

**REQUEST FOR PROPOSALS
FOR PROFESSIONAL PUBLIC RELATIONS SERVICES**

PREPARED BY:

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

AUGUST 31, 2022

RESPONSES DUE: SEPTEMBER 21, 2022



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133 Peachtree Street NE, Suite 2900
Atlanta, GA 30303

REQUEST FOR PROPOSALS (“RFP”)

PUBLIC RELATIONS SERVICES

INTRODUCTION

The Atlanta Development Authority d/b/a Invest Atlanta (“Invest Atlanta”) is soliciting responses to this Request for Proposals (“RFP”) from interested and qualified agencies and consulting firms (each, a “Respondent”) for Public Relations Services.

Invest Atlanta operates as a public body corporate and politic of the State of Georgia and serves as the City of Atlanta’s (the “City”) 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 quality of life for all of its citizens.

PROJECT OVERVIEW

As the Economic Development Agency of the City, Invest Atlanta administers various economic development programs for small businesses, community development partners, homeowners and mid-sized to large corporations. With each program, Invest Atlanta must inform City residents and its stakeholders of the impact each program has on the City. Invest Atlanta is seeking a qualified and experienced public relations agency or consulting firm to develop an integrated communications strategy and storytelling plan to address the specific communications objectives that follow.

PROJECT OBJECTIVES

The public relations agency or similar consulting firm should be highly capable in leveraging integrated communications and storytelling to support the following communications objectives:

- Advance a narrative in the local/national media outlets and key stakeholders about the leadership of the City of Atlanta and Invest Atlanta in achieving economic mobility, equity and community development goals.
- Increase the public profile of Invest Atlanta’s CEO and executive leaders as economic and community development experts working to increase prosperity for the city.
- Inform Atlanta communities about Invest Atlanta programs and other initiatives available to residents and business and encourage those who qualify to take advantage of these resources. This includes ongoing Invest Atlanta programs as well as special projects as needed funding becomes available, e.g., the American Rescue Plan. It is essential that all

residents and businesses who can benefit from this assistance hear about the programs and understand how to apply.

- Educate key stakeholder groups, e.g., city officials, economic and community development partners, and non-profits, about Invest Atlanta programs and leverage their reach and influence in the communities.
- Promote economic development programs of other organizations, e.g., City of Atlanta, Metro Atlanta Chamber, that advance collective economic and community development goals.

RFP Respondents should demonstrate experience in designing and implementing communications plans that incorporate the communications capabilities that follow.

Communications Capabilities

- Campaign development
- Media relations
- Social media
- Content development
- Graphic design
- Community engagement
- Government relations

Respondents also may present additional capabilities they recommend to accomplish the communications objectives. Management of Invest Atlanta's primary website (www.investatlanta.com) is not a requirement of the RFP; however, respondents may propose recommended content strategies, e.g., additional webpages or other website capabilities.

SCOPE OF PROPOSAL AND EVALUATION METRICS

Proposals should cover a one-year term, contemplating an October 1, 2022 start date.

Firms will be evaluated on the basis of overall experience and depth of resources. It is imperative that responses contain all information requested. Invest Atlanta will convene an Evaluation Committee to evaluate each response properly submitted by a Respondent. At the discretion of Invest Atlanta, follow up interviews may be conducted with the highest-ranking Respondents as recommended by the Evaluation Committee prior to the Invest Atlanta making a final selection of the successful Consultant.

In order to be deemed responsive for evaluation under this RFP, submissions are limited to 30 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/Business Information.

- 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 development described.
- Please indicate the name of the senior contact person, appropriate telephone numbers and email address, and acknowledge Respondent's ability to commit to the contents of the response and any other information the Respondent deems relevant.
- Please limit the letter to two pages.
- Indicate whether the Respondent operates as an individual, partnership or corporation and what legal entity will be acquiring the Property.
- Respondent shall submit a copy of its current, valid business license with its proposal.
- 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 –Corporate Information (20 points)

- The Respondent must identify the proposed individuals and entities that will comprise the Respondent's team and roles. A description of the training experience and qualifications of the individuals and entities is required.
- 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 or against the City of Atlanta, Invest Atlanta or other city related entity.
- Describe Respondent's diversity, equity and inclusion policies and practices.

Section III –Experience (40 points)

- Provide a statement of Respondent's experience in developing and implanting projects similar in scope to the proposed project as well as the Respondent's history, qualifications and financial capability for the past five years. The assignment requires significant experience in city government and a demonstrated ability to engage relevant stakeholders,

including, but not limited to City of Atlanta government officials, local business groups, civic and community organizations as well as relationships with Atlanta-market media.

- Provide organizational chart of project team. Provide resumes describing the background, experience, and qualifications of key personnel that will be assigned to this project.
- Include a minimum of three (3) projects similar to the scope of development proposed. Include the name, address, telephone number, point of contact, and description of the work performed for each such reference.

Section IV Cost Proposal (40 points)

- Each Respondent must submit an estimated Cost Proposal. The Cost Proposal must support the objective described in the “Project Objectives” section of this RFP and fully encompass all activities for which the Respondent has indicated they want to be considered. Hourly rates for each professional, as any proposed flat rates must be proposed and included in the Cost Proposal. This Proposal shall serve as the baseline for final fee negotiation with Invest Atlanta.

INQUIRIES AND PROCESS TIMELINE

Prospective Respondents are required to submit any inquiries regarding this RFP by email, in writing to MarketingRFP@investatlanta.com by 5:00 p.m., Sept. 9, 2020. Inquiries received after such date and time will not be considered and will not receive a response. Only inquiries received in writing will 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 on or before the close of business on Sept. 14, 2022 at <https://www.investatlanta.com/about-us/invest-atlanta-rfps>.

Due Date	Action Required
Aug. 31, 2022	Release of RFP
Sept. 9, 2022	Inquiries regarding RFP due
Sept. 14, 2022	Responses to Respondents’ inquiries posted on Invest Atlanta website
Sept. 21, 2022	RFP responses due to Invest Atlanta
Sept. 28, 2022	RFP response review process complete
Sept. 29, 2022	Respondents notified of selection

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

Please address the Response to:

Request for Proposals for Public Relations Services

The Atlanta Development Authority d/b/a Invest Atlanta
133 Peachtree Street NE, Suite 2900
Atlanta, Georgia 30303
Email: MarketingRFP@investatlanta.com

SUBMISSION INSTRUCTIONS

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., Sept. 21, 2022. Proposals should include all identified components. Proposals received after the deadline time and date will not be considered.

SELECTION PROCESS

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 below, 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.

DIVERSITY, EQUITY INCLUSION POLICY

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, 55 Trinity Avenue, Atlanta, Georgia 30303, Tel: 404.330.6010, Fax: 404.658.7359, email: 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 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

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

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

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

- Invest Atlanta Diversity and Equity Certification Form (see Appendix [B1]).
- Invest Atlanta Contractor Disclosure and Declaration Form (see Appendix [B2]).

TERMS AND CONDITIONS

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 have 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 development 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

The Contractor shall provide Invest Atlanta with a certified copy of each of the policies or binders to the address listed in this section of the RFP 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.

The Contractor will be required to have and maintain the following insurance coverages throughout the Term of this Agreement (including any extensions thereof), Consultant shall provide and maintain in full force and effect, at its expense, the following minimum insurance coverages which shall protect The Atlanta Development Authority d/b/a Invest Atlanta, its successors and/or assigns, as their interests may appear (ISAOA/ATIMA) and related indemnified parties from all claims, liabilities, damages or loss to persons or property caused by, resulting from, arising out of or in connection with the acts or omissions of Consultant (or anyone acting on its behalf) under the Contract, including without limitation, claims subject to the indemnification obligations hereunder.

It is also agreed and understood Contractor will be responsible for paying any deductible or retention under its policies and will remain solely and fully liable for the full amount of any claim, damage, liability, loss or expense for which it is otherwise liable hereunder regardless of any failure or deficiency of insurance coverage or compensation.

Minimum required limits:

- **General Liability:**
 - Limits:
 - \$1M per occurrence
 - \$2M aggregate
 - Including:
 - Insurance carrier must have a minimum A.M. Best's Rating of A- or better and an A.M. Best's Financial Size Category of VIII or better.
 - The policy shall include coverage for liabilities arising out of premises, operations, independent contractors, products, completed operations, personal & advertising injury, and liability assumed under an insured contract. This insurance shall apply separately to each insured against whom claim is made or suit is brought subject to the respective limit of liability;
 - No exclusion for abuse and molestation
 - No exclusion for Assault and Battery
 - The Atlanta Development Authority d/b/a Invest Atlanta, ISAOA/ATIMA as Additional Insured regarding ongoing and completed operations
 - Primary and Noncontributory language in favor of The Atlanta Development Authority d/b/a Invest Atlanta, ISAOA/ATIMA
 - Waiver of Subrogation in favor of The Atlanta Development Authority d/b/a Invest Atlanta, ISAOA/ATIMA

- Notice of cancellation (30 days, except 10 days for nonpayment) to Invest Atlanta
- **Automobile Liability:**
 - Limits:
 - \$1M combined single limit regarding any auto (or hired and non-owned auto liability if the contractor does not own any autos)
 - Including:
 - Insurance carrier must have a minimum A.M. Best's Rating of A- or better and an A.M. Best's Financial Size Category of VIII or better.
 - The Atlanta Development Authority d/b/a Invest Atlanta, ISAOA/ATIMA as Additional Insured
 - Primary and Noncontributory language in favor of The Atlanta Development Authority d/b/a Invest Atlanta, ISAOA/ATIMA
 - Waiver of Subrogation in favor of The Atlanta Development Authority d/b/a Invest Atlanta, ISAOA/ATIMA
 - Notice of cancellation (30 days, except 10 days for nonpayment) to Invest Atlanta
- **Workers Compensation and Employers Liability (required if employ 3 or more employees):**
 - Limits:
 - Workers Compensation: Statutory
 - Employers Liability: \$1M/\$1M/\$1M
 - Including:
 - Insurance carrier must have a minimum A.M. Best's Rating of A- or better and an A.M. Best's Financial Size Category of VIII or better.
 - Waiver of Subrogation in favor of The Atlanta Development Authority d/b/a Invest Atlanta, ISAOA/ATIMA
 - Notice of cancellation (30 days, except 10 days for nonpayment) to Invest Atlanta
- **Media Liability – Limits:**
 - \$1M per occurrence
 - \$2M aggregate
 - If coverage is provided on a claim made basis, coverage must be purchased for three years following the completion of this project.
 - Protecting Contractor and The Atlanta Development Authority d/b/a Invest Atlanta, ISAOA/ATIMA for claims brought by third parties as a result of a media injury
 - Including:
 - Insurance carrier must have a minimum A.M. Best's Rating of A- or better and an A.M. Best's Financial Size Category of VIII or better.

- Policy shall include coverage for, but not limited to, liabilities arising out invasion of privacy; defamation; libel; slander; disparagement (including product disparagement); plagiarism and other unauthorized use of material, names, or trademarks; breach of license agreement; copyright infringement; breach of implied contract arising out of the submission of ideas or any other breach or unintentional breach of contract relating to services performed under this Agreement.
- The Atlanta Development Authority d/b/a Invest Atlanta, ISAOA/ATIMA as Additional Insured, if available from carrier
- Primary and Noncontributory language in favor of The Atlanta Development Authority d/b/a Invest Atlanta, ISAOA/ATIMA, if available from carrier
- Waiver of Subrogation in favor of The Atlanta Development Authority d/b/a Invest Atlanta, ISAOA/ATIMA
- Notice of cancellation (30 days, except 10 days for nonpayment) to Invest Atlanta

Professional Liability:

- \$1M per occurrence
- \$2M aggregate
- Limits: Limit requirements may vary depending on scope of work
- Including:
 - Coverage for claims brought by third parties or losses due to any breach of duty; neglect; error; misstatement; misleading statement; omission; or other acts relating to services performed
 - Additional Insured and Primary/Noncontributory language in favor of The Atlanta Development Authority d/b/a Invest Atlanta, ISAOA/ATIMA, if available from carrier
 - Waiver of Subrogation in favor of The Atlanta Development Authority d/b/a Invest Atlanta, ISAOA/ATIMA
 - Notice of cancellation (30 days, except 10 days for nonpayment) to Invest Atlanta

APPENDIX A-1

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

By executing this affidavit, the undersigned Contractor verifies its compliance with O.C.G.A. §13-10-91, et seq. (the “Act”) and Chapter 300-10-1 of the Rules of Georgia Department of Labor (the “Rules”), stating affirmatively that the individual, firm, or corporation which is engaged in the physical performance of services on behalf of Invest Atlanta: (1) has registered with; (2) is authorized to use; (3) is using; and (4) will continue to use throughout the contract period a federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicability provisions and deadlines established in the Act and the Rules.

The undersigned contractor further agrees that, should it employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to the contract with Invest Atlanta of which this affidavit is a part, the undersigned contractor will secure from such subcontractor(s) similar verification of compliance with the Act and the Rules through the subcontractor’s execution of the subcontractor affidavit provided below.

The undersigned contractor further agrees to provide a copy of each such affidavit to Invest Atlanta at the time the subcontractor(s) is retained to perform such services and to maintain copies of all such affidavits for no less than five (5) years from the date provided to Invest Atlanta and otherwise maintain records of compliance with the Act and the Rules as required.

Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Employment Eligibility Verification (E-Verify)
User Identification Number

Date of Authorization

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

BY: Authorized Officer or Agent

Date

Subcontractor Name

Title of Authorized Officer or Agent of Subcontractor

Printed Name of Authorized Officer or Agent

Sworn to and subscribed before me
This ____ 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 (the “Act”) and Chapter 300-10-1 of the Rules of Georgia Department of Labor (the “Rules”), 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: (1) has registered with; (2) is authorized to use; (3) is using; and (4) will continue to use throughout the contract period a federal work authorization program known as E-Verify, or any subsequent replacement program, in accordance with the applicability provisions and deadlines established in the Act and the Rules.

The undersigned subcontractor further agrees that it will contract for the physical performance of services in satisfaction of the Contract only with sub-subcontractors who present an E-Verify Affidavit to the undersigned subcontractor with the information required by the Act and the Rules. The undersigned subcontractor will forward notice of the receipt of an E-Verify Affidavit from a sub-subcontractor to the Contractor within five (5) business days of receipt. If the undersigned subcontractor receives notice that a sub-subcontractor has received an E-Verify Affidavit from any other contracted sub-subcontractor, the undersigned subcontractor must forward, within five (5) 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:

Employment Eligibility Verification (E-Verify)
User Identification Number

Date of Authorization

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

BY: Authorized Officer or Agent

Date

Subcontractor Name

Title of Authorized Officer or Agent of Subcontractor

Printed Name of Authorized Officer or Agent

Sworn to and subscribed before me
This ____ day of _____, 20__

Notary Public

My commission expires: _____

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.

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

“Affiliate”	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.
“Contractor or Vendor”	Any person or entity having a contract with Invest Atlanta
“Control”	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.
“Respondent or Offeror” (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. 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.

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.

- | | | |
|--|--------------------------|--------------------------|
| <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"/> |

- | | | |
|--|--------------------------|--------------------------|
| 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"/> |

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 or 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: _____