

PART 1, SECTION 2: REQUIRED SUBMITTAL FORMS

All Offerors, including, but not limited to, corporate entities, limited liability companies, joint ventures, or partnerships, that submit a Proposal or Bid in response to this solicitation must fill out all forms in their entirety, and all forms must be signed, notarized or sealed with the corporate seal (if applicable), as required per each form's instructions.

If Offeror intends to be awarded a contract with the City, then Offeror must fill out all the forms listed in this solicitation document; otherwise, Offeror may be deemed non-responsive.

Required Submittal (FORM 1)

Illegal Immigration Reform and Enforcement Act Forms (Page 1 of 3)

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 IIREA 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 ITB.

1. The attached Contractor Affidavit (Form 1) 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 a 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.

Required Submittal (FORM 1)

Illegal Immigration Reform and Enforcement Act Forms (Page 2 of 3)

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, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of the City of Atlanta has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned 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 eVerify 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 eVerify system)

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

Name of Project

City of Atlanta
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:

***Please submit an original signed form, not a copy.**

Required Submittal (FORM 1)

Illegal Immigration Reform and Enforcement Act Forms (Page 3 of 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, 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 Atlanta has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned subcontractor will **continue** to use the federal work authorization program throughout the contract period and the undersigned subcontractor will contract for the physical performance of services in satisfaction of such contract only with sub-subcontractors who present an affidavit to the subcontractor with the information required by O.C.G.A. § 13-10-91(b). Additionally, the undersigned subcontractor will forward notice of the receipt of an affidavit from a sub-subcontractor to the contractor within five business days of receipt. If the undersigned subcontractor receives notice 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 eVerify 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 eVerify system)

Name of Subcontractor: _____

Name of Project: _____

Name of Public Employer: City of Atlanta

I hereby declare 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 THIS THE ____, DAY OF _____, 20_____

NOTARY PUBLIC

My Commission Expires: _____

Required Submittal (FORM 2)
Contractor Disclosure and Declaration Form (Page 1 of 11)

**FAILURE TO ANSWER ALL QUESTIONS IN FULL AND TO PROVIDE ALL REQUESTED
ADDITIONAL DOCUMENTATION IN FULL MAY RESULT IN OFFEROR BEING DEEMED
AS NON-RESPONSIVE**

***IN ADDITION, OFFEROR MAY BE DEEMED NON-RESPONSIBLE, IN ACCORDANCE WITH THE
APPLICABLE LAW, BASED ITS REPRESENTATIONS WITHIN THE DISCLOSURE AFFIDAVIT***

DEFINITIONS FOR THE PURPOSES OF THIS DISCLOSURE AFFIDAVIT

“Contractor”	Any person or entity having a contract with the city of Atlanta (“City”).
“Offeror”	<p>Any individual or entity that submits a Bid/Proposal in response to a solicitation.</p> <p>If the Offeror is a sole proprietor or an individual, then that individual must complete and sign this Contractor Disclosure and Declaration Form where indicated.</p> <p>If the Offeror is a corporate entity or joint venture, then an authorized representative of that entity or joint venture must complete and sign this Contractor Disclosure and Declaration Form where indicated.</p> <p>If the Offeror is a partnership entity, then each partner in the partnership must complete and sign a separate Contractor Disclosure and Declaration Form where indicated.</p> <p>If the Offeror is a newly formed corporate entity, partnership entity or joint venture (formed within the last three years), then (1) an authorized representative of the newly formed entity or joint venture must complete and sign this Contractor Disclosure and Declaration Form where indicated, on behalf of the entity, <i>and</i> (2) an authorized representative of each of the members or owners of the entity must also complete and sign a separate Contractor Disclosure and Declaration Form, where indicated, on behalf of each member or owner.</p>

Required Submittal (FORM 2)
Contractor Disclosure and Declaration Form (Page 2 of 11)

Instructions: Provide the following information for the entity or individual completing this Statement (the "Individual/Entity").

A. Basic Information Regarding Offeror:

Offeror Name: _____

Entity Submitting this Form: _____

Type of Entity: _____
(Legal Description of Entity Business Structure)

Corporation
 Partnership
 Joint Venture
 Other _____

Name/Title of Authorized Representative Signing this Form

Relationship of the Authorized Representative
Completing this Form to the Offeror:

Authorized Representative of Offeror
 Joint Venture Partner -Majority
 Joint Venture Partner -Minority
 Other _____
(i.e., member or owner)

Contact Information of the Authorized
Representative Completing this Form:

Address

Phone Number(s)

Email

Required Submittal (FORM 2)
Contractor Disclosure and Declaration Form (Page 3 of 11)

If Offeror is a Joint Venture (“JV”), list each JV partner by its **full legal name** and indicate the percentage interest held in the Joint Venture:

NAME:	Percentage (%)
_____	_____
_____	_____
_____	_____
_____	_____

Identify Offeror’s state of incorporation or other business entity registration. _____
If Offeror is a Joint Venture, identify Offeror’s joint venture member entities state of incorporation or other business entity registration.

Is the individual/Entity authorized to transact business in the state of Georgia?

- Yes **(Attach Certificate of Authority to transact business in Georgia from Georgia Secretary of State. If the Entity is a type for which the Georgia Secretary of State does not require registration, then the Entity may provide a current business license issued by a Georgia county or municipality.)**

- No **(If Offeror incorporated or registered in a state other than Georgia, attach Certificate of Authority to transact business in home state.)**

Note: If Offeror is incorporated or registered in a state other than Georgia, Offeror must provide a certificate of authority to transact business in Georgia issued by the Georgia Secretary of State prior to the award of any contract.

Required Submittal (FORM 2)
Contractor Disclosure and Declaration Form (Page 4 of 11)

B. Questionnaire

You are REQUIRED to answer YES or NO to each of the following questions. If you answer “YES” to any of the 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. You should number each response to the corresponding question.

1. Has any employee, agent or representative of Offeror who is or will be directly involved in the project, in the last five (5) years:
 - (a) directly or indirectly, had a business relationship with the City? YES NO
 - (b) directly or indirectly, received revenues from the City? YES NO
 - (c) directly or indirectly, received revenues from conducting business on City property or pursuant to any contract with the City? YES NO

2. Whether any employee, agent, or representative of Offeror who is or will be directly involved in the project has or has had within the last five (5) years a direct or indirect business relationship with any elected or appointed City official or with any City employee? YES NO

3. Whether Offeror has provided employment or compensation to any third party intermediary, agent, or lobbyist to directly or indirectly communicate with any City official or employee, or municipal official or employee in connection with any transaction or investment involving your firm and the City? YES NO

4. Has the Offeror or any agent, officer, director, or employee been terminated, suspended, or debarred (for cause or otherwise) from any work being performed for the City or any other Federal, State or Local Government? YES NO

5. Has the Offeror had any Personal or Financial Relationships in the last five (5) years that may give rise to a conflict of interest as defined 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]:
 - (a) Personal relationships: executives, board members and partners in firms submitting offers must disclose familial relationships with employees, officers and elected officials of the City of Atlanta. Familial relationships shall include spouse, domestic partner registered under section 94-133, mother, father, sister, brother, and natural or adopted children of an official or employee. YES NO

 - (b) Financial relationships: Offeror must disclose any interest held with a City employee or official, or family members of a City employee or official, which may yield, directly or indirectly, a monetary or other material benefit to the Offeror or the Offeror’s family members. YES NO

Required Submittal (FORM 2)
Contractor Disclosure and Declaration Form (Page 5 of 11)

(c) Whether Offeror was the subject of any civil or criminal proceeding in which there was a final adjudication adverse to Offeror which directly arose from activities conducted by Offeror.

YES NO

If Offeror responds Yes to any question in Number 5 above, please use the table to fill out the required information.

Offeror's Name:			
Name of Executive, Board Member or Partner	City of Atlanta Employee, Officer or Elected Official	State Whether "Personal" or "Financial" Relationship	Specify Nature or Circumstance of Personal or Financial Relationship (<i>Ex: Sister, Board Member</i>)

Required Submittal (FORM 2)
Contractor Disclosure and Declaration Form (Page 6 of 11)

D.REPRESENTATIONS

1. Anti-Lobbying Provision. All Offerors, including agents, employees, representatives, lobbyists, attorneys and proposed partner(s), subcontractor(s) or joint venturer(s), will refrain, under penalty of the Offeror's disqualification, from direct or indirect contact for the purpose of influencing the selection or creating bias in the selection process with any person who may play a part in the selection process.

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

“I certify that this bid/proposal is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a bid 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 Offeror.”

3. Certify Satisfaction of all Underlying Obligations. (If Applicable) If a Contract is awarded through this solicitation, then such Offeror should know that before final payment is made to a Contractor by the City, the Contractor shall certify to the City in writing, in a form satisfactory to the City, that all subcontractors, materialmen suppliers and similar firms or persons involved in the City contract have been paid in full at the time of final payment to the Contractor by the City or will be paid in full utilizing the monies constituting final payment to the Contractor.

4. Confidentiality. Details of the bids will not be discussed with other Offerors during the selection process. Offeror should be aware, however, that all bid and information submitted therein may become subject to public inspection as provided by Georgia Law. Each Offeror should consider this possibility and, where trade secrets or other proprietary information may be involved, may choose to provide in lieu of such proprietary information, an explanation as to why such information is not provided in its bid. However, the Offeror may be required to submit such required information before further consideration.

Required Submittal (FORM 2)
Contractor Disclosure and Declaration Form (Page 7 of 11)

5. Equal Employment Opportunity (EEO) Provision. All bidders or Offerors will be required to comply with sections 2-1200 and 2-1414 of the City of Atlanta Code of Ordinances, as follows: During the performance of the agreement, the Contractor agrees as follows:

- a. The Contractor shall not discriminate against any employee, or applicant for employment, because of race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, age, disability, or political affiliation. As used here, the words "shall not discriminate" shall mean and include without limitation the following:

Recruited, whether by advertising or other means; compensated, whether in the form of rates of pay, or other forms of compensation; selected for training, including apprenticeship; promoted; upgraded; demoted; downgraded; transferred; laid off; and terminated.

The Contractor agrees to and shall post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officers setting forth the provisions of the EEO clause.

- b. The Contractor shall, in all solicitations or advertisements for employees, placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, age, disability, or political affiliation.
- c. The Contractor shall send to each labor union or representative of workers with which the Contractor may have a collective bargaining agreement or other contract or understanding a notice advising the labor union or workers' representative of the Contractor's commitments under the equal employment opportunity program of the City of Atlanta and under the Code of Ordinances and shall post copies of the notice in conspicuous places available to employees and applicants for employment. The Contractor shall register all workers in the skilled trades who are below the journeyman level with the U.S. Bureau of Apprenticeship and Training.
- d. The Contractor shall furnish all information and reports required by the contract compliance officer pursuant to the Code of Ordinances, and shall permit access to the books, records, and accounts of the Contractor during normal business hours by the contract compliance officer for the purpose of investigation so as to ascertain compliance with the program.

Required Submittal (FORM 2)
Contractor Disclosure and Declaration Form (Page 8 of 11)

- e. The Contractor shall take such action with respect to any subcontractor as the city may direct as a means of enforcing the provisions of paragraphs (a) through (h) herein, including penalties and sanctions for noncompliance; provided, however, that in the event the Contractor becomes involved in or is threatened with litigation as a result of such direction by the city, the city will enter into such litigation as is necessary to protect the interest of the city and to effectuate the equal employment opportunity program of the city; and, in the case of contracts receiving federal assistance, the Contractor or the city may request the United States to enter into such litigation to protect the interests of the United States.
- f. The Contractor and its subcontractors, if any, shall file compliance reports at reasonable times and intervals with the city in the form and to the extent prescribed by the contract compliance officer. Compliance reports filed at such times directed shall contain information as to employment practices, policies, programs and statistics of the Contractor and its subcontractors.
- g. The Contractor shall include the provisions of paragraphs (a) through (h) of this equal employment opportunity clause in every subcontract or purchase order so that such provisions will be binding upon each subcontractor or vendor.
- h. A finding, as hereinafter provided, that a refusal by the Contractor or subcontractor to comply with any portion of this program, as herein provided and described, may subject the offending party to any or all of the following penalties:
 - (1) Withholding from the Contractor in violation all future payments under the involved contract until it is determined that the Contractor or subcontractor is in compliance with the provisions of the contract;
 - (2) Refusal of all future bids for any contract with the City of Atlanta or any of its departments or divisions until such time as the Contractor or subcontractor demonstrates that there has been established and there shall be carried out all of the provisions of the program as provided in the Code of Ordinances;
 - (3) Cancellation of the public contract;
 - (4) In a case in which there is substantial or material violation of the compliance procedure herein set forth or as may be provided for by the contract, appropriate proceedings may be brought to enforce those provisions, including the enjoining, within applicable law, of Contractors, subcontractors or other organizations, individuals or groups who prevent or seek to prevent directly or indirectly compliance with the policy as herein provided.

Required Submittal (FORM 2)
Contractor Disclosure and Declaration Form (Page 9 of 11)

6. Prohibition on Kickbacks or Gratuities/Non-Gratuity. The undersigned acknowledges the following prohibitions on kickbacks and gratuities. Please see City of Atlanta Procurement Code Section 2-1484 for further information:

- a. It is unethical for any person to offer, give or agree to give any employee or former employee (reference code section 2-1484) 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 or proposal 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 or proposal 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.

Required Submittal (FORM 2)
Contractor Disclosure and Declaration Form (Page 10 of 11)

Declaration

Under penalty of perjury, I declare that I have examined this Disclosure Affidavit and Questionnaire 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 Offeror.

Sign here if you are an authorized representative of a responding entity or

partnership: Printed Name of Entity or Partnership: _____

Signature of authorized representative: _____

Title: _____

Date: _____, 20__

**Subscribed and sworn to or affirmed by _____ (name),
as the _____ (title) of _____ (entity or partnership
name) this ____ day of _____, 20__.**

Notary Public of _____ (state)

My commission expires: _____

Required Submittal (FORM 2)
Contractor Disclosure and Declaration Form (Page 11 of 11)

FOR INTERNAL USE ONLY

Project Name/Number: FC/BID-

Offeror:

This is to acknowledge that this Contractor Disclosure and Declaration Form has been reviewed and appropriate actions have been taken in accordance with City of Atlanta Procurement Code Section 2-1214 and Department of Procurement procedures.

Print Name of Procurement Professional

Print Title of Procurement Professional

SIGNATURE

Print Name of Chief Procurement Officer

Signature of Chief Procurement Officer

Date

Acknowledgment of Review by the City of Atlanta's Ethics Officer (Required when Offeror has disclosed a Personal or Financial Relationship with City of Atlanta personnel)

Print Name of Ethics Officer

Signature of Ethics Officer

Date _____

Required Submittal "Unless a Offeror Elects to Submit an Alternative Form of Payment"

(FORM 3)

Bid Bond (Page 1 of 2)

KNOW ALL MEN BY THESE PRESENTS, THAT WE _____

hereinafter called the PRINCIPAL, and _____

hereinafter called the SURETY, a corporation chartered and existing under the laws of the State of _____, and duly authorized to transact Surety business in the State of Georgia, are held and firmly bound unto the City of Atlanta, Georgia (**OBLIGEE**), in the penal sum of either: [i] _____ Dollars and Cents (\$ _____); or [ii] 5% of PRINCIPAL'S Bid amount for **PROJECT NUMBER FC-___**; _____, good and lawful money of the United States of America, to be paid upon demand of the OBLIGEE, to which payment well and truly to be made we bind ourselves, our heirs, executors, administrators and assigns, jointly and severally and firmly by these presents.

WHEREAS the PRINCIPAL has submitted to the OBLIGEE, for **PROJECT NUMBER FC-___**; _____, a Bid;

WHEREAS the PRINCIPAL desires to file this Bond in accordance with law, in lieu of a certified Bidder's check otherwise required to accompany this Bid;

NOW THEREFORE: The conditions of this obligation are such that if the Bid be accepted, the PRINCIPAL shall within ten (10) calendar days after receipt of written notification from the CITY of the award of the Contract execute a Contract in accordance with the Bid and upon the terms, conditions and prices set forth therein, in the form and manner required by the City of Atlanta, Georgia, and execute sufficient and satisfactory Performance and Payment Bonds payable to the OBLIGEE, each in the amount of one hundred percent (100%) of the total Contract price in form and with security satisfactory to said OBLIGEE, then this obligation to be void; otherwise, to be and remain in full force and virtue in law; and the SURETY shall upon failure of the PRINCIPAL to comply with any or all of the foregoing requirements within the time specified above immediately pay to the OBLIGEE, upon demand the amount hereof in good and lawful money of the United States of America, not as a penalty but as liquidated damages.

In the event suit is brought upon this Bond by the OBLIGEE and judgment is recovered, the SURETY shall pay all costs incurred by the OBLIGEE in such suit, including attorney's fees to be fixed by the Court.

PLEASE NOTE: If this Form 3 is executed by an Attorney-in-Fact, then Surety must attach a copy of a duly executed Power-of-Attorney evidencing such authority in addition to correctly completing this Form 3.

Required Submittal "Unless a Offeror Elects to Submit an Alternative Form of Payment"

(FORM 3)

Bid Bond (Page 2 of 2)

This Bid Bond is for the Penal Sum of:

[i] _____ Dollars and Cents

(\$_____), being in the amount of 5% of the CONTRACT Sum; or
[ii] 5% of PRINCIPAL'S Bid amount for **PROJECT NUMBER** -_____;
_____. The money payable on this Bond shall be paid to the
OBLIGEE, for the failure of the Offeror to execute a CONTRACT within ten (10) days after receipt
of the Contract form and at the same time furnish a Payment Bond and Performance Bond.

IN TESTIMONY THEREOF, the PRINCIPAL and SURETY have caused these presents to be
duly signed and sealed this _____ day of _____ 20__.

Corporate Offeror:

[Insert Corporate Name]

Signature: _____

Print Name: _____

Title: _____

**Corporate Secretary/Assistant Secretary
(Seal)**

Non-Corporate Offeror:

[Insert Offeror Name]

Signature: _____

Print Name: _____

Title: _____

Notary Public (Seal)

My Commission Expires: _____

SURETY:

Signature: _____

Attorney-in-Fact: _____

Print Name: _____

Required Submittal (FORM 4)

Acknowledgment of Insurance and Bonding Requirements

I, _____, on behalf of _____, Offeror, acknowledge that if selected as the successful Offeror for

Offeror shall comply completely and promptly with all insurance requirements contained in the Agreement attached to this Solicitation and appendices thereto, pertaining to insurance.

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

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

Dated this _____ day of _____, 201_.

~~Sign here if you are an authorized representative of a responding entity or partnership:~~

Printed Name of Entity or Partnership: _____

Signature of authorized representative: _____

Title: _____

Date: _____, 20__

Subscribed and sworn to or affirmed by _____ **(name), as the**

_____ **(title) of** _____ **(entity or partnership name)**

this _____ **day of** _____, **20**_____.

Notary Public of _____ **(state)**

My commission expires: _____

Required Submittal (FORM 5)
Acknowledgment of Addenda

Offerors must sign below and return this form with their Bid(s) to the Department of Procurement, 55 Trinity Avenue, City Hall South, Suite 1900, Atlanta, Georgia, 30303, as acknowledgment of receipt of all Addenda.

This is to acknowledge receipt of the **Addenda** listed below for -_____; _____: It is not necessary to attach a separate Acknowledgement for each Addendum; however, if there are more than four (4), add them to this sheet as necessary.

1. _____;
2. _____;
3. _____; and
4. _____.

Dated the _____ day of _____, 20__.

Sign here if you are an authorized representative of a responding entity or partnership:

Printed Name of Entity or Partnership: _____

Signature of authorized representative: _____

Title: _____

Date: _____, 20__

Subscribed and sworn to or affirmed by _____ (name), as the
_____ (title) of _____ (entity or partnership name)
this _____ day of _____, 20__.

Notary Public of _____ (state)

My commission expires: _____

Required Submittal (FORM 6)

Offeror Contact Directory¹

NAME	POSITION/TITLE	MAILING ADDRESS	OFFICE PHONE	CELL PHONE	EMAIL ADDRESS AND FAX NUMBER

¹ The purpose of the Offeror Contact Directory is to provide the City with a centralized, easily identified source of important contacts and other information regarding each of the business entities constituting a Bidder. This Offeror Contact Directory should include the names, positions/titles, firms, mailing addresses, phone and fax numbers and e-mail addresses for each of the following as it pertains to each of the firms in a Offeror's team:

1. At least two (2) individuals, one primary the other(s) secondary, authorized to represent the firm for purposes of this ITB; and
2. Offeror Service Provider Key Personnel (as appropriate) listed in the Services Agreement included in this ITB at Part 3.

Required Submittal (FORM 7)

Reference List

Each Offeror must provide a list of at least three (3) references using the below- referenced format. The references provided must be able to attest to an Offeror's performance ability and credibility in a particular industry or trade

Reference provided for: _____

Reference: Name
 Address
 City, State, Zip
 Phone
 Fax

Project Title:

Contact Person: _____

Direct Telephone: _____

Email Address: _____

Date(s) of Project: _____

Description of Services:

Total Amount of Contract Including Change Orders:

Offeror's Role and Responsibilities:

Current Completion Status:

(Use the Same Format to Provide the Additional References)

Required Submittal (FORM 8)
Safety Record Form (Page 1 of 4)

I. General Information

Name of Firm:	
Business Address:	
Telephone:	Fax:
Prepared by/Title:	Date prepared:

II. Experience Modification Rates

A. List your firm's Workers Compensation Experience Modification Rates (EMR) for the last three years.

Year	Experience Modification Rate (EMR)

III. OSHA Incidence Rates

A. List your firm's Occupational Safety Health Administration (OSHA) total recordable incidence rates for the last three years.

Year	Total Recordable Incidents	Total Hours Worked	OSHA Incidence Rate*

* Use your OSHA Form No. 200 and the formula:

$$(\text{Total Incidents} \times 200,000 \text{ hours}) \div (\text{Number of hours worked}) = \text{Incidence Rate}$$

Required Submittal (FORM 8)
Safety Record Form (Page 2 of 4)

III. OSHA Incidence Rates (cont'd)

B. Provide your incidence rates over the last three years for the following categories:

Category	Incidence Rate by Year*		
	Year _____	Year _____	Year _____
Injuries and Illness with Lost Work Days			
Injuries and Illness with Job Transfer or Restricted Work Days			

* Use your OSHA Form No. 200 and the formula:

$$(\text{Total Incidents} \times 200,000 \text{ hours}) \div (\text{Number of hours worked}) = \text{Incidence Rate}$$

C. Provide your incidences of fatality over the last five years:

Category	Fatalities by Year				
	Year _____	Year _____	Year _____	Year _____	Year _____
Number of Fatalities					

D. Does your firm have any upheld OSHA citations in the past five years?

Yes No (If yes, attach explanation)

IV. Safety Program Information

A. Do you have a written safety program?

Yes No (If yes, attach outline)

B. Which of the following does your safety program contain:

1. Does your company require health and safety training of its subcontractors?

Yes No

2. Is documentation of health and safety training required?

Yes No

3. Do you have a Hazard Communication Program (29 CFR 1910.1200, CCR Title 8 Section 5194)?

Yes No

4. Do you have a Confined Space Entry and Rescue Program (29 CFR 1910.146, CCR Title 8 Section 5156-5159)?

Yes No (If yes, attach explanation)

Required Submittal (FORM 8)
Safety Record Form (Page 3 of 4)

5. Do you have a "Hot Work" permit program (29 CFR 1910.146, CCR Title 8 5156-5159)?

Yes No (If yes, attach explanation)

6. Do you have a "Lock-Out/Tag-Out" program (29 CFR 1910.417)?

Yes No (If yes, attach explanation)

C. Do you have an Equipment Maintenance Program for the following:

- | | | |
|--|------------------------------|-----------------------------|
| 1. Miscellaneous construction tools and equipment? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 2. Ladders? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 3. Scaffolds? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4. Heavy Equipment? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 5. Vehicles? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

D. Do you have a new employee safety orientation program?

Yes No

1. If yes, does it include instruction in the following:

- | | | |
|-----------------------------------|------------------------------|-----------------------------|
| (a) Company Safety Policy | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (b) Company Safety Rules | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (c) Safety Meeting Attendance | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (d) Company Safety Record | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (e) Hazard Recognition | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (f) Hazard Reporting | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (g) Injury Reporting | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (h) Non-Injury Accident Reporting | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (i) Personal Protective Equipment | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (j) Respiratory Protection | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (k) Fire Protection | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (l) Housekeeping | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (m) Toxic Substance | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (n) Electrical Safety | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (o) Fall Protection | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (p) First-Aid/CPR | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (q) Driving Safety | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (r) Hearing Conservation | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (s) Lock-Out/Tag-Out | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (t) Bloodborne Pathogens | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (u) Asbestos | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (v) Confined Spaces | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (w) Hazard Communication | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

Required Submittal (FORM 8)
Safety Record Form (Page 4 of 4)

IV. Safety Program Information (cont'd)

E. Do you conduct safety meetings for your employees? Yes No

1. If yes, how often:

Daily Weekly Bi-weekly Monthly As Needed

F. Do you conduct health and safety audits of work in progress?

Yes No

1. If yes, who conducts the audits?

2. How often are the audits conducted?

G. Do you notify all employees of accidents and precautions related to accidents and near misses?

Yes No

1. If yes, how is this notification accomplished?

(a) Safety meetings Yes No

(b) Post notification in office Yes No

(c) Post notification at the site where the incident occurred Yes No

(d) Other _____

H. Is safety a criteria in evaluating the performance of:

1. Employees Yes No

2. Supervisors Yes No

3. Management Yes No

I. Does your firm hold "tailgate" safety meetings? Yes No

1. If yes, how often:

Daily Weekly Bi-weekly Monthly As Needed

J. Does your company have a drug and alcohol testing policy?

Yes No

K. Does your company require that subcontractors participate in a drug surveillance/testing program?

Yes No

L. Does your company have a method of disseminating safety information?

Yes No

Submittal Checklist

The following submittals shall be completed and submitted with each Bid see table below “Submittal Check Sheet.” Please verify that these submittals are in the envelope before it is sealed. *Disclaimer:* It is each Bidders sole responsibility to ensure that their Bid to the City is inclusive of all required submittal documents outlined on the below-referenced checklist; as well as within other parts of the solicitation document.

Submit one (1) Original Bid, signed and dated, and _____ complete copies of the Original Bid including all required attachments.

In addition to the hard copy submissions, each Offeror shall submit two (2) digital versions of its Bid Submission in Adobe Portable Document Format (“PDF”) on compact disk (CDs). CD One (1) version should be a duplicate of the hard copy of the Bid with no deviations in order or layout of the hard copy Bid. CD Two (2) version should be a redacted version of the hard copy Bid Submission. Please refer to the Georgia Open Records Acts (O.C.G.A. § 50-18-72) for information not subject to public disclosure.

The City assumes no liability for differences in information contained in the Offeror’s printed Bid Submission and that contained on the CDs. In the event of a discrepancy, the City will rely upon the information contained in the Bidder’s printed material (Hard Copy). Each CD should be labeled with the Project Number, Project Name, and the CD Number.

Item Number	Bid Submittal Check Sheet	Check <input type="checkbox"/>
1	Part I, Section 1 – Instruction to Bidders (Bid Guarantee Included)	
2	Part I, Section 2 – All Required Submittal Forms (if any of the required submittal documents are not submitted or are incomplete within your Bid submittal package, your firm may be deemed non-responsive). <u>Required Submittals include but are not limited to:</u> <ul style="list-style-type: none"> <input type="checkbox"/> Form 1; Illegal Immigration Reform and Enforcement Act <input type="checkbox"/> Form 2; Contractor Disclosure and Declaration Form <input type="checkbox"/> Form 3; Bid Bond <input type="checkbox"/> Form 4; Acknowledgment of Insurance and Bonding Requirements <input type="checkbox"/> Form 5; Acknowledgement of Addenda <input type="checkbox"/> Form 6; Offeror Contact Directory <input type="checkbox"/> Form 7; Reference List <input type="checkbox"/> Form 8; Safety Record Form <input type="checkbox"/> Authority to Transact Business in the State of Georgia <input type="checkbox"/> Submittal Checklist 	
3	<input type="checkbox"/> Appendix A Office of Contract Compliance (Required Submittals Forms 1-5)	
3A	Separate Sealed Envelope <input type="checkbox"/> Bid Schedule/Bid Form	
4	Bidder’s Official Company Name: Company Physical Address:	
5	President/Vice President/Owner Name: Title: _____ Office Telephone Number: _____ Direct Cell Telephone Number: _____ Email Address: _____	
6	Primary Point-of-Contact Concerning ITB: _____ Title: _____ Office Telephone Number: _____ Direct Cell Telephone Number: _____ Email Address: _____	