

# **REQUEST FOR PROPOSALS**

## **FOR ATTORNEYS TO PARTICIPATE IN SINGLE FAMILY LENDING PROGRAM**

**PREPARED BY:**

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

**AND**

**URBAN RESIDENTIAL FINANCE AUTHORITY  
OF THE CITY OF ATLANTA, GEORGIA**

**RFP DATE: September 8, 2023**

**RESPONSES DUE: October 13, 2023**



[WWW.INVESTATLANTA.COM](http://WWW.INVESTATLANTA.COM)  
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133 Peachtree Street NE, Suite 2900  
Atlanta, GA 30303

## **REQUEST FOR PROPOSALS (“RFP”) FOR ATTORNEYS TO PARTICIPATE IN SINGLE FAMILY RESIDENTIAL LENDING PROGRAMS**

### **BACKGROUND**

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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 interested and qualified attorneys and law firms wishing to provide single-family real estate closing services in connection with the administration of down-payment assistance programs. Services will also include providing title issuance and real estate services in connection with the administration of property acquisitions and land assemblage projects as may be requested. Each project will be under the purview of Invest Atlanta or its related entity the Urban Residential Finance Authority of the City of Atlanta, Georgia (“URFA”).

Invest Atlanta has been created and is existing under and by virtue of the Development Authorities Law, activated by a resolution of the City Council of the City of Atlanta, Georgia (the "City") and currently operates as a public body corporate and politic of the State of Georgia. Invest Atlanta was created to promote the revitalization and growth of the City 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. Invest Atlanta is the cornerstone of an overall effort to provide economic and development services in a more effective and efficient manner.

URFA has been created and is existing under and by virtue of the Urban Residential Finance Authorities Act for Large Municipalities, Georgia O.C.G.A Section 36-41-1, et seq., as amended and an activating resolution of the City Council of the City of Atlanta, Georgia, duly adopted on May 7, 1979 and approved by the Mayor of the City on May 19, 1979. URFA offers several programs that make living in the City of Atlanta affordable. With programs and incentives targeted at developers, homeowners and renters, URFA makes living in-town affordable for all types of working families. URFA is responsible for, among other things:

1. Issuing revenue bonds to provide funds for the financing of the acquisition, construction and/or rehabilitation of multifamily housing facilities located in the City;
2. Making and acquiring home mortgage loans to persons of low and moderate income for homes within the City through the issuance of mortgage revenue bonds or by providing down payment assistance;
3. Providing a means of financing the cost of residential ownership and development that will provide decent, safe and sanitary housing for persons of low and moderate incomes at prices or rentals they can afford;
4. Administering housing development and financing programs that provide access to low cost loans and grants for acquisition, construction or rehabilitation of housing units;
5. Providing affordable housing options for in town living and in places close to where people work;
6. Engaging with stakeholders and investor communications; and
7. Managing several real estate finance programs.

Proposals submitted in response to this RFP will be evaluated by Invest Atlanta team members. Invest Atlanta reserves the right, where it may serve its best interest, to request additional information or clarification from Respondents, or to allow for corrections, errors or omissions. All proposals submitted in response to this RFP, and all other information submitted in response to a request for additional information, become and remain the property of Invest Atlanta. Submission of a proposal indicates acceptance by the Respondent of the conditions contained in this RFP.

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

### **SUBMITTAL DEADLINE**

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All responses to this RFP (each, a “Response”) must be submitted via email by no later than **5:00 p.m., October 13, 2023**. Responses received after this time and date will not be considered. Please address the Response to:

[Homeownership@InvestAtlanta.com](mailto:Homeownership@InvestAtlanta.com)

Anita R. Allgood

Vice President, Single Family & Homeownership Services

The Atlanta Development Authority d/b/a Invest Atlanta

Urban Residential Finance Authority of the City of Atlanta, Georgia

133 Peachtree Street, Suite 2900

Atlanta, Georgia 30303

### **PROFESSIONAL FEE**

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All Respondents will be asked to provide a proposed budget and fees for time and materials, project management costs, software subscription costs (monthly, quarterly and annually), annual maintenance costs and professional services costs. Final fees will be negotiated following the selection of the Consultant. If fee negotiations with the Respondent determined most qualified are not successful, and/or the fees discussed are outside the budgetary constraints for the Project, Invest Atlanta reserves the right to suspend negotiations with the Respondent initially deemed most qualified and proceed to other Respondents. The successful Respondent will also be expected to provide a summary of assumptions used to determine its fee, including but not limited to team, hours and resources required from Invest Atlanta.

### **INQUIRIES**

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

[Homeownership@investatlanta.com](mailto:Homeownership@investatlanta.com)

Only inquiries received in writing will receive a response. Do not contact any Invest Atlanta staff by telephone with any questions or comments pertaining to this RFP. All such written inquiries must be delivered by **5:00 p.m., September 22, 2023**. 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 29, 2023**.

## SCOPE OF SERVICES

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The Urban Residential Finance Authority of the City of Atlanta, Georgia (“URFA”) hereby invites you to apply for participation in the Invest Atlanta Homeownership Incentives, (the “Program”) which will provide down-payment assistance within the city of Atlanta. Qualified Participating Attorneys (the “Attorneys”) will be selected to facilitate residential real estate closings utilizing the following programs from December 2023 to December 31, 2026 (Attorney Acceptance Period), unless engagement(s) are sooner terminated by URFA or until all funds are depleted:

### **Down Payment Assistance Programs**

- Vine City Renaissance Initiative
- ATL Home Renovation Advantage
- Intown Mortgage Assistance Program (IMAP)
- Perry Bolton Mortgage Assistance Program
- Any additional URFA programs created

**The above programs must be used in conjunction with a Preferred Lender’s internal first mortgage or Invest Atlanta’s first mortgage loan utilizing FHA, Conventional and VA fixed rate loans approved by URFA.**

All Participating Attorneys must adhere to the following URFA guidelines:

- Attorneys must be licensed to practice in the State of Georgia and not the subject of any professional discipline by the State Bar of Georgia;
- Only three (3) locations per law firm can participate in closing URFA subordinate mortgages per contract term;
- Attorneys are not allowed to charge an Attorney fee for subordinate mortgages;
- All fees must be usual and customary;
- No Intangible Taxes can be charged on subordinate down payment assistance loans;
- Title Insurance must be charged on all ADA/URFA subordinate loans;
- Attorneys and their closing staff must attend the mandatory training;
- Recording Fees must be charged on all ADA/URFA subordinate loans;
- Attorneys must return all requested post-closing loan documentation within the requested timeframe;
- Attorneys must comply with follow-up requests for trailing post-closing documents;
- Attorneys must have the Closing Disclosure Statements approved by URFA prior to the closing;

## COMMITMENT PROCEDURES

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Each Attorney or Law Firm desiring to participate in the Program is required to submit to URFA with its RFP Response:

1. Electronic copy of the original executed copy of the Offer to Participate (**Exhibit A**) and the Attorney Questionnaire (the “Questionnaire”) (**Exhibit B**) in PDF format included herewith;
2. A list of the business offices where closings will take place. Include the name and telephone number of all Attorneys closing URFA subordinate loans, identifying the lead Attorney. Also list each Attorney’s years of experience practicing law generally, years of experience of single-family transactions and years of experience of transactional work;
3. Wiring Instructions for each participating office;
4. A copy of the Attorney’s or Law Firm’s audited financial statements for the last two fiscal years and the most recent interim financial statement or a copy of unaudited financials and filed tax returns for the last two fiscal years;
5. A copy of a valid Professional Liability Errors and Omissions Policy. If expiring in the next 60 days, please provide documentation to show continued coverage;
6. A copy of the Attorney’s Quality Control Procedures;
7. Current Participating Attorneys (2021-2023 term) must submit/resolve any missing/outstanding post-closing items prior to RFP submission.

**EVALUATION METRICS – EACH RFP RESPONSE WILL BE EVALUATED IN ACCORDANCE WITH THE FOLLOWING:**

Invest Atlanta and URFA 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.

Criteria	Relative Weight
Attorney Qualifications	35
Attorney Experience with down payment assistance programs	25
Law Firm Financial Strength	15
Office location(s) and accessibility to borrowers	15
Professional Liability Errors and Omissions Policy	10

URFA will select one or more firms (not to exceed 15 firms) to be listed as Invest Atlanta Participating Attorneys based upon the criteria specified above. In the event of a tie the tying firms will be selected based upon criteria including but not limited to years of handling real estate transactions, mortgage modifications, and practicing law generally.

On or about **November 3, 2023**, URFA will send a notice of acceptance (the “Notice of Acceptance”) to each Attorney selected to participate in the Program. The Notice of Acceptance shall specify, among other things:

1. The date on which the Program will begin;
2. Date of mandatory training;
3. Attorney Acceptance Period; and
4. The date upon which the Attorney may begin closing Loans (the “Application Start Date”).

No later than **5:00 p.m. on November 10, 2023** selected attorneys shall deliver to URFA:

1. One executed signature page of the Notice of Acceptance; and

2. A final list of all attorneys, pre-closers and closers that will be utilizing the Program along with their contact information to include, but not limited to, email address, the firm location and phone numbers.

**THE DESCRIPTIONS OF THE TERMS OF THE PROGRAM HEREIN AND IN THE ATTACHED PROGRAM SUMMARY ARE QUALIFIED IN THEIR ENTIRETY BY THE OFFER, THE AGREEMENT AND THE ACCOMPANYING EXHIBITS. INVEST ATLANTA/URFA RESERVES THE RIGHT TO REJECT ANY AND ALL APPLICATIONS OR PARTICIPANTS.**

**INVEST ATLANTA/URFA RESERVES THE RIGHT TO REJECT ANY AND ALL RESPONSES, TO AMEND THE REQUEST FOR PROPOSALS AND THE PROCESS ITSELF, OR TO DISCONTINUE THE PROCESS AT ANY TIME.**

All proposals and supporting materials as well as correspondence relating to this RFP become property of Invest Atlanta/URFA when received. Any proprietary information contained in any 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 Attorneys and project throughout and are incorporated herein. The contract with the selected Attorneys, 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. 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.
- C. From the date Invest Atlanta receives a Respondent's proposal through the date a contract is awarded to Attorney(s), no Respondent may make substitutions, deletions, additions or other changes in the configuration of Respondent's proposal or members of Respondent's team.

## **SELECTION PROCESS**

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A committee assembled by Invest Atlanta (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. Within a reasonable time (not to exceed sixty (60) days) from the notification of its selection, Invest Atlanta and the successful Respondent will negotiate, execute, and deliver

the necessary legal documents memorializing the terms and conditions of the services to be performed to the successful Respondent(s).

3.
4. Invest Atlanta will post the successful Respondent’s name on the Invest Atlanta website on or before **December 8, 2023**.

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

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

OTHER

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.

TIMELINE AND DELIVERABLES

The RFP will be available on the Invest Atlanta website: <https://www.investatlanta.com/about-us/invest-atlanta-rfps>.

Action Required	Due Date
RFP Issued	September 8, 2023
Deadline to submit Written Questions	September 22,2023
Responses to Written Questions Posted	September 29, 2023
Deadline to submit Response to RFP	October 12, 2023
Selected Attorneys Notified	November 3, 2023
Deadline for selected Attorneys to submit acceptance letters to Invest Atlanta	November 10, 2023
Mandatory Training for Participating Attorneys	November 30, 2023
2024-2026 Participating Attorneys can process Invest Atlanta programs	December 8, 2023

Questions regarding this RFP must be in writing (via regular mail or email) and received by no later than **5:00 p.m. September 22, 2023** to: [Homeownership@investatlanta.com](mailto:Homeownership@investatlanta.com).



All responses to this RFP (each, a “Response”) must be submitted via email by no later than **5:00 p.m., October 13, 2023**. Responses received after this time and date will not be considered. Responses must be sent to: [Homeownership@InvestAtlanta.com](mailto:Homeownership@InvestAtlanta.com)

### **EQUAL BUSINESS OPPORTUNITY**

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Invest Atlanta encourages, but does not require, 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, 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.

### **EVALUATION & ACCEPTANCE OF STATEMENT OF QUALIFICATIONS**

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Invest Atlanta reserves the right to reject any and all responses, to amend this RFP and the process itself, or to discontinue the process at any time.

### **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. (**Exhibit C**) 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 C-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 C-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.

### **TERMS AND CONDITIONS**

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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**

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### **Statutory Worker's Compensation Insurance**

- Employer's Liability insurance with limits of \$1,000,000 per occurrence for each bodily injury claim, \$1,000,000 per occurrence for each bodily injury caused by disease claim, and \$1,000,000 aggregate for all bodily injuries caused by disease claims.

### **Waiver of subrogation in favor of IA and URFA. Commercial General Liability Insurance**

- Insurance limits in an amount not less than \$1,000,000 per occurrence subject to a \$2,000,000 aggregate.
- Additional Insured status on a primary and noncontributory basis in favor of IA and URFA.
- Waiver of subrogation in favor of IA and URFA.

### **Professional Liability Insurance**

- Insurance limits in an amount not less than \$1,000,000 per occurrence subject to a \$2,000,000 aggregate.
- Waiver of subrogation in favor of IA and URFA, if available.

### **All coverages**

- 30-day notice of cancellation provided to IA and URFA.

EXHIBIT A

URBAN RESIDENTIAL FINANCE AUTHORITY OF THE CITY OF ATLANTA, GEORGIA

OFFER TO PARTICIPATE

SINGLE FAMILY DOWN PAYMENT ASSISTANCE PROGRAMS

One signed original of this Offer to Participate (the “Offer”) is to be delivered to Invest Atlanta/URFA in connection with this RFP Response.

Name of Attorney(s) or Firm: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Subject to the terms and conditions stated herein, the above attorney/ law firm (individually or collectively the “Attorney”) hereby offers to:

Close mortgage loans, on behalf of the Urban Residential Finance Authority of the City of Atlanta, Georgia (“URFA”) single family mortgage loans (the “Mortgage Loans”) in accordance with the terms and conditions of URFA’s Request for Proposals (the “RFP”) and the Offer to Participate (the “Offer”) which is summarized in the RFP and the provisions of which are incorporated herein by reference, and upon acceptance hereof, are hereby agreed to by the Attorney.

Please provide the following information for all attorneys who are proposed to participate under this RFP Response:

Office(s) where Mortgage Loans will be closed Under the Program (include full street address)	Managing Attorney Participating Attorneys Georgia Bar Nos.	Contact Phone and Email

Attorneys to Participate in Single Family Residential Lending Programs

Accompanying this RFP Response is

- An original of the Attorney Questionnaire, attached hereto as **(Exhibit B)**, which Questionnaire has been duly authorized, executed and delivered by the Attorney. The Attorney hereby agrees to hold URFA, its employees and its agents harmless, and agrees to indemnify them from any cost they incur as a result of any material misstatement in or omission from, such Questionnaire.
- Attached S.A.V.E. Affidavit **(Exhibit C)**
- Certification Statement **(Exhibit D)**

The Attorney hereby certifies that in connection with the transaction contemplated hereby, it has not directly or indirectly contracted or entered into any agreement with any other Attorney or any other person or institution (except URFA or its agents) with respect to any aspect of the Attorney's participation in this process, other than an agreement expressly authorized by the Offer. In particular, the Attorney warrants that he or she has not communicated or agreed with any other Attorney or other institution as to the amount of Mortgage Loans he or she has hereby offered to close.

This Offer is a unilateral offer and shall form a binding contract if accepted by URFA. This Offer shall be deemed a contract between the Attorney and URFA upon the URFA's acceptance hereof, whether or not notice of such acceptance is communicated in writing to the Attorney, it being understood that URFA intends to so notify the Attorney within a reasonable time after URFA's acceptance.

The name and address to which notices regarding this offer and related matters should be forwarded is:

Name of Attorney: (Please Type) \_\_\_\_\_

Street Address: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Email: \_\_\_\_\_

**(SEAL)**

**ATTESTED:**

By: \_\_\_\_\_

By: \_\_\_\_\_

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

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

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

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

**NOTE: ALL COMMUNICATIONS CONCERNING THIS OFFER WILL BE SENT TO THE ADDRESS ABOVE. IF APPROVALS OR RESPONSES ARE REQUIRED FROM OFFICES OTHER THAN THE ABOVE, PLEASE INDICATE SUCH BELOW.**

**EXHIBIT B**

**URBAN RESIDENTIAL FINANCE AUTHORITY OF THE CITY OF ATLANTA, GEORGIA**

**ATTORNEY QUESTIONNAIRE**

**SINGLE FAMILY DOWN PAYMENT ASSISTANCE PROGRAMS**

This form is to be used by all attorneys and law firms requesting approval as a Real Estate Closing Attorney eligible to close loans for the Invest Atlanta/URFA mortgage assistance programs. Send the application with signature and all supporting documentation and narrative statements, as requested. PLEASE PROVIDE AN ORIGINAL OF THIS QUESTIONNAIRE, IN ADDITION TO THE FOLLOWING INFORMATION:

Name of the Firm:	Address of the Primary Office (list branch offices on a separate sheet of paper):
Acronym; aka, or dba, if applicable	Name, Title, Date & Signature of Authorized Person:

- I.    **Firm Overview and Experience** *(Please include the Firm's Corporate Resume, as well as individual professional vitae highlighting specific experience of the partners, associates, of counsel, or senior counsel)*
- II.    **Qualifications of Attorneys to Close URFA Loans:**
- III.    **Number of loans closed in previous two calendar years:**
  - a.    How many single-family residential loans have been closed?
  - b.    What percentage of those loans were FHA/Conventional first-time buyers?
  - c.    What percentage of those loans used layered financing through down payment assistance programs?
- IV.    **Does your firm have experience closing loans using similar down payment assistance programs? If yes, please describe which programs, how many years of experience and volume of closings:**

- V. **List of closing office addresses. Please describe in detail your accessibility to buyers. (Are your offices located on a rail or bus line? Are your attorneys mobile? etc.):**
  
- VI. **List of lender and builder business relationships:**
  
- VII. **Provide your Fee Schedule:**
  
- VIII. **SAVE Affidavit.** Invest Atlanta/URFA is required by the SAVE (Systematic Alien Verification for Entitlements) Program to verify the status of anyone who applies for a public benefit from Invest Atlanta. Benefits are defined by state statute, O.C.G.A. §50-36-1, by federal statute, 8 U.S.C. §1611 and 8 U.S.C. §1621, and by the Office of the Attorney General of Georgia. Contracts with Invest Atlanta are considered “public benefits.” Beginning on January 1, 2012, any person obtaining a public benefit must show a secure and verifiable document and complete the attached SAVE Affidavit. Acceptable documents have been identified by the Office of the Attorney General. Those lists may be found at: <http://law.ga.gov>

**EXHIBIT C**

**SAVE AFFIDAVIT UNDER 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 a Contractor for 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 am stating the following with respect to my application for an Invest Atlanta public benefit:

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:**

\_\_\_\_\_  
***Must attach copy of Drivers' License, Passport ID page, or other secure and verifiable document.***

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 \_\_\_\_\_, 202\_\_

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_



**EXHIBIT C-2**

**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 \_\_\_\_\_, 2023 \_\_

\_\_\_\_\_  
Notary Public

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

**APPENDIX C-3**

**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 \_\_\_\_\_, 2023

\_\_\_\_\_  
Notary Public

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

EXHIBIT D

CERTIFICATION STATEMENT

It is understood that the information contained in this Attorney Questionnaire will be independently verified by Invest Atlanta/ URFA and will be relied upon by Invest Atlanta/URFA in selecting Attorneys. We hereby certify, to the best of our belief and knowledge, that the information presented by the foregoing Attorney Questionnaire and RFP Response is true and accurate to the extent possible given available information. In certain instances, estimates have been made based upon reasonable assumptions using such reliable sources of data and information as are available to this institution.

This \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
Authorized Officer (Signature)

\_\_\_\_\_  
Authorized Officer  
(Type or Print Name and Office Held)

**EXHIBIT E**



**Diversity and Equity Certification Form**

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.

- |  |  |
|--|--|
| <input type="checkbox"/> African American Business Enterprise    | <input type="checkbox"/> Asian American Business Enterprise  |
| <input type="checkbox"/> Hispanic American Business Enterprise   | <input type="checkbox"/> Native American Business Enterprise |
| <input type="checkbox"/> Non-minority Female Business Enterprise | <input type="checkbox"/> 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.

- |  |  |
|--|--|
| <input type="checkbox"/> African American Business Enterprise    | <input type="checkbox"/> Asian American Business Enterprise  |
| <input type="checkbox"/> Hispanic American Business Enterprise   | <input type="checkbox"/> Native American Business Enterprise |
| <input type="checkbox"/> Non-minority Female Business Enterprise | <input type="checkbox"/> 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.

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Veteran Owned Business | <input type="checkbox"/> Service Disabled Veteran Owned Business | <input type="checkbox"/> 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: \_\_\_\_\_

EXHIBIT F

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. <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.

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.

YES

NO

☐

☐

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.

YES

NO

☐

☐

4.    Has the Respondent or any principal thereof, been charged with a criminal offense within the last ten (10) years?

YES

NO

☐

☐

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.

YES

NO

☐

☐

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:

YES

NO

☐

☐

(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?

YES

NO

☐

☐

(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?

YES

NO

☐

☐

(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?

YES

NO

☐

☐

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

☐

☐

a.    directly or indirectly, had a business relationship with Invest Atlanta?

YES

NO

☐

☐

b.    directly or indirectly, received revenues from Invest Atlanta?

YES

NO

☐

☐

c.    directly or indirectly, received revenues from conducting business on Invest Atlanta property or pursuant to any contract with Invest Atlanta

YES

NO

☐

☐

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

☐

☐

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

☐

☐

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

☐

☐

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

☐

☐

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

☐

☐

(a)    Personal relationships: executives, board members and partners in firms submitting offers must disclose familial relationships with employees, officers and elected officials of

YES

NO

☐

☐



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.

(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

☐
☐

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** 2020.\_\_\_\_

\_\_\_\_\_  
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: \_\_\_\_\_