

INVITATION TO BID

CITY OF FOREST PARK RECREATION DEPARTMENT

PROJECT OVERVIEW

Services Being Procured: This project is to provide a Dehumidifier System at the City of Forest Park's Indoor Swimming Pool. The service to be provided will be for the Department of Recreation and facilities located at 803 Forest Parkway, Forest Park, Georgia.

Using Department: DEPARTMENT OF RECREATION

Pre-Bid Conference: Each Proponent it is Mandatory that you attend the Pre-Bid Conference schedule for the 7th of April at 10:30 a.m. at the Zoning Building located at 785 Forest Parkway Forest Park, GA 30297. A Site Tour will be held after the pre-proposal conference. Prospective bidders attending the Site Tour for this solicitation must submit their full name, date of birth, company name and phone number to the Department of Procurement no later than 6th of April. (Phone number for the Procurement Department is (470)889-9087.

Deadline to Submit Questions in Writing: 14th of April, no later than 5:00 p.m. All questions should be submitted in writing to Girard Geeter - ageeter@forestparkga.gov.

Bid Deadline: Proposal must be submitted to the Department of Procurement. Bid deadline is April 22nd no later than 2:00 p.m.

City's Contact Person: Girard Geeter | ageeter@forestparkga.gov.

Instructions to Bidders

1. **Services Being Procured:** This Invitation to Bid ("ITB") for qualified bidders ("Bidder" or "Bidders") by the City of Forest Park (the "City"), seeks to procure services ("Services") detailed in the Scope of Services.
2. **Method of Source Selection:** This procurement is being conducted in accordance with all applicable provisions of the City of Forest Park's Procurement Code.
3. **No Offer by City; Firm Offer by Bidder:** This procurement does not constitute an offer by City to enter into an agreement and cannot be accepted by any Bidder to form an agreement. This procurement is only an invitation for offers from interested Bidders and no offer shall bind City. A Bidder's offer is a firm offer and may not be withdrawn except under the rules specified in City's Code of Ordinances and other applicable law.
4. **Local Preference Program:** City's Local Bidder Preference Program may be applicable to this Project. In order to be approved as a local Bidder for this project, the application for approval as a local bidder and all supporting documents must be received by the Department of Procurement no later than thirty (30) days prior to the date bids are received on such eligible project.
5. **Bid Deadline:** Your response to this ITB must be received by the Department of Procurement, no later than 2:00 p.m., ET on the date specified in the Project Overview. Any Bid received after this time will not be considered and will not be accepted by.
6. **Pre-Bid Conference:** Each Bidder is highly encouraged to attend the scheduled Pre-Bid Conference. Each Bidder must be fully informed regarding all existing and expected conditions and matters which might affect the cost or the performance of the Services. Any failure to fully investigate the Job site(s) and requirements shall not relieve any Bidder from responsibility for estimating properly the difficulty or cost of successfully performing any Services. A site tour may be scheduled following the Pre-Bid Conference. Further information will be located in the Project Overview.
7. **Bid Guarantee:**
 - 7.1. Each Bidder is required to furnish a Bid Guarantee in the amount of five percent (5%) of its total Bid amount. A Bidder offering alternative Bids must provide a guaranty for the largest total Bid amount. The Bid Guarantee shall be a Bid Bond attached to this ITB on Form 4, or a certified check. A Surety executing a Bid Bond must meet the requirements set forth in the Insurance and Bonding Requirements included in this ITB.
 - 7.2. Each Bidder agrees that, if it is awarded the Contract and fails to execute it and provide all other documents required to consummate the transaction within fifteen (15)

days of the award, City will retain the Bid Guarantee as liquidated damages and not as a penalty.

7.3. Attorneys-in-fact who sign bid bonds must file with the bond a certified and effectively dated copy of their power of attorney.

7.4. Each Bidder is required to submit a copy of either their certified check or Form 4, Bid Bond with their Bid. For bidders providing a certified check, the original check must be delivered to the Department of Procurement by 5:00 PM Eastern Time on the bid deadline.

8. **Procurement Questions; Prohibited Contacts:** Any questions regarding this ITB should be submitted in writing to the City's contact person as designated in the Project Overview on or before the date so designated. Questions received after the designated period will not be considered. Any response made by City will be provided in writing to all Bidders by addendum. It is the responsibility of each Bidder to obtain a copy of any Addendum issued for this procurement by monitoring the City's website at www.ForestParkga.gov. No Bidder may rely on any verbal response to any question submitted concerning this ITB. All Bidders and representatives of any Bidder are strictly prohibited from contacting any other City employees or any third-party representatives of City on any matter having to do with this ITB. All communications by any Bidder concerning this ITB must be made to the City's contact person, or any other City representatives designated by the Chief Procurement Officer in writing.

9. **Ownership of Bids:** Each Bid submitted to City will become the property of City, without compensation to a Bidder, for City's use, in its discretion.

10. **Georgia Open Records Act:** Information provided to the City is subject to disclosure under the Georgia Open Records Act ("GORA"). Pursuant to O.C.G.A. § 50-18-72(a)(34), "[a]n entity submitting records containing trade secrets that wishes to keep such records confidential under this paragraph shall submit and attach to the records an affidavit affirmatively declaring that specific information in the records constitute trade secrets pursuant to Article 27 of Chapter 1 of Title 10 [O.C.G.A. § 10-1-760 et seq.]"

11. **Insurance and/or Bonding Requirements:** The Insurance and/or Bonding requirements for any Contract that may be awarded pursuant to this ITB are set forth in the Insurance and Bonding Requirements attached to this ITB.

12. **Applicable Department of Procurement Local, Small Business Diversity Program.** The city of Forest Park requires all forms for community outreach, and good faith efforts be filled out and completed with your Bid submittals. There will be in-dept follow-up by the Procurement Department on all information submitted.

13. **Special Rules Applicable to Evaluation of Bids:**

13.1. All extensions of the unit prices shown and the subsequent addition of extended amounts may be verified by City. In the event of a discrepancy between the unit price Bid and the extension, the unit price will be deemed intended by the Bidder and the extension shall be adjusted. In the event of a discrepancy between the sum of the extended amounts and the Bid total, the sum of the extended amounts shall govern.

13.2. A Bidder may be required to submit, in writing, the addresses of any proposed subcontractors or equipment manufacturers listed on the Bid, and to submit other material information relative to proposed subcontractors or equipment manufacturers. City reserves the right to disapprove any proposed subcontractors or equipment manufacturers whose technical or financial ability or resources or whose experience are deemed inadequate.

13.3. City reserves the right to reject any Bid in which the prices of which appear to be unbalanced. Where only a single responsible and responsive Bid is received, City may, in its sole discretion, elect to conduct a price or cost analysis of the Bid. Such Bidder shall cooperate with such analysis and provide such supplemental information as may be required. The determination whether to enter into a Contract with such sole Bidder shall be solely within City's discretion and not dependent upon performance of a price or cost analysis.

13.4. Each Bidder must hold the prices in its bid, as well as the total bid, for a period of one hundred eighty (180) days from the date of the Bid submission. By submitting a Bid, each Bidder agrees to comply with these pricing requirements.

14. Disqualification of Bidders: Any of the following may be considered as sufficient for disqualification of a Bidder and the rejection of the Bid:

- a. Submission of more than one Bid for the same work by an individual, firm, partnership or Corporation under the same or different name(s);
- b. Evidence of collusion among Bidders;
- c. Previous participation in collusive bidding on Work for the City;
- d. Submission of an unbalanced Bid, in which the prices quoted for same items are out of proportion to the prices for other items;
- e. Lack of competency of Bidder (the Agreement will be awarded only to a Bidder(s) rated as capable of performing the Work; the City may declare any Bidder ineligible at any time during the process of receiving Bids or awarding the Agreement where developments arise which, in the opinion of the City, adversely affect the Bidder's responsibility;

f. Lack of responsibility as shown by past Work judged from the standpoint of workmanship and progress; financial irresponsibility, including but not limited to, leaving retainage in City account;

g. Uncompleted Work for which the Bidder is committed by Agreement, which in the judgment of the City, might hinder or prevent the prompt completion of Work under this Agreement if awarded to such Bidder; and

h. Being in arrears on any existing or prior contracts with the City or in litigation with the City thereon or having defaulted on a previous contract with the City.

15. Examination of Bid Documents:

15.1. Each Bidder is responsible for examining with appropriate care the complete Bid Documents and all Addenda, and for informing itself with respect to all conditions which might in any way affect the cost or the performance of any Services. Failure to do so will be at the sole risk of the Bidder, who is deemed to have included all costs for performance of the Services in its Bid.

15.2. Each Bidder shall promptly notify City in writing should the Bidder find discrepancies, errors, ambiguities or omissions in the Bid Documents, or should their intent or meaning appear unclear or ambiguous, or should any other question arise relative to the Bid Documents. Replies to such notices may be made in the form of an addendum to the Bid Documents, which will be issued simultaneously to all potential Bidders who have obtained the Bid Documents from City.

15.3. City may, by addendum, modify any provision or part of the Bid Documents at any time prior to the Bid due date and time. The Bidder shall not rely on oral clarifications to the Bid unless they are confirmed in writing by City in an issued addendum.

16. Cancellation of Solicitation: This solicitation may be cancelled in accordance to the City of Forest Park's Code of Ordinances.

17. Award of Contract; Execution: If City awards a Contract pursuant to this procurement, City will prepare and forward to the successful Bidder a Contract for execution substantially in the form included in this ITB.

18. Agreement Terms: The terms of this Agreement shall be according to that which is specified per the Draft Agreement.

19. Submission of Bids:

19.1. Bids must be submitted via the City's procurement system (hard Copy) according to the instructions provided in this ITB. Each Bidder must ensure that all blank spaces are completed.

19.2. Bids shall be executed by a principal of the Bidder with the authority to enter into a contract. Joint ventures or partnerships must designate one joint venture/partner to represent the joint venture/partnership in submitting and executing a Bid. Each Bidder is responsible for the preparation of the Bid and the costs of preparing and submitting the Bid.

19.3. Bids will be opened at 2:01 P.M. on the designated due date. Bids must clearly identify the following information:(April 22nd 2020)

19.3.1.Bidder's Name/Company Name and Address.

19.3.2.If a Georgia Utility License is required for this project, the Bidder's Georgia Utility License Number must be included along with a photocopy of the actual document with the Bid.

19.3.3.If a Georgia Contractor's License is required for this project, the Bidder's Georgia Contractor's License number must be included along with a photo copy of the actual document with the Bid.

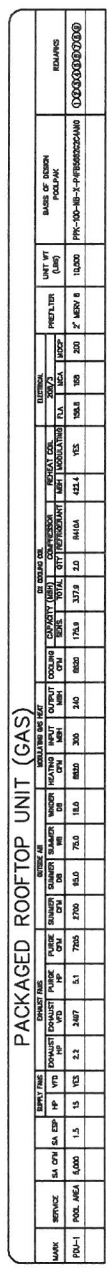
19.3.4.All other required documents as specified in the Required Submittals section of this ITB.

20. Illegal Immigration Reform and Enforcement Act: This ITB is subject to the Illegal Immigration Reform and Enforcement Act of 2011 ("IIREA" or "the Act"). IIREA was formerly known as the Georgia Security and Immigration Compliance Act or GSCIA. Pursuant to the Act, the Bidder must provide with its Bid proof of its registration with and continuing and future participation in the E-Verify Program established by the United States Department of Homeland Security. A completed Contractor Affidavit (Form 2), set forth in Form 1: Illegal Immigration Reform and Enforcement Act Forms, must be submitted with the Bid at the time of submission. Under state law, the City cannot consider any Bid which does not include completed forms. Where the business structure of a Bidder is such that Bidder is required to obtain an Employer Identification Number (EIN) from the Internal Revenue Service, Bidder must complete the Contractor Affidavit (Form 2) on behalf of, and provide a Federal Work Authorization User ID Number issued to, the Bidder itself. Where the business structure of a Bidder does not require it to obtain an EIN, each entity comprising Bidder must submit a separate Contractor Affidavit (Form 2). It is not the intent of this notice to provide detailed information or legal advice concerning the Act. All Bidders intending to do business with the City are responsible for independently apprising themselves of and complying with the requirements of the Act and assessing its effect on City procurements and their participation in those procurements. For additional information on the E-Verify program or to enroll in the program, go to: <https://e-verify.uscis.gov/enroll>. Additional information on completing and submitting the Contractor Affidavit (Form 1) precedes the Affidavit.

Potential Offerors may submit their Contractor Affidavit Forms for review via the City's IIREA Preview Participation Program, no fewer than ten (10) days prior to the Bid due date. The IIREA Preview Participation Form is included in the Invitation to Bid.

21. **Multiple Awards:** The City reserves, at its sole discretion, the option to award to multiple Bidders. Multiple awards may be made on the total Scope of Work or to components of the Scope of Work.

Scope of Services



FORM 1
PROPOSAL SUBMITTAL LETTER

This Form Must Be Signed and Return with Bid or Bid will be Deemed Non-responsive.

RFP # _____

The undersigned, _____, hereby submits its bid proposal to furnish all services, labor, materials, or equipment, delivered by the undersigned for the above referenced RFP to the City of Forest Park, Georgia.

The undersigned acknowledges and agrees that the Proposal submitted by the undersigned shall be binding upon the undersigned and that if City of Forest Park, Georgia, awards a contract to the undersigned, the Proposal made by the undersigned and delivered to City of Forest Park, Georgia herewith, together with such award, will constitute a legal, valid and binding contract between the undersigned and City of Forest Park, Georgia. The Contract created pursuant to the previous sentence shall incorporate the terms and conditions of the bid including, but not limited to, the bid Scope of Work, solicitation instructions and conditions, the contract provisions and the contractor's proposal, all as described in the bid.

IN WITNESS WHEREOF, the undersigned has duly executed and delivered this Proposal Submittal Letter this _____ day of _____, _____.

By: _____

Title: _____

Sworn to and subscribed before me the _____ day of _____, _____.

Notary Public: _____

My Commission Expires: _____

[SEAL]

FORM 2

Required Submittal

Illegal Immigration Reform and Enforcement Act Forms

INSTRUCTIONS TO OFFERORS:

All Offerors must comply with the Illegal Immigration Reform and Enforcement Act, O.G.G.A § 13-10-90, et seq. (IIREA). IIREA was formerly known as the Georgia Security and Immigration Compliance Act or GSICA. Offerors must familiarize themselves with UREA and are solely responsible for ensuring compliance. Offerors must not rely on these instructions for that purpose. They are offered only as a convenience to assist Offerors in complying with the requirements of the City's procurement process and the terms of this RFP.

1. The attached Contractor Affidavit (Form I) must be filled out COMPLETELY and submitted with the proposal/bid.
2. The Contractor Affidavit must contain an active Federal Work Authorization Program (E-Verify) User ID Number and Date of Registration. **This is also known as the Company ID Number. Please note that the Company ID number is not a Tax ID number, social security number or formal contract number.**
3. Where the business structure of an Offeror is such that Offeror is required to obtain an Employer Identification Number (EIN) from the Internal Revenue Service, Offeror must complete the Contractor Affidavit on behalf of, and provide a Federal Work Authorization User ID Number issued to, the Offeror itself. Where the business structure of a Offeror does not require it to obtain an EIN, each entity comprising Offeror must submit a separate Contractor Affidavit.

Example 1, ABC, Inc. and XYZ, Inc. form and submit a proposal/bid as Acme Construction, LLC. Acme Construction, LLC must enroll in the E-Verify program and submit a single Contractor Affidavit in the name of Acme Construction, LLC which includes the Federal Work Authorization User ID Number issued to Acme Construction, LLC.

Example 2, ABC, Inc. and XYZ, Inc. execute a joint venture agreement and submit a proposal/bid under the name Acme Construction, JV. If, based on the nature of the JV agreement, Acme Construction, JV is not required to obtain an Employer Identification Number from the IRS, the Proposal/Bid submitted by Acme Construction, JV must include both a Contractor Affidavit for ABC, Inc. and a Contractor Affidavit for XYZ, Inc.

4. All Contractor Affidavits must be executed by an authorized representative of the entity named in the Affidavit.
5. All Contractor Affidavits must be duly notarized.
6. All Contractor Affidavits must be submitted with proposal/bid package.
7. Subcontractor and sub-subcontractor affidavits are not required at the time of proposal/bid submission but will be required at contract execution or in accordance with the timelines set forth in IIREA.

FORM 2

Required Submittal

Illegal Immigration Reform and Enforcement Act Forms

Contractor Affidavit under O.C.G.A. § 13-10-91 (b)(I)

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of the City of Forest Park has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization though the contract period and the undersigned contractor for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A.

§ 13-10- 91 (b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

(Also known as E-Verify Company ID)
Federal Work Authorization User Identification Number (Not Tax ID or SS Number)

Date of Authorization (MM/DD/YYYY) (This is the date the Company ID was issued by the Federal/E-Verify system)

Name of Contractor (Legal name of Contractor, not an abbreviated version)

Name of Project

City of Forest Park

Name of Public Employer

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

Executed on _____, **20**____ in _____(city), _____state), _

Signature of Authorized Officer or Agent

Printed name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME

ON THIS THE _____ DAY OF _____, 20____

NOTARY PUBLIC

My Commission Expires:

Required Submittal FORM 2B
Illegal Immigration Reform and Enforcement Act Forms

Subcontractor Affidavit under O.C.G.A. § 13-10-91(b)(3)

By executing this affidavit, the undersigned subcontractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services under a contract with _____ (name of contractor)) on behalf of the City of Forest Park has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 1310-91. Furthermore, the undersigned subcontractor will continue to use the federal work authorization program throughout the contract period and the undersigned subcontractor will contract for the physical performance of services in satisfaction of such contract only with sub-subcontractors who present an affidavit to the subcontractor with the information required by O.C.G.A. § 13-10-91(b). Additionally, the undersigned subcontractor will forward notice of the receipt of an affidavit from a sub-subcontractor to the contractor within five business days of receipt. If the undersigned subcontractor receives notice of receipt of an affidavit from any sub-subcontractor that has contracted with a sub-subcontractor to forward, within five business days of receipt, a copy of such notice to the contractor. Subcontractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

(Also known as E-Verify Company ID)
Federal Work Authorization User Identification Number (Not Tax ID or SS Number)

Date of Authorization (MM/DD/YYYY) (This is the date the Company ID was issued by the Federal E-Verify system)

Name of Subcontractor: _____

Name of Project: _____

Name of Public Employer: City of Forest Park

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

Executed on _____, _____, 20____ in _____ (city), _____ (state)

Signature of Authorized Officer or Agent

Printed name and Title of Authorized Officer or Agent

Subscribed and Sworn Before Me On

_____, DAY OF _____, 20____

NOTARY PUBLIC

My Commission Expires: _____

Contractor's Statement of Legal Status and Financial Capability Form 3

For official and confidential use by the City of Forest Park, Georgia

Purpose/Instructions: The following information will be used by the City of Forest Park, Georgia in determining whether or not the identified **Contractor** has, in the opinion of the City of Forest Park, Georgia, the financial capability to successfully fulfill its obligations to the City.

If space on this form is inadequate for any requested information, please furnish on attached pages with a reference to the appropriate question number on this form.

A. Submission Information:

1. This Statement is being submitted as required by a FOREST PARK solicitation:

FOREST PARK Solicitation #: _____ Project Name: _____

2. This information is current as of (date): _____

B. Contractor Information

1. Official Company/Entity Name: _____ (hereinafter "Contractor")
2. Mailing Address: _____
State/Zip: _____
3. If at this address less than 1 year, prior address: _____
4. Primary contact regarding this information: _____
5. Telephone Number: _____
6. Email Address: _____

C. Development Entity. The Development entity named above is:

- ☐ A sole proprietorship — Soc. Sec. # _____
- ☐ A corporation — FID # _____
- ☐ A nonprofit or charitable institution or corporation — FID # _____
- ☐ A partnership _____ — FID # _____
- ☐ A business association or a joint venture — FID # _____
- ☐ A limited liability company — FID # _____
- ☐ A Federal, State, or local government or instrumentality thereof
- ☐ Other / explain: _____

D. Date and State of Organization. If the Contractor is not an individual or a government agency or instrumentality:

1. Date of organization: _____

2. State of organization: _____

E. Contractor Principals. Names of owners, officers, directors, trustees, and principal representatives of the development entity

Name, Title, Address, ZIP Code	Description of interest/relationship	% of Ownership Interest

F. Contractor Affiliations. Is the Contractor a subsidiary or parent of or affiliated with, any other corporation or corporations or any other firm or firms?

☐ Yes ☐ No

If Yes, provide the following information:

Corporation/Firm	Relationship to Contractor	Common Officers/Directors/Owners/ Trustees/Representatives
Name Address		
Name Address		

If the Contractor is different than the parent corporation or firm, will the parent corporation or firm guarantee performance under this proposal?

☐ Yes ☐ No

G. Bankruptcy. Has the Contractor or the parent corporation (if any), or any subsidiary or affiliated corporation of the Contractor or said parent corporation, or any of the Contractor's officers or principal members, shareholders or investors filed for bankruptcy, either voluntary or involuntary, within the past 10 years?

☐ Yes ☐ No

If Yes, provide the following information:

Name	Court	Date	Status

H. Loan Defaults. Has the Contractor or the parent corporation (if any), or any subsidiary or affiliated corporation of the Contractor or said parent corporation, or any of the Contractor's officers or principal members, shareholders or investors defaulted on a loan or other financial obligation?

☐ Yes ☐ No

If Yes, explain:

I. Criminal Litigation. Is the Contractor or the parent corporation (if any), or any subsidiary or affiliated corporation of the Contractor or said parent corporation, or any of the Contractor's officers or principal members, shareholders or investors party to any past or pending criminal litigation?

☐ Yes ☐ No

If Yes, provide the following information, and attach any additional information or explanation deemed necessary:

Date Filed	Court	Charge/Current Status

J. Civil Litigation. Is the Contractor or the parent corporation (if any), or any subsidiary or affiliated corporation of the Contractor or said parent corporation, or any of the Contractor's officers or principal members, shareholders or investors party to any pending civil litigation that could potentially impact the financial capability of the Contractor to complete the proposed development?

☐ Yes ☐ No

If Yes, provide the following information, and attach any additional information or explanation deemed necessary:

Date Filed	Court	Current Status

K. Conflict of Interest. Does any member or employee of the Portland City Council or the City of Forest Park, Georgia have any direct or indirect personal interest in the Contractor or in the redevelopment or rehabilitation of the property being proposed by the Contractor?

☐ Yes ☐ No

If Yes, explain:

L. Source of Financing. Provide an itemization of planned or likely sources of funds to be used to cover Contractor's obligations under the project.

1. Provide a copy of a letter of interest from potential lenders, or
2. Provide any other evidence of Contractor's ability to obtain debt financing.
3. Provide name and address of financial institution reference(s).

M. Financial Condition. Provide an audited financial statement for each of the previous two years presented in accordance with generally accepted accounting principles and accompanied by an unqualified opinion of certified public accountants. If the date of this audited financial statement precedes the date of this submission by more than six months, also attach an interim balance sheet not more than 60 days old.

N. Previous Forest Park Projects. Has the Contractor or its parent entity (if any), or any subsidiary or affiliated entity of the Contractor or said parent corporation, or any of the Contractor's officers or principal members, shareholders or investors had any previous contractual relationship with the City of Forest Park?

☐ Yes ☐ No

Project Name	Description	Date

O. Additional Information. Attach any additional evidence deemed helpful to demonstrate the Contractor's financial capacity and capability to complete the project.

CERTIFICATION

I* _____ certify under penalty of perjury under the laws of the State of Georgia that I am authorized to submit this information on behalf of the Contractor and that the statements made in this Proposal are true and correct. I further authorize the City of Forest Park, Georgia, or any employee or agent acting on behalf of the City of Forest Park, Georgia, to undertake any investigation deemed appropriate to verify the information contained herein.

Printed Name: _____

Signature: _____

Date: _____

* If the Contractor is an individual, this statement should be signed by such individual; if a partnership, by one of the partners; if a corporation or other entity, by one of its chief officers having knowledge of the facts required by this statement.

FORM 4

Acknowledgment of Insurance and Bonding Requirements

I, _____, on behalf of _____, ("Proponent"), acknowledge that if selected as the successful Proponent for _____, Proponent shall comply with all insurance and bonding requirements for the project (listed in the RFP), and any other attachments to the RFP which pertain to insurance and/or bonding.

Proponent understands that it is expected to share these requirements with potential sureties and insurance brokers, agents, underwriters, etc. prior to any award of a contract and to take all necessary steps to ensure compliance with the applicable requirements without delay. Proponent understands, acknowledges and agrees that any failure to fully comply with these requirements within ten (10) days of the date Proponent receives a final contract document from the City may result in the forfeiture of any bid bond submitted with this Proposal and/or the disqualification of Proponent from further consideration under the RFP.

By executing this Acknowledgement of Insurance and Bonding Requirements, I represent that the Proponent understands and agrees to comply unconditionally with all requirements related to insurance and bonding. Further, by signing below, I represent that I am authorized to make the representations contained herein on behalf of Proponent.

Date: _____

Corporate Proponent: [Insert Corporate Name]	Non-Corporate Proponent: [Insert Proponent Name]
_____	_____
—	—
By: _____	By: _____
_____	_____
Name: _____	Name: _____
—	—
Title: _____	Title: _____
—	—
_____	_____
—	—
Corporate Secretary (Seal)	Notary Public My Commission Expires: _____ (Seal)

FORM 5
ACKNOWLEDGMENT OF RECEIPT OF ADDENDA

The undersigned Bidder hereby acknowledges receipt of the following Addenda:

<u>Addendum Number</u>	<u>Dated</u>	<u>Acknowledge Receipt</u> (initial)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

☐ **No addenda were received:**

Acknowledged for: _____
(Name of Bidder)

By: _____
(Signature of Authorized Representative)

Name: _____
(Print or Type)

Title: _____

Date: _____

FORM 6
Contact Directory

Include names, positions, firms, mailing addresses, phone numbers and e-mail address for each of the following as it pertains to each of the firms in respondent's team.

Name	Position/Title	Mailing Address	Phone Number	E-mail Address

FORM 7
REFERENCES

Name of Proposing Company: _____

List company names, addresses, and telephone numbers for at least three references presently or previously served by your Company.

Reference # 1

Company
Name: _____

Address:

Contact Person:

Telephone Number: _____

Email Address: _____

Reference # 2

Company Name:

Address:

Contact Person:

Telephone Number: _____

Email Address: _____

Reference # 3

Company
Name: _____

Address:

Contact Person:

Telephone Number: _____

Email Address: _____

FORM 8

SCHEDULE OF CONTRACT FULLY BURDENED LABOR RATES

PROPONENT NAME: _____

Position	Raw Rate	Multiplier	Fully Burdened Labor Rate
Principal-in-Charge			
Project Executive			
Sr. Project Manager			
Project Manager			
Assist. Project Manager			
Sr. Project Engineer			
Project Engineer			
Sr. Superintendent			
Superintendent			
Assist. Superintendent			
Safety Director			
Safety Manager			
QC Manager			
QC Technician			
Procurement Manager			
Estimator			
Scheduler			
Accountant			
Clerical			
Diversity Coordinator			
Labor Foreman			
Carpenter Foreman			
Carpenter			
Equipment Operator			
Laborer			

¹ Actual salary paid to employees of the Joint Venture Companies - proof of payment is required upon Contract award and invoicing.

² Fully Burdened Labor Rate - The actual cost paid or incurred by a company that is

directly attributable to maintaining an employee including the employee's salary, statutorily required taxes, insurance, contributions, assessments, etc. as well as customary benefits provided to the company's employees per the company's printed policies such as medical and health benefits, sick leave, vacation, holidays, pensions, etc. The fully burdened labor rate also includes any consideration for overhead but NOT profit . The Joint Venture blended overhead apportioned to this contract is accounted by a multiplier applied to the raw rates which results in the Fully Burdened labor Rate. The City reserves the right to audit this multiplier. The fully burdened labor rates shall be used in the preparation of all Task Orders and Change Orders.

FORM 9
FEE ACKNOWLEDGEMENT LETTER

Fee Acknowledgement Letter

[DATE]

City of Forest Park
745 Forest Parkway
Forest Park, GA 30297

Ladies and Gentlemen:

The undersigned hereby acknowledges that we have reviewed subject Request for Proposal and confirm our understanding that if we are a successful proponent that our fee for self-performed work and management of subcontractors, as defined in the task order, will be [INSERT FEE TERMS].

Very Truly Yours,

Authorized Representative

(Please transfer the above language to proponent's company letterhead and have the appropriate official sign and date.)

FORM 10
Local, Small Business, Diversity Program

SUBCONTRACTOR/SUPPLIER UTILIZATION

List all Majority, Minority and Female Business Enterprise subcontractors/suppliers, including lower tiers, to be used on this project.

[illegible]

Total Local Business, %	Total Small Business %	Total Minority Business %
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Code: AABE - African American Business Enterprise, HAAE - Hispanic American Business Enterprise, FBE - Female Business Enterprise.
APABE - Asian (Pacific Islander) American Business Enterprise

Proponent's Co. Name: _____

Date: _____

FC#: _____

Proponent's Contact Number: _____ **Project Name:** _____

Signature: _____

List all subcontractors or suppliers that were contacted regarding this project

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[illegible]

Name of Sub-Contractor/ Supplier	Contact Name, Address and Phone Number	City of Forest Park Business License? <i>(Yes or No)</i>	Type of Work Solicited for	Business Ownership <i>(Enter SBE or Non SBE)</i>	Results of Contact

Proponent's Name: _____
Project Name: _____
FC#: _____

Signature: _____
Contact No: _____
Date: _____

FORM 11
NON-COLLUSION AFFIDAVIT

The undersigned bidder or agent, being duly sworn on oath, says that he/she has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to include anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding. He/She further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee gift, commission or thing of value on account of such sale.

I HEREBY AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FACTS AND INFORMATION CONTAINED IN THE FOREGOING RESPONSE ARE TRUE AND CORRECT.

Dated this ____ day of _____, _____

(Name of Organization)

(Title of Person Signing)

(Signature)

Before me, a Notary Public, personally appeared the above named and swore that the statements contained in the foregoing document are true and correct.

Subscribed and sworn to me this _____ day of _____, _____.

Notary Public Signature

My Commission Expires: _____

FORM 12

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER MATTERS

This Form Must Be Signed and Return with Bid or Bid will be deemed Non-responsive.

The Proposer, _____, certifies to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal, State, or local department or agency;
2. Have not within a three-year period preceding this Proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or Contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with the commission of any of the offenses enumerated in paragraph (2) of this certification; and
4. Have not within a three-year period preceding this application/Proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

Where the proposer is unable to certify to any of the statements in this certification, such proposer shall attach an explanation to this Proposal.

The proposer certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification.

Signature of Authorized Agent

Name/Title of Authorized Agent

Before me, a Notary Public, personally appeared the above named and swore that the statements contained in the foregoing document are true and correct.

Subscribed and sworn to me this _____ day of _____, _____.

Notary Public Signature

My Commission Expires: _____[SEAL]

FORM 13
Trade Secret Status

[SAMPLE TEMPLATE ONLY]

Highlighted portions should be completed or deleted (as applicable) by affiant.

Use of template does not establish that all requirements set forth under the Georgia Open Records Act are satisfied. Please seek independent legal advice prior to use.

**TRADE SECRET STATUS AFFIDAVIT
STATE OF GEORGIA
REQUEST FOR PROPOSAL, REQUEST FOR QUOTE, or REQUEST FOR QUALIFIED CONTRACTOR
(INSERT SOLICITATION NUMBER AND TITLE)**

Georgia Open Records Act: All documents, data, letters and generated information received by the State constitutes a "public record" and is subject to disclosure under the Georgia Open Records Act ("GORA"). O.C.G.A. § 50-18-70 *et seq.* However, pursuant to O.C.G.A. § 50-18-72(a)(34), "[an] entity submitting records containing trade secrets that wishes to keep such records confidential under this paragraph shall submit and attach to the records an affidavit affirmatively declaring that specific information in the records constitute trade secrets pursuant to Article 27 of Chapter 1 of Title 10 [O.C.G.A. § 10-1-760 *et seq.*]."

O.C.G.A. § 10-1-761(4) defines "Trade secret" as "...information, without regard to form, including, but not limited to, technical or nontechnical data, a formula, a pattern, a compilation, a program, a device, a method, a technique, a drawing, a process, financial data, financial plans, product plans, or a list of actual or potential customers or suppliers which is not commonly known by or available to the public and which information:

- A. Derives economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and
- B. Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy."

Therefore, the records listed below and attached hereto, that were submitted with (Supplier's Name) response to the State of Georgia Request for Proposal, Request for Quote, or Request for Qualified Contractor [NUMBER AND TITLE] are marked confidential pursuant to O.C.G.A. § 10-1-761(4):

- (List specific information that the supplier wishes to withhold and how that information constitutes a trade secret)
- Additional trade secret information requested to be withheld
- Additional trade secret information requested to be withheld

Under penalty of perjury, acknowledging that O.C.G.A. §16-10-71 provides a penalty of a fine of up to \$1,000 and potential imprisonment of one to five years, I attest that the specific information in the records listed above constitutes trade secrets pursuant to O.C.G.A. § 10-1-761(4), and request that the State of Georgia not disclose this protected information under the Georgia Open Records Act ("GORA").

Signature: _____

[Signatory Name in Print]

[Signatory's Title]

[Company Name]

Date: _____

SUBSCRIBED AND SWORN BEFORE
ME ON THIS _____ DAY OF
_____, 202x.

NOTARY PUBLIC

My Commission Expires: _____