



REQUEST FOR QUALIFICATIONS

For: Economic Feasibility and Analysis Consulting Services

The Rhode Island Commerce Corporation (“Commerce Corporation” or “Corporation”) seeks to retain multiple vendors (“Consultant”, or “Vendor”) to provide economic feasibility and analysis consulting services on an on-call basis for plans and projects sponsored or administered through the Corporation and/or its affiliates. The services to be performed include tax advising and analysis, economic and fiscal impact analysis, market analysis, real estate financial feasibility analysis, planning and design, industry analysis and stakeholder engagement, and business attraction and retention advising.

This document constitutes a Request for Qualifications (“RFQ”), in a competitive format, from qualified organizations, individuals or teams of individuals or organizations to provide one or more economic development services contained in this RFQ.

The Corporation expects to enter into a contract for the requested professional services with multiple vendors for a period to be negotiated between the Corporation and the selected Consultants. Responses submitted jointly by more than one Consultant are permitted.

Background and Purpose

Over the last few years, Rhode Island has made significant progress in jumpstarting its economy following the end of the Great Recession, during which the effects of high unemployment, anemic job creation, and lagging economic growth were particularly profound. As the lead economic development agency in the state, the Commerce Corporation has been at the forefront of this effort to build, improve and reshape the Rhode Island economy. As part of its continuing mission to drive job growth opportunities and invest in a long-term sustainable state economy, the Commerce Corporation continually evaluates the effectiveness of its strategies and considers new initiatives and strategies to drive growth.

Scope of Services

The Consultant shall, as directed from time to time during the Contract Term, provide on-going, on-call consulting services for various Commerce (and Commerce affiliates) projects, initiatives and studies including tax, economic, real estate, and other analyses (collectively, the “Services”), as specified in and in accordance with any project assignment awarded to the Consultant in connection with some or all of the services mentioned in this section.

Below are the topic areas covering the services the Corporation (and its affiliates) seeks. Respondents can include one or more topic areas. Respondents are not expected to respond to more than one topic in order for the submission to be responsive; respondents are welcome to respond to multiple topics.

Topic 1: Project Economic and Fiscal Impact Analysis

Examples of services under this topic area may include but are not limited to the following:

1. Using an industry approved-model such as REMI, IMPLAN or RIMS II, or a model approved by the Corporation, quantify the direct and indirect economic impacts, including, but not limited to
 - a. Jobs created during construction and permanent jobs created during operations
 - b. Earnings, wages and salaries, or income received
 - c. Consumer spending
 - d. Supplier impacts of businesses or related local industries
 - e. Statewide gross domestic product and/or other related macro-economic factors
2. Quantify fiscal impacts on state revenue as a whole and each source of state revenue, including but not limited to sales and use, personal income and corporate tax.
3. Prepare project-based fiscal impact model (using Microsoft Excel), suitable for simple input of critical project assumptions and public review of such assumptions, calculations, and outputs. The methodology employed should be clearly stated and capable of being independently recreated by third-parties, including but not limited to incentive applicants and members of the public. The fiscal model should project current dollar revenues and costs, and allow for potential phasing of projects, as well as allowing for key project variables to be capable of independent input. The base fiscal impact model should allow for multiple revenue inputs and application to varying land uses/building types including, but not limited to office, hotels, condos, flex industrial, manufacturing, multifamily, mixed use/retail, destination recreation/retail, parking facilities, and others as determined by the Corporation.
4. Analyze, determine and calculate appropriate return on public investment measures.
5. Prepare or review tax increment projections under the Rhode Island Tax Increment Financing Act.

Topic 2: Market Analysis

Examples of services under this topic area may include but are not limited to the following:

1. Analyze and evaluate market supply/demand factors, including hard asset development strategies to drive long term economic growth
2. Evaluate the location, including surrounding uses, vehicle traffic patterns, parking availability and pedestrian traffic of potential projects and development activity.
3. Supply, analyze and benchmark market data for the project, including the uses contained therein, including construction and other development costs, rents, and operating expenses, including trends and cost/value drivers.
4. Conduct market and submarket analysis for any given product type (e.g. hotel, multi-family, office, etc.) indicating market inventory, rents, vacancy, absorption as well as new supply projections of permitted projects;
5. Confirm or determine highest and best use.

Topic 3: Real Estate Financial Analysis

Examples of services under this topic area may include but are not limited to the following:

(Note: Any and all financial analyses and pro formas to be completed in Excel and to include detailed assumption templates.)

1. Calculate or verify the investment returns, levered and unlevered, indicating ROC, IRR, cash-on-cash, and other customary financial metrics.
2. Analyze project/investment feasibility.
3. Investment analysis including financial projections and detailed modeling.
4. Estimate current construction and/or replacement costs.
5. Evaluate all proposed incentives being requested for any project to determine which, if any, incentive is necessary for the project. The Consultant should demonstrate a strong understanding of statutory requirements for “but for” analysis for each incentive program.
6. Analyze, evaluate and recommend a financial structure that optimizes the public investment, including an analysis, evaluation and mitigation strategy of public sector risk in a proposed transaction.

Topic 4: Planning, Design, and Architectural Services

Provide a broad array of planning, design and architectural services including, but not limited to, the following:

1. Advise the Corporation on any design-related topics, including, but not limited to marketing the Corporation and its related programs or services.
2. Create architectural schematics, graphic design renderings, and other design-related products.

Topic 5: Tax Advising and Analysis

Examples of services under this topic area may include but are not limited to the following:

1. Advise on competitive structuring of Rhode Island’s state and local tax system, specifically as it applies to business and compares to systems in competitor states.
2. Conduct analysis to support such advice, including evaluation of the effective tax rates of companies in different industry sectors, in Rhode Island and in neighboring states.

Topic 6: Industry Analysis and Stakeholder Engagement

Provide services including, but not limited to, the following:

1. Conduct analysis on one or more Rhode Island industries and/or industry clusters that will provide an informed understanding of the economic strengths and gaps of these industries as well as areas that state and local government can assist in.
2. Survey industry and other business stakeholders to supplement the Corporation’s understanding of different business sectors’ perspectives.

Topic 7: Business/Project Attraction and Retention Advisory Services

Provide services including, but not limited to, the following:

1. Assess attraction and retention opportunities, including identifying strategic moves, financing needs, potential investment risks, and the regulatory environment for specific opportunities.
2. Advise on optimal strategies for modifying or enhancing existing Rhode Island economic development programs to encourage the attraction and retention of businesses.
3. Engage with business stakeholders in attraction and retention-related efforts.

In addition to showing how responders will meet the requirements outlined above, Vendors should also provide information regarding the following:

- **Research & Analytics:** Provide an overview of how you determine success. What are the analytic tools or services that you use, and what type of information will you be reporting back to the Corporation as it relates to meeting our objectives?

Qualifications

The selected Vendor should have extensive and demonstrated expertise and experience in the services outlined in the relevant scope of service topic(s). Factors include but are not limited to:

- Substantial professional experience with providing the services outlined in the scope of service and any additional services proposed by Vendor.
- Providing and demonstrating samples of work product that are illustrative of Vendor's capabilities as pertains to the topic area in the scope of services.
- Team of qualified and experienced personnel with dedicated resources for working on items outlined in the scope of service and any additional services proposed by Vendor.

Proposed Fee Structure

Responsive Vendors shall provide a proposed fee structure for providing services outlined in the scope of services. Fee structures should include, but are not limited to, personnel schedule which includes job title and billing rate for any work which may be undertaken as well as well as job title and rates for any subcontractors that the Vendor is including in this response.

Criteria for Selection

Responsive submissions will be evaluated according to the Evaluation Criteria outlined below.

Designated Corporation staff or selected advisors will evaluate the written responses. The Corporation may at any time during the evaluation process seek clarification from Vendors regarding any information contained within their submission. Final scores for each respondent will reflect a consensus of the evaluations.

Any attempt by a Vendor to contact a member of the Corporation or selected advisors outside the RFQ process, in an attempt to gain knowledge or an advantage, may result in disqualification of Vendor.

EVALUATION CRITERIA

	Points
OVERALL EXPERIENCE OF COMPANY & DEMONSTRATED RESULTS Evaluation of the history of your company, your experience as it relates to the requirements within this RFQ, evidence of past performance, quality and relevance of past work, references, and related items.	25
QUALIFICATIONS OF PERSONNEL Evaluation of the qualifications and experience of your managerial team, staff, subcontractors, and related items.	20
WORK APPROACH & CAPACITY Evaluation of overall proposed approach and strategy, including creative ideas, to items described/outlined in the scope of services; demonstrated firm capacity to perform on-call engagements under deadline (demonstrated prior experience of the firm in meeting timelines will be factored in here).	35
BUDGET/FEE APPROACH & COST EFFECTIVENESS Evaluation of outline of proposed budgets or fee rates associated with effective and efficient delivery of quality services.	20
Total	100
MBE/WBE/DisBE Participation (additional potential points)	6 pts

ISBE Participation Evaluation (see below for scoring)

- a. The Rhode Island Commerce Corporation encourages MBE/WBE/DisBE participation in this Request. In accordance with Title 37, Chapter 14.1, and Title 37, Chapter 2.2 of the Rhode Island General laws, the Corporation reserves the right to apply additional consideration to MBE/WBE/DisBE up to six (6) additional points in the scoring evaluation as provided below:
- b. Calculation of ISBE Participation Rate
 - i. ISBE Participation Rate for Non-ISBE Vendors. The ISBE participation rate for non-ISBE vendors shall be expressed as a percentage and shall be calculated by dividing the amount of non-ISBE vendor’s total contract price that will be subcontracted to ISBEs by the non-ISBE vendor’s total contract price. For example, if the non-ISBE’s total contract price is \$100,000.00 and it subcontracts a total of \$12,000.00 to ISBEs, the non-ISBE’s ISBE participation rate would be 12%.
 - ii. ISBE Participation Rate for ISBE Vendors. The ISBE participation rate for ISBE vendors shall be expressed as a percentage and shall be calculated by dividing the amount of the ISBE vendor’s total contract price that will be subcontracted to ISBEs and the amount that will be self-performed by the ISBE vendor by the ISBE vendor’s total contract price. For example, if the ISBE vendor’s total contract price is \$100,000.00 and it subcontracts a total of \$12,000.00 to ISBEs and will perform a total of \$8,000.00 of the work itself, the ISBE vendor’s ISBE participation rate would be 20%.
- c. Points for ISBE Participation Rate:
 - i. The vendor with the highest ISBE participation rate shall receive the maximum ISBE participation points. All other vendors shall receive ISBE participation points by applying the following formula:

(Vendor's ISBE participation rate ÷ Highest ISBE participation rate X Maximum ISBE participation points)

For example, assuming the weight given by the RFQ to ISBE participation is 6 points, if Vendor A has the highest ISBE participation rate at 20% and Vendor B's ISBE participation rate is 12%, Vendor A will receive the maximum 6 points and Vendor B will receive $(12\% \div 20\%) \times 6$ which equals 3.6 points.

See Appendix A for information and the MBE, WBE, and/or Disability Business Enterprise Participation Plan form(s). Bidders are required to complete, sign and submit these forms with their overall response in a sealed envelope. Please complete separate forms for each MBE, WBE and/or Disability Business Enterprise subcontractor/supplier to be utilized on the solicitation

Instructions and Notifications to Vendors

1. Vendors are advised to review all sections of this RFQ carefully and to follow instructions completely, as failure to make a complete submission as described elsewhere herein may result in rejection of the submission.
2. Alternative approaches and/or methodologies to accomplish the desired or intended results of this procurement are solicited. However, submissions that depart from or materially alter the terms, requirements, or scope of services defined by this RFQ will be rejected as being non-responsive.
3. All costs associated with developing or submitting a response to this RFQ, or to provide oral or written clarification of its content, shall be borne by the Vendor. The Corporation assumes no responsibility for such costs.
4. Submissions are considered to be irrevocable for a period of not less than 120 days following the date set for submission of Vendor responses.
5. All pricing submitted will be considered to be firm and fixed unless otherwise indicated herein.
6. Responses misdirected to other locations, or that are otherwise not present at the Rhode Island Commerce Corporation by the submission deadline for any cause will be determined to be late and will not be considered. For the purposes of this requirement, the official time and date shall be that of the time clock in the reception area of the Rhode Island Commerce Corporation.
7. All submissions should identify the Vendor's proposed team of professionals, including those employed by subcontractors, if any, along with respective areas of expertise and relevant credentials. Vendors should also provide a delineation of the portion of the scope of work for which each of these professionals will be responsible.
8. All submissions should include the agency's FEIN or Social Security number as evidenced by a W9, downloadable from www.purchasing.ri.gov
9. All submissions should include a completed RFQ Response Certification Cover Form, included in this document.
10. The purchase of services under an award made pursuant to this RFQ will be contingent on the availability of funds and made at the discretion of the Corporation.

11. Awarding this RFQ is based on the Evaluation Criteria set forth in this RFQ. Vendors are advised, however, that all materials and ideas submitted as part of this response and during the performance of any award shall be the property of and owned by the Corporation, which may use any such materials and ideas.

12. Interested parties are instructed to peruse the Corporation's website (www.commerceri.com) on a regular basis, as additional information relating to this solicitation may be released in the form of an addendum to this RFQ. Addenda will also be posted to the Rhode Island State Division of Purchases' website at www.purchasing.ri.gov.

13. Equal Employment Opportunity (R.I. Gen. Laws § 28-5.1-1, et seq.) – § 28- 5.1-1 Declaration of policy – (a) Equal opportunity and affirmative action toward its achievement is the policy of all units of Rhode Island state government, including all public and quasi-public agencies, commissions, boards and authorities, and in the classified, unclassified, and non-classified services of state employment. This policy applies to all areas where State dollars are spent, in employment, public services, grants and financial assistance, and in state licensing and regulation.

14. In accordance with Title 7, Chapter 1.2 of the General Laws of Rhode Island, no corporation organized under the laws of another state or country shall have the right to transact business in Rhode Island until it shall have procured a Certificate of Authority to do so from the Rhode Island Secretary of State (401-222-3040). This is a requirement only of the successful Vendor.

15. The Vendor should be aware of the State's Minority Business Enterprise (MBE) requirements, which address the State's goal of ten percent (10%) participation by MBE's in all procurements. For further information, visit the website www.mbe.ri.gov.

16. The Corporation reserves the right to award to one or more Vendors.

Response Requirements

In order to be considered responsive, submissions must at a minimum contain the following:

Technical Response Elements

1. Description of the proposed work approach to activities outlined in the relevant topic areas under the scope of services.
2. Person who will be the primary point of contact with the Rhode Island Commerce Corporation.
3. Qualifications of the Vendor to provide the requested services including capability, capacity, and related experience with similarly complex projects. Provide two samples of work product that was conducted in the last two years that is illustrative of the Vendor's capabilities around the scope contemplated under this Request for Qualifications.
4. Provide a reference list of at least three individuals, agencies, or companies for work completed in the last four years including location of the project and a contact person familiar with Vendor's work.

5. A listing of the staff to be assigned to this engagement and their respective qualifications, past experience on engagements of this scope including resumes, and their role in those past engagements.
6. Proposed budget/fee approach.
7. A description of the outcome monitoring and evaluation plan including a list of tools to track process, output and outcome measures for each component of the application.

Response Submission

Responses to this RFQ are due **by Friday, February 8, 2019 by 2:00pm**. One (1) electronic (PDF) version on thumb drive or disk and five (5) printed copies of the complete response must be mailed or hand-delivered in a sealed envelope marked:

Rhode Island Commerce Corporation
Attention: Economic Feasibility and Analysis Consulting Services RFQ
315 Iron Horse Way, Suite 101
Providence, RI 02908

Note: No phone calls and late responses will be accepted, and responses received via electronic submission only will be disqualified.

Questions, interpretations, or clarifications concerning this RFQ should be directed by e-mail to jacqueline.rosen@commerce.ri.gov no later than 2:00 pm on Thursday, January 24, 2019. Responses to questions, interpretations, or clarifications concerning this RFQ will be posted online via addendum at www.commerceri.com and www.purchasing.ri.gov on Monday, January 28, 2019 to ensure equal awareness of important facts and details.

The Rhode Island Commerce Corporation reserves the right to terminate this solicitation prior to entering into any agreement with any qualified firm pursuant to this Request for Qualifications, and by responding hereto, no firms are vested with any rights in any way whatsoever.

Rhode Island Commerce Corporation reserves the right to reject any or all responses for not complying with the terms of this RFQ.

APPENDIX A

VENDOR ISBE RESPONSIBILITIES AND MBE, WBE, AND/OR DISABILITY BUSINESS ENTERPRISE PARTICIPATION FORM

A. Vendor's ISBE Responsibilities (from 150-RICR-90-10-1.7.E)

1. Proposal of ISBE Participation Rate. Unless otherwise indicated in the RFQ, a Vendor must submit its proposed ISBE Participation Rate in a sealed envelope or via sealed electronic submission at the time it submits its proposed total contract price. The Vendor shall be responsible for completing and submitting all standard forms adopted pursuant to 105-RICR-90-10-1.9 and submitting all substantiating documentation as reasonably requested by either the Using Agency's MBE/WBE Coordinator, Division, ODEO, or Governor's Commission on Disabilities including but not limited to the names and contact information of all proposed subcontractors and the dollar amounts that correspond with each proposed subcontract.
2. Failure to Submit ISBE Participation Rate. Any Vendor that fails to submit a proposed ISBE Participation Rate or any requested substantiating documentation in a timely manner shall receive zero (0) ISBE participation points.
3. Execution of Proposed ISBE Participation Rate. Vendors shall be evaluated and scored based on the amounts and rates submitted in their responses. If awarded the contract, Vendors shall be required to achieve their proposed ISBE Participation Rates. During the life of the contract, the Vendor shall be responsible for submitting all substantiating documentation as reasonably requested by the Using Agency's MBE/WBE Coordinator, Division, ODEO, or Governor's Commission on Disabilities including but not limited to copies of purchase orders, subcontracts, and cancelled checks.
4. Change Orders. If during the life of the contract, a change order is issued by the Division, the Vendor shall notify the ODEO of the change as soon as reasonably possible. Vendors are required to achieve their proposed ISBE Participation Rates on any change order amounts.
5. Notice of Change to Proposed ISBE Participation Rate. If during the life of the contract, the Vendor becomes aware that it will be unable to achieve its proposed ISBE Participation Rate, it must notify the Division and ODEO as soon as reasonably possible. The Division, in consultation with ODEO and Governor's Commission on Disabilities, and the Vendor may agree to a modified ISBE Participation Rate provided that the change in circumstances was beyond the control of the Vendor or the direct result of an unanticipated reduction in the overall total project cost.

B. MBE, WBE, AND/OR Disability Business Enterprise Participation Plan Form:

Attached is the MBE, WBE, and/or Disability Business Enterprise Participation Plan form. Bidders are required to complete, sign and submit with their overall response in a sealed envelope. Please complete separate forms for each MBE, WBE and/or Disability Business Enterprise subcontractor/supplier to be utilized on the solicitation.

MBE, WBE, and/or DISABILITY BUSINESS ENTERPRISE PARTICIPATION PLAN

Bidder's Name:

Bidder's Address:

Point of Contact:

Telephone:

Email:

Solicitation No.:

Project Name:

This form is intended to capture commitments between the prime contractor/vendor and MBE/WBE and/or Disability Business Enterprise subcontractors and suppliers, including a description of the work to be performed and the percentage of the work as submitted to the prime contractor/vendor. Please note that all MBE/WBE subcontractors/suppliers must be certified by the Office of Diversity, Equity and Opportunity MBE Compliance Office and all Disability Business Enterprises must be certified by the Governor's Commission on Disabilities at time of bid, and that MBE/WBE and Disability Business Enterprise subcontractors must self-perform 100% of the work or subcontract to another RI certified MBE in order to receive participation credit. Vendors may count 60% of expenditures for materials and supplies obtained from an MBE certified as a regular dealer/supplier, and 100% of such expenditures obtained from an MBE certified as a manufacturer. This form must be completed in its entirety and submitted at time of bid. **Please complete separate forms for each MBE/WBE or Disability Business Enterprise subcontractor/supplier to be utilized on the solicitation.**

Name of Subcontractor/Supplier:

Type of RI Certification: MBE WBE Disability Business Enterprise

Address:

Point of Contact:

Telephone:

Email:

Detailed Description of Work To Be Performed by Subcontractor or Materials to be Supplied by Supplier:

Total Contract Value (\$):

Subcontract Value (\$):

ISBE Participation Rate (%)

Anticipated Date of Performance:

I certify under penalty of perjury that the forgoing statements are true and correct.

Prime Contractor/Vendor Signature

Title

Date

Subcontractor/Supplier Signature

Title

Date

RFP RESPONSE CERTIFICATION COVER FORM

Instruction: To fulfill your RFP response, this form must be completed, printed, signed and included with your submission.

SECTION 1 - RESPONDENT INFORMATION

RFP Number:

RFP Title:

RFP Respondent Name:

Address:

Telephone:

Fax:

Contact Name:

Contact Title:

Contact Email:

SECTION 2 —DISCLOSURES

RFP Respondents must respond to every statement. RFP Responses submitted without a complete response may be deemed nonresponsive.

Indicate "Y" (Yes) or "N" (No) for Disclosures 1-4, and if "Yes," provide details below

____ 1. State whether the Respondent, or any officer, director, manager, stockholder, member, partner, or other owner or principal of the Respondent or any parent, subsidiary, or affiliate has been subject to suspension or debarment by any federal, state, or municipal governmental authority, or the subject of criminal prosecution, or convicted of a criminal offense within the previous 5 years. If "Yes," provide details below.

____ 2. State whether the Respondent, or any officer, director, manager, stockholder, member, partner, or other owner or principal of the Respondent or any parent, subsidiary, or affiliate has had any contracts with a federal, state, or municipal governmental authority terminated for any reason within the previous 5 years. If "Yes," provide details below.

____ 3. State whether the Respondent, or any officer, director, manager, stockholder, member, partner, or other owner or principal of the Respondent or any parent, subsidiary, or affiliate has been fined more than \$5000 for violation(s) of any Rhode Island environmental law(s) by the Rhode Island Department of Environmental Management within the previous 5 years. If "Yes," provide details below.

____ 4. State whether any officer, director, manager, stockholder, member, partner, or other owner or principal of the Respondent is serving or has served within the past two calendar years as either an appointed or elected official of any state governmental authority or quasi-public corporation, including without limitation, any entity created as a legislative body or public or state agency by the general assembly or constitution of this state.

Disclosure details (continue on additional sheets if necessary):

SECTION 3 —OWNERSHIP DISCLOSURE

Respondents must provide all relevant information. Respondent proposals submitted without a complete response may be deemed nonresponsive.

If the Respondent is publicly held, the Respondent may provide owner information about only those stockholders, members, partners, or other owners that hold at least 10% of the record or beneficial equity interests of the Respondent; otherwise, complete ownership disclosure is required.

List each officer, director, manager, stockholder, member, partner, or other owner or principle of the Respondent, and each intermediate parent company and the ultimate parent company of the Respondent. For each individual, provide his or her name, business address, principal occupation, position with the Respondent, and the percentage of ownership, if any, he or she holds in the Respondent, and each intermediate parent company and the ultimate parent company of the Respondent.

SECTION 4 —CERTIFICATIONS

Respondents must respond to every statement. Responses submitted without a complete response may be deemed nonresponsive.

Indicate "Y" (Yes) or "N" (No), and if "No," provide details below.

THE RESPONDENT CERTIFIES THAT:

___ 1. The Respondent will immediately disclose, in writing, to the Rhode Island Commerce Corporation any potential conflict of interest which may occur during the term of any contract awarded pursuant to this solicitation.

___ 2. The Respondent possesses all licenses and anyone who will perform any work will possess all licenses required by applicable federal, state, and local law necessary to perform the requirements of any contract awarded pursuant to this solicitation and will maintain all required licenses during the term of any contract awarded pursuant to this solicitation. In the event that any required license shall lapse or be restricted or suspended, the Respondent shall immediately notify the Rhode Island Commerce Corporation in writing.

___ 3. The Respondent will maintain all required insurance during the term of any contract pursuant to this solicitation. In the event that any required insurance shall lapse or be canceled, the Respondent will immediately notify the Rhode Island Commerce Corporation in writing.

___ 4. The Respondent understands that falsification of any information in its RFP response or failure to notify the Rhode Island Commerce Corporation of any changes in any disclosures or certifications in this Respondent Certification may be grounds for suspension, debarment, and/or prosecution for fraud.

___ 5. The Respondent has not paid and will not pay any bonus, commission, fee, gratuity, or other remuneration to any employee or official of the Rhode Island Commerce Corporation or the State of Rhode Island or any subdivision of the State of Rhode Island or other governmental authority for the purpose of obtaining an award of a contract pursuant to this solicitation. The Respondent further certifies that no bonus, commission, fee, gratuity, or other remuneration has been or will be received from any third party or paid to any third party contingent on the award of a contract pursuant to this solicitation.

___ 6. This RFP response is not a collusive RFP response. Neither the Respondent, nor any of its owners, stockholders, members, partners, principals, directors, managers, officers, employees, or agents has in any way colluded, conspired, or agreed, directly or indirectly, with any other Respondent or person to submit a collusive response to the solicitation or to refrain from submitting response to the solicitation, or has in any manner, directly or indirectly, sought by agreement or collusion or other communication with any other Respondent or person to fix the price or prices in the response or the response of any other Respondent, or to fix any overhead, profit, or cost component of the price in the response or the response of any other Respondent, or to secure through any collusion, conspiracy, or unlawful agreement any advantage against the Rhode Island Commerce Corporation or the State of Rhode Island or any person with an interest in the contract awarded pursuant to this solicitation. The price in the response is fair and proper and is not tainted by any collusion, conspiracy, or unlawful agreement on the part of the Respondent, its owners, stockholders, members, partners, principals, directors, managers, officers, employees, or agents.

___ 7. The Respondent: (i) is not identified on the General Treasurer's list created pursuant to R.I. Gen. Laws § 37-2.5-3 as a person or entity engaging in investment activities in Iran described in § 37-2.5-2(b); and (ii) is not engaging in any such investment activities in Iran.

___ 8. The Respondent will comply with all of the laws that are incorporated into and/or applicable to any contract with the Rhode Island Commerce Corporation.

Certification details (continue on additional sheet if necessary):

Submission by the Respondent of a response pursuant to this solicitation constitutes an offer to contract with the Rhode Island Commerce Corporation on the terms and conditions contained in this solicitation and the response. The Respondent certifies that: (1) the Respondent has reviewed this solicitation and agrees to comply with its terms and conditions; (2) the response is based on this solicitation; and (3) the information submitted in the response (including this Respondent Certification Cover Form) is accurate and complete. The Respondent acknowledges that the terms and conditions of this solicitation and the response will be incorporated into any contract awarded to the Respondent pursuant to this solicitation and the response. The person signing below represents, under penalty of perjury, that he or she is fully informed regarding the preparation and contents of this response and has been duly authorized to execute and submit this response on behalf of the Respondent.

RESPONDENT

Date: _____

Name of Respondent

Signature in ink

Printed name and title of person signing on behalf of Respondent