contractor acknowledges and agrees that this Affidavit shall be incorporated into any contract(s) subject to the provisions of O.C.G.A. § 13-10- 91 for the project listed below to which Contractor is a party after the date hereof without further action or consent by Contractor; and
- g) Contractor acknowledges its responsibility to submit copies of any affidavits, drivers’ licenses, and identification cards required pursuant to O.C.G.A. § 13-10-91 to the public employer within five business days of receipt.

\_\_\_\_\_  
Federal Work Authorization User Identification Number

\_\_\_\_\_  
Date of Authorization

\_\_\_\_\_  
Name of Contractor

\_\_\_\_\_  
Name of Project

\_\_\_\_\_  
Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on \_\_\_\_\_, \_\_\_\_\_, 20\_\_\_\_ in \_\_\_\_\_ (city), \_\_\_\_\_ (state).

\_\_\_\_\_  
Signature of Authorized Officer or Agent

\_\_\_\_\_  
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME  
ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_

**APPENDIX A-2**

**SUBCONTRACTOR AFFIDAVIT UNDER O.C.G.A §13-10-91(b)(3)**

By executing this affidavit, the undersigned subcontractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services under a contract with \_\_\_\_\_ (name of contractor) on behalf of Invest Atlanta has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned subcontractor will continue to use the federal work authorization program throughout the contract period and the undersigned subcontractor will contract for the physical performance of services in satisfaction of such contract only with sub-subcontractors who present an affidavit to the subcontractor with the information required by O.C.G.A. § 13-10-91(b). Additionally, the undersigned subcontractor will forward notice of the receipt of an affidavit from a sub-subcontractor to the contractor within five business days of receipt. If the undersigned subcontractor receives notice that a sub-subcontractor has received an affidavit from any other contracted sub-subcontractor, the undersigned subcontractor must forward, within five business days of receipt, a copy of the notice to the contractor. Subcontractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

\_\_\_\_\_  
Federal Work Authorization User Identification Number

\_\_\_\_\_  
Date of Authorization

\_\_\_\_\_  
Name of Subcontractor

\_\_\_\_\_  
Name of Project

\_\_\_\_\_  
Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on \_\_\_\_\_, \_\_\_\_, 20\_\_ in \_\_\_\_\_(city), \_\_\_\_\_(state).

\_\_\_\_\_  
Signature of Authorized Officer or Agent

\_\_\_\_\_  
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME  
ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

**APPENDIX A-3**

**SUB-SUBCONTRACTOR AFFIDAVIT UNDER O.C.G.A. § 13-10-91(B)(4)**

By executing this affidavit, the undersigned sub-subcontractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services under a contract for \_\_\_\_\_ (name of subcontractor or sub-subcontractor with whom such sub-subcontractor has privity of contract) and \_\_\_\_\_ (name of contractor) on behalf of Invest Atlanta has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned sub-subcontractor will continue to use the federal work authorization program throughout the contract period and the undersigned sub-subcontractor will contract for the physical performance of services in satisfaction of such contract only with sub-subcontractors who present an affidavit to the sub-subcontractor with the information required by O.C.G.A. § 13-10-91(b). The undersigned sub-subcontractor shall submit, at the time of such contract, this affidavit to \_\_\_\_\_ (name of subcontractor or sub-subcontractor with whom such sub-subcontractor has privity of contract). Additionally, the undersigned sub-subcontractor will forward notice of the receipt of any affidavit from a sub-subcontractor to \_\_\_\_\_ (name of subcontractor or sub-subcontractor with whom such sub-subcontractor has privity of contract). Sub-subcontractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Federal Work Authorization User Identification Number

\_\_\_\_\_  
Date of Authorization

\_\_\_\_\_  
Name of Sub-subcontractor

\_\_\_\_\_  
Name of Project

\_\_\_\_\_  
Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on \_\_\_\_\_, \_\_\_\_, 20\_\_ in \_\_\_\_\_(city), \_\_\_\_\_(state).

\_\_\_\_\_  
Signature of Authorized Officer or Agent

\_\_\_\_\_  
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME  
ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:\_\_\_\_\_



**APPENDIX A-4**

**SAVE AFFIDAVIT IN ACCORDANCE WITH O.C.G.A §50-36-1(e)(2)**

**INVEST ATLANTA AFFIDAVIT  
VERIFYING STATUS FOR RECEIPT OF PUBLIC BENEFIT**

By executing this affidavit under oath, as an applicant for a contract with Invest Atlanta, or other public benefit as provided by O.C.G.A. §50-36-1, and determined by the Attorney General of Georgia in accordance therewith, I state the following with respect to my application for a public benefit from Invest Atlanta:

For: \_\_\_\_\_.  
[Name of natural person applying on behalf of individual, business, corporation, partnership, or other private entity]

1) \_\_\_\_\_ I am a United States Citizen

**OR**

2) \_\_\_\_\_ I am a legal permanent resident 18 years of age or older or

**OR**

3) \_\_\_\_\_ I am an otherwise qualified alien or non-immigrant under the Federal Immigration and Nationality Act 18 years of age or older and lawfully present in the United States.

**All non-citizens must provide their Alien Registration Number below.**

\_\_\_\_\_  
Alien Registration number for non-citizens

The undersigned applicant also hereby verifies that he or she has provided at least one secure and verifiable document as required by O.C.G.A. §50-36-1(e)(1) with this Affidavit. **The secure and verifiable document provided with this affidavit is:**

\_\_\_\_\_  
In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. §16-10-20, and face criminal penalties as allowed by such criminal statute

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Printed Name:

Sworn to and subscribed before me

This \_\_\_\_ day of \_\_\_\_\_, 20\_\_

Notary Public

My commission expires: \_\_\_\_\_

**EXHIBIT B**

**PARCEL TAX IDENTIFICATION NUMBER**

The Property consists of one (1) lot in Downtown Atlanta. Fulton County tax records identify the subject lot with an individual tax parcel number as detailed in the chart below.

<b>Address</b>	<b>Parcel ID#</b>	<b>Acres</b>	<b>Zoning</b>
104 Trinity Ave SW	14007700100429	1.34	SPI-1

**EXHIBIT C**

**HUD INCOME LIMITS 2021**

Invest Atlanta Workforce Housing Income Limits and Maximums FY 2021 Multifamily Tax Subsidy Project (MTSP) Income Limit Area Atlanta-Sandy Springs-Roswell, GA HUD Metro FMR Area Median Income \$86,200 Effective Date April 1, 2021								
Area Median Income (AMI)	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
30% AMI	\$18,120	\$20,700	\$23,280	\$25,860	\$27,930	\$30,000	\$32,070	\$34,140
50% AMI	\$30,200	\$34,500	\$38,800	\$43,100	\$46,550	\$50,000	\$53,450	\$56,900
60% AMI	\$36,240	\$41,400	\$46,560	\$51,720	\$55,860	\$60,000	\$64,140	\$68,280
80% AMI	\$48,320	\$55,200	\$62,080	\$68,960	\$74,480	\$80,000	\$85,520	\$91,040
100% AMI	\$60,400	\$69,000	\$77,600	\$86,200	\$93,100	\$100,000	\$106,900	\$113,800
115% AMI	\$69,460	\$79,350	\$89,240	\$99,130	\$107,065	\$115,000	\$122,935	\$130,870
120% AMI	\$72,480	\$82,800	\$93,120	\$103,440	\$111,720	\$120,000	\$128,280	\$136,560
140% AMI	\$84,560	\$96,600	\$108,640	\$120,680	\$130,340	\$140,000	\$149,660	\$159,320
2021 Workforce Rental Housing Maximums								
	Efficiency	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom			
Max Rent at 30% AMI	\$453	\$485	\$582	\$672	\$750			
Max Rent at 50% AMI	\$755	\$808	\$970	\$1,120	\$1,250			
Max Rent at 60% AMI	\$906	\$970	\$1,164	\$1,344	\$1,500			
Max Rent at 80% AMI	\$1,208	\$1,294	\$1,552	\$1,793	\$2,000			
2020 Workforce Owner Housing Maximums								
	Efficiency	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom			
Max Sale Price at 60% AMI	\$108,720	\$116,460	\$139,680	\$161,370	\$180,000			
Max Sale Price at 80% AMI	\$144,960	\$155,280	\$186,240	\$215,160	\$240,000			
Max Sale Price at 100% AMI	\$181,200	\$194,100	\$232,800	\$268,950	\$300,000			
Max Sale Price at 120% AMI	\$217,440	\$232,920	\$279,360	\$322,740	\$360,000			
Max Sale Price at 140% AMI	\$243,180	\$260,610	\$312,900	\$361,410	\$403,200			

## DIVERSITY AND EQUITY CERTIFICATION FORM



All contractors, consultants, suppliers, proponents or prospective contractors, consultants, suppliers or proponents are asked to complete the following form. Please return the form in a separate, sealed envelope, clearly marked "CONTRACTOR DATA COLLECTION" and your company or firm name to the IA Director of Compliance at [compliance@investatlanta.com](mailto:compliance@investatlanta.com).

The Atlanta Development Authority d/b/a Invest Atlanta ("Invest Atlanta") is committed to monitoring the participation of businesses owned and operated by diverse persons in its procurement of services and goods. It is imperative that potential vendors and consultants provide the requested information and return this form to Invest Atlanta's Director of Compliance as part of any purchasing process.

Vendor/Consultant Name: \_\_\_\_\_

Business Address: \_\_\_\_\_  
Address City State Zip Code

A **Minority Business Enterprise** is defined as being **at least 51% owned and controlled** by one or more of the following categories: African American, Asian American, Hispanic American, or Native American. A **Female Business Enterprise** is defined as being **at least 51% owned and controlled** by one or more women. A **Disabled Veterans' Business** is defined as being **at least 51% owned and controlled** by one or more service-disabled veterans

1. Check ALL categories that apply to your business entity. Indicate N/A if no categories are applicable.  
 African American Business Enterprise       Asian American Business Enterprise  
 Hispanic American Business Enterprise       Native American Business Enterprise  
 Non-minority Female Business Enterprise       Not Applicable
2. Check ALL categories that apply to any subcontractors to be used for the current procurement. Indicate N/A if no categories are applicable *or* if all work will be self-performed.  
 African American Business Enterprise       Asian American Business Enterprise  
 Hispanic American Business Enterprise       Native American Business Enterprise  
 Non-minority Female Business Enterprise       Not Applicable
3. Check ALL categories that apply to your business entity. If "Yes", please provide a copy of the verification letter from the U.S. Department of Veteran Affairs, Center for Veterans Enterprise.  
 Veteran Owned Business       Service Disabled Veteran Owned Business       Not Applicable
4. Has your business been awarded certification as an M/FBE, or a DBE (whether SBA 8(a), DOT, or other) with another governmental agency, department, or authority?  Yes  No If yes, then please provide a copy of your certification letter or certificate.
5. Is your principle place of business located in the 20 County metro Atlanta area?  Yes  No  
(Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding, Walton)

Signature: \_\_\_\_\_

Title: \_\_\_\_\_  
(Must be senior management level)

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

## INVEST ATLANTA CONTRACTOR DISCLOSURE AND DECLARATION FORM

### *DEFINITIONS FOR THE PURPOSE OF THIS DISCLOSURE AND DECLARATION FORM*

<b>“Affiliate”</b>	Any legal entity that, directly or indirectly through one of more intermediate legal entities, controls, is controlled by or is under common control with the RFP Respondent or a member of Respondent.
<b>“Contractor or Vendor”</b>	Any person or entity having a contract with Invest Atlanta
<b>“Control”</b>	The controlling entity: (i) possesses, directly or indirectly, the power to direct or cause the direction of the management and policies of the controlled entity, whether through the ownership of voting securities or by contract or otherwise; or (ii) has direct or indirect ownership in the aggregate of fifty-one (51%) or more of any class of voting or equity interests in the controlled entity.
<b>“Respondent or Offeror”</b> (the terms are interchangeably used on this Form)	Any individual or entity that submits a Proposal in response to a RFP.  If the Respondent is an individual, then that individual must complete and sign this Contractor Disclosure and Declaration Form where indicated. If the Respondent is a partnership (including but not limited to, joint venture partnership), then each partner in the partnership must complete and sign a separate Contractor Disclosure and Declaration Form where indicated. If the Respondent is an entity, then an authorized representative of that entity must complete and sign this Contractor Disclosure and Declaration Form where indicated. <b>If the Respondent is a newly formed entity (formed within the last three years), then an authorized representative of that entity must complete and sign this Contractor Disclosure and Declaration Form where indicated, and each of the members or owners of the entity must also complete and sign separate Contractor Disclosure and Declaration Form where indicated.</b>

*Instructions: Provide the following information for the entity or individual completing this Form (the “Individual/Entity”).*

**A. Basic Information:**

1. Name of Individual/Entity responding to this solicitation:
2. Name of the authorized representative for the responding Entity:

**B. Individual/Entity Information:**

1. Principal Office Address:
2. Telephone and Facsimile Numbers:
3. E-Mail Address:
4. Name and title of Contact Person for the Individual/Entity:
5. Is the Individual/Entity authorized to transact business in the State of Georgia?

**YES (Attach documentation evidencing authority to transact business in the State of Georgia, not limited to Georgia Secretary of State documentation.)**

**NO**



**C. Questionnaire**

**If you answer “YES” to any of the following questions, you must provide on a separate page the details necessary to explain the nature and circumstances of each action, event, matter, relationship or practice involved, including but not limited to: names of persons or entities involved, status and/or outcome of each instance. Further, if the matter involves a criminal charge, litigation of any type, or other court or administrative charge or proceeding, then the name of the court or tribunal and the file or reference number must be provided. Any information must be provided on a separate page, attached to this form and submitted with your Bid.**

1. Please describe the general development of the Respondent's business during the past ten (10) years, or such shorter period of time that the Respondent has been in business.

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- |  |                          |                          |
|--|--------------------------|--------------------------|
| <p>2. Are there any lawsuits, administrative actions or litigation to which Respondent is currently a party or has been a party (either as a plaintiff or defendant) during the past ten (10) years based upon fraud, theft, breach of contract, misrepresentation, safety, wrongful death or other similar conduct? If the answer to this question is “NO”, then please proceed to question number 4.</p> | YES                      | NO                       |
|  | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>3. If “yes” to question number 2, were any of the parties to the suit a bonding company, insurance company, an owner, or otherwise? If so, attach a sheet listing all parties and indicate the type of company involved.</p>  | YES                      | NO                       |
|  | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>4. Has the Respondent or any principal thereof, been charged with a criminal offense within the last ten (10) years?</p>  | YES                      | NO                       |
|  | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>5. Has the Respondent received any citations or notices of violation from any government agency in connection with any of Respondent’s work during the past ten (10) years (including OSHA violations)? Describe any citation or notices of violation which Respondent received.</p>  | YES                      | NO                       |
|  | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>6. Please state whether any of the following events have occurred in the last ten (10) years with respect to the Respondent. If any answer is yes, explain fully the circumstances surrounding the subject matter of the affirmative answer:</p>  | YES                      | NO                       |
|  | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>(a) Whether Respondent, or Affiliate currently or previously associated with Respondent, has ever filed a petition in bankruptcy, taken any actions with respect to insolvency, reorganization, receivership, moratorium or assignment for the benefit of creditors, or otherwise sought relief from creditors?</p>   | YES                      | NO                       |
|  | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>(b) Whether Respondent was subject of any order, judgment or decree not subsequently reversed, suspended or vacated by any court permanently enjoining Respondent from engaging in any type of business practice?</p>   | YES                      | NO                       |
|  | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>(c) Whether Respondent was subject of any order, judgment or decree not subsequently reversed, suspended or vacated by any court permanently enjoining Respondent from engaging in any type of business practice?</p>   | YES                      | NO                       |
|  | <input type="checkbox"/> | <input type="checkbox"/> |

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|--|--------------------------|--------------------------|
| 7. Has any employee, agent or representative of Respondent who is or will be directly involved in the project, in the last ten (10) years:   | YES                      | NO                       |
|  | <input type="checkbox"/> | <input type="checkbox"/> |
| a. directly or indirectly, had a business relationship with Invest Atlanta?  | YES                      | NO                       |
|  | <input type="checkbox"/> | <input type="checkbox"/> |
| b. directly or indirectly, received revenues from Invest Atlanta?  | YES                      | NO                       |
|  | <input type="checkbox"/> | <input type="checkbox"/> |
| c. directly or indirectly, received revenues from conducting business on Invest Atlanta property or pursuant to any contract with Invest Atlanta   | YES                      | NO                       |
|  | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Whether any employee, agent, or representative of Respondent who is or will be directly involved in the project has or had within the last ten (10) years a direct or indirect business relationship with any elected or appointed Invest Atlanta official or with any Invest Atlanta employee?   | YES                      | NO                       |
|  | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Whether Respondent has provided employment or compensation to any third party intermediary, agent, or lobbyist to directly or indirectly communicate with any Invest Atlanta official or employee, or City of Atlanta official or employee in connection with any transaction or investment involving your firm and Invest Atlanta?   | YES                      | NO                       |
|  | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Has the Respondent or any agent, officer, director, or employee been terminated, suspended, or debarred (for cause or otherwise) from any work being performed for Invest Atlanta, the City of Atlanta or any other Federal, State or Local Government?  | YES                      | NO                       |
|  | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Has the Respondent, member of Respondent's team or officer of any of them (with respect to any matter involving the business practice or activities of his or her employer) been notified within the five (5) years preceding the date of this offer that any of them are the target of a criminal investigation, grand jury investigation, or civil enforcement proceeding? | YES                      | NO                       |
|  | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. Please identify any Personal or Financial Relationships that may give rise to a conflict of interest as de fined below. [Please be advised that you may be ineligible for award of contract if you have a personal or financial relationship that constitutes a conflict of interest that cannot be avoided]:  | YES                      | NO                       |
|  | <input type="checkbox"/> | <input type="checkbox"/> |
| (a) Personal relationships: executives, board members and partners in firms submitting offers must disclose familial relationships with employees, officers and elected officials of Invest Atlanta or the City of Atlanta. Familial relationships shall include spouse, mother, father, sister, brother, and natural or adopted children of an official or employee.            | YES                      | NO                       |
|  | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Financial relationships: Respondent must disclose any interest held with an Invest Atlanta or City of Atlanta employee or official, or family members of an Invest Atlanta or City of Atlanta employee or official, which may yield, directly or indirectly, a monetary or other material benefit to the Respondent or the Respondent's family members. Please describe:     | YES                      | NO                       |
|  | <input type="checkbox"/> | <input type="checkbox"/> |

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#### **D. REPRESENTATIONS**

Certification of Independent Price Determination/Non-Collusion. Collusion and other anticompetitive practices among Respondents are prohibited by city, state and federal laws. All Respondents shall identify a person having authority to sign for the Respondent who shall certify, in writing, as follows:

“I certify that this proposal is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting an offer for the same supplies, labor, services, construction, materials or equipment to be furnished or professional or consultant services, and is in all respects fair and without collusion or fraud. I understand collusive bidding is a violation of city, state and federal law and can result in fines, prison sentences, and civil damages awards. By signing this document, I agree to abide by all conditions of this solicitation and offer and certify that I am authorized to sign for this Respondent.”

**Prohibition on Kickbacks or Gratuities/Non-Gratuity.** The undersigned acknowledges the following prohibitions on kickbacks and gratuities:

- a. It is unethical for any person to offer, give or agree to give any employee or former employee a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation or any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy or other particular matter pertaining to any program requirement or a contract or subcontract or to any solicitation therefor.
- b. It is unethical for any employee or former employee to solicit, demand, accept or agree to accept from another person a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation or any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy or other particular matter pertaining to any program requirement or a contract or subcontract or to any solicitation therefor.
- c. It is also unethical for any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime Contractor or higher tier subcontractor or any person associated therewith as an inducement for the award of a subcontract or order.

**[Declaration continues on following page](#)**

**Declaration**

Under penalty of perjury, I declare that I have examined this Contractor Disclosure and Declaration Form and all attachments to it, if applicable, and, to the best of my knowledge and belief all statements contained herein and in any attachments, if applicable, are true, correct and complete.

I certify that this offer is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting an offer for the same supplies, services, construction, or professional or consultant services, and is in all respects fair and without collusion or fraud. I understand collusive bidding is a violation of city, state and federal law and can result in fines, prison sentences, and civil damages awards. I agree to abide by all conditions of this solicitation and offer and certify that I am authorized to sign for this Respondent.

*Sign here if you are an individual:*

**Printed Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_, 20\_\_\_\_

**Subscribed and sworn to or affirmed by** \_\_\_\_\_ **(name) this** \_ **day of** \_\_\_\_\_, **20** \_\_\_\_.

\_\_\_\_\_  
Notary Public of \_\_\_\_\_ (state)  
My commission expires: \_\_\_\_\_

*Sign here if you are an authorized representative of a corporate entity, LLC, or partnership:*

**Printed Name of Corporate Entity, LLC or Partnership:** \_\_\_\_\_

**Signature of authorized representative:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_, 20\_\_\_\_

**Subscribed and sworn to or affirmed by** \_\_\_\_\_ **(name),**  
**as the** \_\_\_\_\_ **(title) of** \_\_\_\_\_ **(entity name) this** \_\_\_\_ **day of** \_\_\_\_\_  
\_\_\_\_\_, **20** \_\_\_\_.

\_\_\_\_\_  
Notary Public of \_\_\_\_\_ (state)  
My commission expires: \_\_\_\_\_