



STATE PROPERTIES COMMISSION

REQUEST FOR QUALIFICATIONS

No. SPC-201

**TENANT BROKERAGE
AND
REAL ESTATE CONSULTING SERVICES**

DEADLINE FOR SUBMISSION:

MARCH 5, 2020 2:00PM

TABLE OF CONTENTS

Section 1 – Definitions

Section 2 – General Project Information

- A General Terms
- B Schedule of Events

Section 3 – Services and Requirements

- A Scope of Services
- B Consulting Services

Section 4 – Instructions to Respondents

- A Restrictions on Communications with Staff; Submission of Questions
- B Instructions for Preparing Responses
- C Required Deliverables
- D Submittal of Responses

Section 5 – Selection Process and Award

- A Evaluation Criteria
- B Evaluation Process

Section 6 – Additional Terms and Conditions

Exhibits

- Exhibit A Certification Form
- Exhibit B Disclosure Statement
- Exhibit C E-Verify Affidavit

SECTION 1

DEFINITIONS

“Asset Management Services” shall mean the evaluation of the value of owned and or leased real property assets and making recommendations that either increase the asset value to the State or its market value to the commercial sector including, but not limited to, asset evaluation, asset prioritization, portfolio plans and total cost of occupancy.

“Tenant Representation Services” shall mean activities including, but not limited to identification of potential sites, scheduling, site comparative analysis, generation of competition, negotiations, contract review and abstracting leases.

“Respondent” shall mean any individual, firm, company, or other entity which submits a response to this Request for Qualifications.

“Broker(s)” shall mean a selected Respondent who will enter into an agreement with SPC to provide the services listed herein.

“Project Manager” shall mean an authorized representative employed by the Broker to oversee the individual project. The Project Manager for each project will be identified by the Broker at the time SPC requests services.

“Consulting Hours” shall mean hours of professional services provided by the Broker in areas of asset, space or transaction management. The provision of any requested real estate services outside of the required work and work products associated with the scope of services included in SECTION 3-A.

SECTION 2

GENERAL PROJECT INFORMATION

The State Properties Commission (“SPC”) is the real estate portfolio manager for the State of Georgia (“State”). The State currently maintains a real property portfolio of approximately 70 million square feet of State-owned space and approximately 12 million square feet of leased space (excludes the Board of Regents, Department of Transportation, and Community Service Boards). SPC is responsible for optimizing occupancy of State owned and leased real property. SPC also administers portfolio management to support agency program requirements.

SPC issues this Request for Qualifications for SPC-201 (“RFQ”). SPC invites individuals, firms, and companies interested in providing professional tenant brokerage and real estate consulting services throughout the State as further described herein (“Services”) to submit responses to this RFQ. During this solicitation and specifically after the identification of the Finalists (hereinafter defined), SPC shall have the right to amend the Scope of Services contained herein.

A. GENERAL TERMS

SPC intends to enter into a one-year contract with one or more Brokers. The successful Respondent(s) may be offered a contract for the Services for a potential term of July 1, 2020 through June 30, 2021. Renewal option(s) for terms of one (1) year (July 1st to June 30th) may be offered at the sole discretion of SPC and upon the agreement of both parties in writing. An executed contract shall not guarantee that the Broker’s services will be requested, and there shall be no minimum amount of work guaranteed to the Broker. SPC reserves the right to terminate the contract with or without cause at any time during the contract term.

This RFQ does not guarantee that a Respondent will be selected or that a contract will be entered into by SPC. SPC reserves the right to reject any or all responses and to waive technicalities and irregularities. If an award is made, it will be made to the responsive and responsible Respondent(s) who is determined to be the most advantageous for the State. At the sole discretion of SPC, an award may be made to one Respondent or multiple Respondents.

B. SCHEDULE OF EVENTS

The following timeline applies to this RFQ. All times are expressed in Eastern Standard Daylight Savings time. SPC reserves the right to adjust the schedule as necessary.

EVENT	DATE	TIME
RFQ Issued	February 5, 2020	
Deadline for Submission of Questions Regarding RFQ	February 14, 2020	2:00pm
Answers of Questions Posted on SPC Website	On or before February 19, 2020	
Responses Due	March 5, 2020	2:00pm
Notification of Finalists	March 17, 2020	
Mandatory Pre-Interview Conference	March 20, 2020	TBD
Submission of Questions from Finalists	March 25, 2020	2:00pm
SPC Responses to Questions	March 31, 2020	
Interviews of Finalists	April 7-9, 2020	TBD
Selection of Broker(s), Award of Contract, and Finalize Contract Terms	TBD	
Contract Effective Date	July 1, 2020	

SECTION 3

SERVICES AND REQUIREMENTS

A. SCOPE OF SERVICES

This RFQ is intended to identify one or more companies to assist and represent SPC and State entities in leasing transactions. Each Broker shall comply with SPC's Policies and Procedures (<https://gspc.georgia.gov/forms-publications-policies/policies>). Generally, Broker(s) shall:

- (i) Act as the State's tenant broker, for assigned transactions within the State, to competitively solicit, locate, negotiate and develop lease agreements using SPC templates on behalf of SPC and State agencies;
- (ii) Provide lease administration and abstracting for all assigned transactions
- (iii) Provide Tenant Representation Services for SPC and State agencies during the term of a lease;
- (iv) Track project information and utilize data driven performance indicators to measure Broker performance.
- (v) Provide consulting services, as described herein; and
- (vi) Outline any additional services or concepts for adding value to the State's real property processes.

In addition to Tenant Representation Services, the Broker(s) shall perform the following at no additional cost or fee to SPC or the State:

- Performance Measures. Broker must track performance by transaction, property type, and county. At all times Broker must track all cost avoidance and savings associated with transactions. Measures must be presented quarterly and in an annual report to SPC in a form that includes a narrative summary, data, charts and graphs that clearly represent the activity. All reports must be in a format to allow for dissemination to State leadership. Included in the annual report, Broker must provide an analysis of each sub-market and recommendations for the upcoming year.
- Information Tracking. Broker must maintain all transaction information including advertisements, marketing, negotiations, correspondence, terms, and lease documents in an electronic inventory that is readily accessible by SPC. Broker must also timely and regularly upload transactional information into the State's tracking system (SATMT) and maintain this information.
- Lease Administration. Broker must perform functions of lease administration including critical date tracking, budget projections, lease abstracting and monitoring of contractual obligations and expenses. This information must be entered or uploaded into SPC's lease administration system (Prolease).
- Average Market Rates (AMR). Broker(s) must develop, and update as appropriate, a market rate analysis by class of building as established by Building Owners and Managers Association (BOMA) (e.g., A, B, C space) and by type of space (e.g. office, industrial,

warehouse) for each sub-market within the State (approximately 82 cities). The Broker should delineate the “market” in consultation with SPC and consistent with industry practice.

- Annual Portfolio Review. Brokers will also be responsible for completing annual reviews of the State’s existing private sector leases to identify opportunities by sub-market for negotiating more favorable terms, reducing cost, maximizing efficiencies, and for potential consolidation, relocation, reconfiguration, disposition or acquisition of state-owned space. If SPC determines that relocation is in the best interest of the State, Brokers may be asked to identify and recommend adequate relocation services. Brokers will be responsible for identifying cost savings opportunities but must include all costs associated with relocation.

Brokers must avoid any conflicts of interest with the State.

B. CONSULTING SERVICES

SPC may request additional consulting services provided as Consulting Hours. Upon SPC request, the Broker will provide a scope of work, business strategies and pricing models related to the type of service requested. It is SPC’s desire for the Respondent to propose a method of utilizing consulting services of the Broker(s) upon request at no charge to SPC. Consulting Hours may include but are not limited to the following:

1. Identification and evaluation, as directed, for opportunities to reduce agency and/or State occupancy costs through consolidation, relocation, reconfiguration, capital investment and the acquisition or disposition of State-owned space;
2. Space planning services including programing, planning, stacking, schematic design;
3. Acquisition and disposition services including representation, marketing, opinions of value and advertisement of surplus State owned properties;
4. Strategic consulting including portfolio plans for State agencies and metro plans based on a geographic area;
5. Benchmarking reports including surveys of public and private entities to identify current practices and establish best practices; and
6. Asset Management Services including asset (State owned building) evaluation and prioritization and total cost of occupancy.

SECTION 4

INSTRUCTIONS TO RESPONDENTS

A. RESTRICTIONS ON COMMUNICATIONS WITH STAFF; SUBMISSION OF QUESTIONS

It is the responsibility of each Respondent to examine the entire RFQ, seek clarification to questions in writing, and review its response for accuracy before submittal. Questions about any aspect of the RFQ or the Services to be provided shall be submitted in writing (e-mail is preferable) to:

Jeff Lacks, Director
Procurement Services,
Georgia State Financing & Investment Commission
E-mail: jeff.lacks@gsfic.ga.gov
Facsimile: (404) 463-5699

Deadlines. The deadline for submission of questions relative to the RFQ is the date and time shown in the Schedule of Events (Section 2-B). All relevant questions and requests for clarification and the corresponding responses will be posted on SPC's website. Once the submission deadline has passed, all submissions will be final. SPC will not request clarification from individual Respondents relative to their submission, but reserves the right to ask for additional information from all parties who have submitted responses.

Prohibition of Extraneous Communications. From the issue date of this solicitation until a successful Respondent is selected and the selection is announced, all parties are prohibited from communication in any manner or for any reason with any members or employees of SPC or the selection committee. The sole exceptions will be for submission of questions as instructed herein, communications made during the Pre-interview Conference and/or presentations/interviews (if applicable), or as provided by any existing work agreement(s). SPC reserves the right to reject the submission of the any Respondent who violates this provision.

B. INSTRUCTIONS FOR PREPARING RESPONSES

Submittals must be prepared in a manner that when printed would typically fit on standard (8 1/2" x 11") paper using a minimum of an 11-point font. Each response must comply with the Required Deliverables outlined below and shall not exceed fifty (50) pages. When responding to specific questions, please reprint each question or subsection in its entirety before the response. Emphasis should be on completeness, relevance, and clarity of content; promotional materials are not desired and are discouraged. All Respondents to this RFQ are subject to instructions communicated herein, and are cautioned to completely review the entire RFQ and follow instructions carefully.

C. REQUIRED DELIVERABLES

To expedite the review of submittals, it is essential that responses are categorized and numbered as outlined below.

TAB "A" COVER LETTER AND TABLE OF CONTENTS

A1- Include a cover letter containing the RFQ name and number, the reply submittal date and time, and additional information the Respondent deems appropriate.

A2-Include a Table of Contents identifying all sections, exhibits, appendixes, additional materials and attachments

TAB "B" RESOURCES AND STABILITY OF FIRM

B1- Provide the following basic company information: Respondent's legal name, address, name of primary contact, telephone number, fax number, e-mail address, and company website (if available). If the Respondent has multiple offices, the response shall include information about the parent company and branch office separately. Identify office location(s) from which the Services will be provided. Provide form of ownership, including state of residency or incorporation, and number of years in business. If not incorporated, indicate if the Respondent is a sole proprietorship, partnership, limited liability company, or other structure, and state of formation, and number of years in business.

B2- Indicate the competencies of key personnel whom the Respondent intends to assign to provide the Services and provide resumes for said key personnel, including the Project Manager. Resumes shall include detailed chronological work experience.

B3- Briefly describe the company's organization history and growth. Provide general information about the company's personnel resources, including disciplines and numbers of employees and locations and staffing of offices. If applicable, relationships with subsidiaries, parent corporations, and affiliates or other related companies; include organization charts and details concerning facilities that serve markets/areas within Georgia.

B4- Has the company been involved in any litigation in the past five (5) years? Describe in detail any active or pending litigation and explain. Include any pending or threatened litigation by or against the State, or any other governmental authority.

B5- List the company's annual revenue for each of the past 5 years.

B6- Indicate if the company has filed for bankruptcy protection within the last five (5) years, or if you are currently in the process of filing or planning to file for bankruptcy

protection or financial restructuring or refinancing. Describe in detail.

B7- Supply financial references and main banking references.

B8- Has the company defaulted on a contract, or had a contract terminated for cause, within the past five (5) years?

B9- Indicate if entering into the contract for the services described in this RFQ would give rise to an apparent or actual conflict of interest (describe in detail).

B10- Describe any penalties or sanctions issued by the Georgia Real Estate Commission against your firm, it's officers or employees within the last five (5) years.

B11- Complete the Certification Form (Exhibit "A"), and provide with response as section "B11".

B12- Complete and submit the "Disclosure Statement" (Exhibit "B"), and provide with response as Section "B12".

B13 – Complete and submit the "E-Verify Affidavit" (Exhibit "C") and provide with response as Section "B13".

TAB "C" EXPERIENCE / QUALIFICATIONS

C1- Summarize the company's history and experience performing similar services for public entities (or similar private organizations), including number of years of service. Specify which areas within Georgia where the history and experience apply.

C2- Provide examples of similar work experience. In addition to overall company experience, focus on the experience of the individuals you propose to assign to provide the Services requested.

C3- Demonstrate in detail whether the experience is similar to what is requested in this RFQ, and whether the organization for which the services were provided is comparable to the State in terms of its nature, size, mission, and diversity. Include the number of current similar contracts and the specific services provided under each contract. For each current similar contract, provide the name of a contact person, address and telephone number. Supply references from three other clients that you deem most representative of your ability to perform this contract.

TAB "D" DELIVERY OF SERVICES

D1- Summary. Provide a narrative description of how the Respondent plans to perform the Services as set forth in Section 3 of this solicitation package. Describe the current and planned resources to be assigned to the project. If the proposal is to be limited to particular markets in Georgia (i.e. Atlanta), please describe how resources will be

deployed in all regions of the state. Please include a 90-day ramp-up plan as part of your response.

D2- Subcontractors or Local Brokers. If subcontractors or local brokers are to be used by Broker, provide any available information:

(A) If subcontractors are known at the time of submission, provide all relevant subcontractor / local broker information available including but not limited to: name, address, date of incorporation, relevant market coverage, agreements between broker and subcontractor / local broker, and an overall description of how the subcontractor / local broker will be used and the suitability for this project.

(B) If subcontractor / local brokers are not known at the time of submission, provide a detailed plan on how Broker intends to locate, select, and use subcontractors / local brokers.

D3- Compensation. Provide a detailed description of the Respondent's compensation structure for performing these services.

(A) With respect to tenant broker services, compensation should be stated in terms of commission (e.g., flat fee, percentage based) and state which services are included in the compensation structure.

(B) With respect to all other consulting services, compensation should be stated in terms of hourly rates or set fees for service.

(C) It is SPC's desire for the Respondent to propose a method of utilizing consulting services of the Broker(s) at no charge to SPC.

D4- Performance Measurement. Provide your methodology for tracking and quantifying performance measures which shall be considered for inclusion in the final contract. Each transaction must be tracked for performance (e.g. cost avoidance and savings, comparison to market, efficiency of space, effectiveness of space, timeliness of delivery) and rolled up into portfolio measures (e.g. costs by space type and location, comparisons of terms of transactions). Respondent shall at all times during the contract term remain responsive and responsible. Benchmarking against other State's or governments is encouraged.

D5- Information Systems. Describe your intended method of gathering, tracking, inventorying and uploading lease information into the SPC lease administration system, Prolease. Include information about your current lease administration system and the integration of SPC activities. Describe the intended methodology and workflow structure between SPC and Broker. Include a description of other software or systems, including GIS capability that would be available to SPC that may provide overall benefit to real property portfolio management. Detail any costs or fees associated with each system.

D6- Other Services. Provide your firm’s experience as a full service broker with other services that will be requested by SPC, including portfolio plans, metro planning, total cost of occupancy, asset evaluation and prioritization, space planning and programming, and real property acquisitions and dispositions. Provide examples if relevant.

D7- Timely Performance. Provide a description that demonstrates the firm’s capability to perform the requested services in a timely manner. Responses should include an estimated timeline for completion of requested services. Also, include a description of all resources to be allocated to this contract including staffing.

D8- Marketing. Describe the general process for marketing the State’s needs with respect to Tenant Representation Services and acquisition and disposition services.

TAB "E" OTHER INFORMATION

Provide here any other information deemed relevant or necessary for the reply, but inapplicable to any of the required parts or sections of the reply. If a Respondent attaches a publication or other document to provide required information, a specific reference to the document and the relevant page or pages must be given in the appropriate part or tabbed section of the reply. If the document is not specifically referenced in a part or tabbed section of the reply, it will not be considered as a response to the corresponding paragraph of this solicitation.

SUBMITTAL OF RESPONSES

Printed copies will not be accepted. Upload one (1) electronic copy of the complete package in .PDF format onto the GSFIC / Egnyte file share /ftp site. File names must be in the following format: **RFQ No. SPC- 201 Tenant Brokerage and Real Estate Consulting; the respondent’s name, and the word “QUALIFICATIONS.”**

File Name Example: SPC-201 Tenant Brokerage and Real Estate Consulting Services, ABC Company, Qualifications

The entire submittal should be submitted as ONE (1) file. Please do not submit individual documents or sections separately.

UPLOAD INSTRUCTIONS

Upload one (1) electronic copy of the complete package in .pdf format onto the GSFIC / Egnyte ftp site by selecting this link: <https://gsfic.egnyte.com/ul/pNZmp64ims> and following the upload instructions provided below.

Click on the provided link above, when the pages opens, enter name, email address, and company name, click “Continue.”

Drag and drop your file or click the “Browse” button to select a document from your computer. You should see an upload progress bar and when it gets to 100% the upload is complete.

STATEMENTS OF QUALIFICATION THAT EXCEED 50 PAGES MAY BE DEEMED NON-RESPONSIVE AND WILL NOT BE CONSIDERED BY THE SELECTION COMMITTEE.

Proposers are further reminded to include a completed CONTRACTOR AFFIDAVIT UNDER O.C.G.A. § 13-10-91(b)(1) with the Statement of Qualifications. (See Exhibit C). *FAILURE TO PROVIDE THIS AFFIDAVIT WILL RESULT IN REJECTION OF SUBMITTAL.*

Responses **must be electronically received** prior to the deadline indicated in the Schedule of Events (*Section 2-B of RFQ*). A list of the firms which submitted responsive responses will be published on SPC's website within two (2) business days of the deadline for receipt. If difficulty is encountered during upload, contact Jeff Lacks, 404-463-5740, or the main procurement number 404-463-5731, for assistance or confirmation that the file was received.

(Experience with the ftp site indicates that uploads do not always receive the confirmation statement that the file was "successfully uploaded." Typically, for files ranging in size from 5 – 10 mb, it should not take more than one or two minutes to complete the upload.)

MANDATORY PRE-INTERVIEW CONFERENCE / INTERVIEWS

Respondents who are selected to take part in the pre-interview conference and, then, the interview process shall be notified in writing and informed of the place and time for the mandatory pre-interview conference and interview session(s) (pre-interview conferences and interviews for this Contract are tentatively scheduled to take place at SPC Offices located in Atlanta, Georgia). During the pre-interview conference, SPC will identify any requirements the firms must adhere to going forward in the selection process. All members of the Selection Committee will be present or on the phone during all of the presentations and interviews. Respondents shall not address any questions, prior to the interview, to anyone other than the designated procurement services contact as designated in this RFQ / RFP.

SECTION 5

SELECTION PROCESS AND AWARD

A. EVALUATION CRITERIA

Using the evaluation criteria specified below, a selection committee shall evaluate responsive submissions and score each Respondent out of a total possible 100 points using the following criteria (points noted parenthetically).

1. Resources and Stability. Respondent's financial and business stability, including history, growth, resources, form of company (corporate) ownership, litigation history, and other evidence of stability as outlined in Tab "B" (and Tab "E" as applicable). (15 points)
2. Experience and Qualifications. Respondent's background, history and experience performing similar services with proven success for public entities outlined in Tab "C" (and Tab "E" as applicable). (30 points)
3. Business Plan / Services. An evaluation of the respondent's overall methodology and plan, as well as respondent's capability to timely develop, implement, operate and maintain its proposed solution as outlined in Tab "D" (and Tab "E" as applicable). (40 points)
4. Compensation Structure. An evaluation of the respondent's proposal for compensation (e.g., flat fee, percentage based) as outlined in Tab "D" (and Tab "E" as applicable) (15 points)

B. EVALUATION PROCESS

Once the evaluation of the responses has been completed, a listing of selected finalist firms ("Finalists") will be posted on SPC's website. Finalists shall be notified in writing and informed of the place and time for the mandatory pre-interview conference and presentations/interviews. Pre-interview conferences and presentations/interviews for this contract are tentatively scheduled to take place at SPC's offices located in Atlanta, Georgia. SPC reserves the right to require attendance by particular representatives of the Finalists. Failure of a Finalist to attend the mandatory pre-interview conference or the presentations/interviews will automatically result in the Finalist's disqualification from the selection process.

Additional information pertaining to the selection process is follows:

1. Pre-interview Conference. During the pre-interview conference, SPC will identify any requirements the firms must adhere to going forward in the selection process. The pre-interview conference will provide SPC an opportunity to request additional information and clarify SPC goals and objectives to assist the Finalists in their preparation for the

interview process. Finalists will have an opportunity to ask questions and are requested to limit the number of staff attending the pre-interview conference to a maximum of two (2) individuals per Finalist. Any additional information which is available may be provided to these Finalists at pre-interview conference.

2. Presentations/Interviews. Detailed interview instructions and requirements will be provided in the written notice to Finalists. All members of the selection committee will be present during all of the presentations and interviews. During interviews, Finalists will be requested to make a presentation which shall not exceed thirty (30) minutes. The presentation should provide a clear understanding of the Finalist's approach for providing the required Services requested in this RFQ. Finalists have the liberty of approaching this presentation in the manner that works best for the individual company. The presentation will be followed by a twenty (20) minute question and answer period from the selection committee.
3. Finalists will be evaluated by the selection committee during the presentation/interview process using the evaluation criteria below:
 - Composition and Organization of Team Proposed (30%)
 - Specific Plan / Approach / Methodology Proposed (30%)
 - Work Product(s) proposed / Demonstrated (10%)
 - Quality Assurance / Team Communication / Problem Resolution (30%)
4. SPC reserves the right to interview all responsive and responsible Respondent(s), serially or concurrently, to determine the best-suited solution. The ranking of Finalists indicates the perceived overall benefits of the Finalists' services, but SPC retains the discretion to interview other qualified Respondents as deemed appropriate.
5. Before award, SPC reserves the right to seek clarifications, to request reply revisions, and to request any information deemed necessary for proper evaluation of responses. Respondents may be requested to provide additional references, etc. Any written summary of presentations or demonstrations shall include a list of attendees, a copy of the agenda, and copies of any visuals or handouts, and shall become part of the respondent's reply. Failure to provide requested information may result in rejection of the response.
6. SPC reserves the right to investigate or inspect at any time whether the services or qualifications offered by a Respondent meet the solicitation requirements. Respondent must be prepared to present evidence of experience, ability, and financial standing, as well as a statement as to capacity of the Respondent to furnish the services offered. If SPC determines that the conditions of the solicitation documents are not complied with, or that the services proposed to be furnished do not meet the specified requirements, or that the qualifications or financial standing are not satisfactory, SPC may reject the response. Respondent may be disqualified from selection if respondent, or anyone in respondent's employment, has previously failed to perform satisfactorily in connection with public bidding or contracts. This paragraph shall not mean or imply that it is obligatory upon SPC to make an investigation either before or after award of the

contract, but should SPC elect to do so, Respondent is not relieved from fulfilling all solicitation requirements.

SECTION 6

ADDITIONAL TERMS AND CONDITIONS

- Submittal Costs and Confidentiality. All expenses for preparing and submitting responses are the sole cost of the party submitting the response. The Georgia State Financing and Investment Commission and SPC are not obligated to any party to reimburse such expenses. Upon receipt, all submittals become the property of the SPC. Labeling information provided in submittals “proprietary” or “confidential”, or any other designation of restricted use will not protect the information from public view. Subject to the provisions of the Open Records Act, the details of the submittal documents will remain confidential until final award.
- Award Conditions. This RFQ and any responses, regardless of whether the response is determined to be the best response, is not binding upon SPC and does not obligate SPC to procure or contract for any services. Neither SPC nor any party submitting a response will be bound unless and until a written contract mutually accepted by both parties is negotiated as to its terms and conditions and is signed by SPC and the Broker. Upon receipt and review of responses, SPC will determine the Respondent(s) and proposal that in the sole judgment of the SPC is in the best interest of the State (if any is so determined), with respect to the evaluation criteria stated herein. SPC will then conduct negotiations with such Respondents(s) to determine if a mutually acceptable contract may be reached.
- Reciprocal Preference Law. For the purposes of evaluation only, a proposer that resides in the State of Georgia will be granted the same preference over proposers that reside in another state in the same manner, on the same basis, and to the same extent that preference is granted in awarding contracts for services by such other state to proposers that reside therein.
- Joint-Venture Proposals. In the event two or more Respondents desire to “joint-venture,” it is strongly recommended that one incorporated firm propose and maintain status as the contracted Broker with the remaining broker(s) or sub-contractor(s) participating as major consultants to the lead Broker.
- Small and Minority Business Enterprise. It is the policy of the State of Georgia that small businesses, female-owned businesses and minority businesses have a fair and equal opportunity to participate in the State purchasing process. Therefore, SPC encourages all small businesses, female-owned businesses and minority-owned businesses to compete for contracts to provide goods, services, and construction, and encourages contractors to solicit female-owned businesses and minority-owned

businesses in procuring subcontractors and suppliers. This desire is not intended to restrict or limit competitive bidding or to increase the cost of the work. SPC supports a healthy free market system that seeks to include responsible businesses and provides ample opportunity for business growth and development. Contractors and subcontractors who utilize qualified minority subcontractors may qualify for Georgia state income tax credits for qualified payments made to minority subcontractors. See Official Code of Georgia Annotated (O.C.G.A.) Section 48-7-38.

- Statement of Agreement. With submission of a response, the Respondent agrees that he/she has carefully examined this solicitation, and agrees that it is the Respondent's responsibility to request clarification on any issues in any section of the solicitation with which the Respondent disagrees or needs clarified. The Respondent also understands that failure to mention these items in the proposal will be interpreted to mean that the Respondent is in full agreement with the terms, conditions, specifications and requirements stated therein. With submission of a proposal, the Respondent hereby certifies: (a) that this proposal is genuine and is not made in the interest or on behalf of any undisclosed person, firm, or corporation; (b) that Respondent has not directly or indirectly included or solicited any other respondent to put in a false or insincere proposal; (c) that Respondent has not solicited or induced any person, firm, or corporation to refrain from sending a proposal.
- Lobbying and Integrity. Broker represents that it did not lobby the legislative, judicial or executive branches, or any State entity, on any aspect of this RFQ or contract during the procurement process. Any misrepresentation in this regard may constitute grounds for the disqualification of Broker and termination of the contract. Furthermore, Broker may not expend any State funds for the purpose of lobbying the legislative, judicial or executive branches, or any State entity.
- Protests. Protests regarding this solicitation process shall be made in accordance with SPC's Bid Protest Policy.
- Other.
 - Broker must be licensed and in good standing with the Georgia Real Estate Commission.
 - Broker must maintain an office in the State of Georgia.
 - Broker shall work under the direction, supervision and authority of the SPC and be subject to the rules or policies governing lease procurements.
 - Broker will receive training from SPC concerning the rules and policies governing the procurement of leases.
 - Other than the agreed upon brokerage commission, Broker may not receive any other form of compensation directly from a lessor for services that are rendered

under the contract.

- SPC may conduct periodic customer-satisfaction surveys to assess Broker's performance

EXHIBIT A

CERTIFICATION FORM

I, _____, being duly sworn, state that I am _____ (title) of _____ (company) and hereby duly certify that I have read and understand the information presented in the attached proposal and any enclosure and exhibits thereto.

I further certify that to the best of my knowledge the information given in response to the request for proposals is full, complete and truthful.

I further certify that the Respondent and any principal employee of the Respondent have not, in the immediately preceding five years, been convicted of any crime of moral turpitude or any felony offense, nor has had their professional license suspended, revoked or been subjected to disciplinary proceedings.

I further certify that the Respondent has not, in the immediately preceding five years, been suspended or debarred from contracting with any federal, state or local government agency, and further, that the proposer is not now under consideration for suspension or debarment from any such agency.

I further certify that the Respondent has not in the immediately preceding five years been defaulted in any federal, state or local government agency contract and further, that the proposer is not now under any notice of intent to default on any such contract.

I further certify that the Respondent is a licensed broker in good standing in the State of Georgia.

I acknowledge, agree and authorize, and certify that the proposer acknowledges, agrees and authorizes, that the SPC may, by means that either deems appropriate, determine the accuracy and truth of the information provided by the proposer and that the SPC may contact any individual or entity named in the Statement of Qualifications for the purpose of verifying the information supplied therein.

I acknowledge and agree that all of the information contained in the Statement of Qualifications is submitted for the express purpose of inducing the SPC to award a contract.

A material false statement or omission made in conjunction with this proposal is sufficient cause for suspension or debarment from further contracts, or denial of rescission of any contract entered into based upon this proposal thereby precluding the firm from doing business with, or performing work for, the State of Georgia. In addition, such false statement or omission may subject the person and entity making the proposal to criminal prosecution under the laws of the State of Georgia of the United States, including but not limited to O.C.G.A. §16-10-20, 18 U.S.C. §§1001 or 1341.

Signature

Sworn and subscribed before me

This ____ day of _____, 20____.

NOTARY PUBLIC

My Commission Expires: _____

NOTARY SEAL

EXHIBIT B
DISCLOSURE STATEMENT

All proposers should be aware that the project you are submitting a proposal on is a public project, and the SPC is a public agency. Pursuant to the laws, rules and Executive Orders of the State of Georgia, SPC shall make every effort to avoid even the appearance of a conflict of interest or any impropriety in both the selection process for this project and the negotiation and performance of any resulting contract. As part of any submittal you intend to make for this project, **you must include this Disclosure Statement with your submittal** that answers or addresses the following specific statements:

1. Describe any business transactions occurring within the prior two years between your firm and, SPC, or any other State agency.

Insert Response

2. Describe any gift, hospitality, or benefit of any sort that your firm has provided to, SPC, or any other State agency.

Insert Response

3. A *conflict of interest* or *potential conflict of interest* is defined as any action, decision, or recommendation by a person acting in a capacity as a public official, the effect of which is or could be to the private monetary or financial benefit or detriment of the person, the person's relative, or any business with which the person or a relative of the person is associated. The potential conflict of interest is viewed from the perspective of a reasonable person who has knowledge of the relevant facts. Based upon this definition, describe any conflict of interest or potential conflict of interest that your firm has with, SPC, or any other State agency.

Insert Response

This Disclosure Statement should be dated and signed by an authorized signatory for the Respondent and submitted with the respondent's Submittal as deliverable B12. The Disclosure Statement may be included in the Appendix.

Name of Firm

Authorized Signature

Date

EXHIBIT C

Contractor Affidavit under O.C.G.A. § 13-10-91(b)(1)

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

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

Federal Work Authorization User Identification Number

Date of Authorization

Name of Contractor

Name of Project

Name of Public Employer

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

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

Signature of Authorized Officer or Agent

Printed Name and Title of Authorized Officer or Agent

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

NOTARY PUBLIC
My Commission Expires: _____