



November 1, 2021

REQUEST FOR PROPOSALS (RFP)

(Two Phase Selection Process)

for a New Facility for the Rhode Island Department of Health State Health Laboratories and Additional Private Laboratory Space

A. INTRODUCTION

1. The Rhode Island Commerce Corporation (“Commerce Corporation”), on behalf of the State of Rhode Island (the “State”), invites interested, qualified parties (“Respondents”), to propose projects that will advance and support the missions of the Commerce Corporation and the Rhode Island Department of Health (“RIDOH”).
2. This document constitutes the first phase of a Request for Proposals (“RFP”), from qualified organizations, individuals or teams of individuals or organizations to provide a site and to develop, design, and construct a facility (the “Project”) which includes the RIDOH State Health Laboratories (“RISHL”) and new private laboratory space. This RFP provides an opportunity for all parties who own or control a site suitable for the Project, or parties who are interested in developing a publicly owned site, or one within the I-195 Redevelopment District, and who have significant laboratory development experience, to propose projects that would satisfy the State’s key goals.
3. This RFP process will consist of two (2) phases. The first phase responses to this solicitation will be evaluated to determine which Respondents best meet the requirements and evaluation criteria detailed in Sections E.1 and F. (Phase 1) of this RFP; those Respondents (the “Finalists”) will be invited to participate in a second phase to develop their proposals further within competitive procedures that will lead to selection of the awarded developer (the “Project Developer”). Only Finalists from the first phase may participate in the second phase. Interviews are expected to be conducted by a committee in one or both phases.
4. The Commerce Corporation will issue a further solicitation to the Finalists that are selected to participate in the second phase of the RFP process. The submissions of the Finalists in phase 2 will be evaluated based upon the criteria detailed in Section F. (Phase 2) of this RFP.
5. Following that competitive process, the Commerce Corporation expects to negotiate a contract with the Project Developer to develop, design and construct the Project.

B. BACKGROUND AND PURPOSE

1. The State needs a new laboratory building for the RISHL to continue rapid response to increasingly complex threats to public health, like the current COVID-19 pandemic, and to keep pace with health monitoring needs and emerging scientific technologies. Aging infrastructure, substandard life-safety systems, poor ventilation, and a building design unfit for a modern laboratory engaged in collaborative, competitive research are significant challenges

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within the current facility.

2. Building a new laboratory supports resiliency and public preparedness. A new facility, Rhode Island's Center of Excellence for Laboratory Sciences, would allow Rhode Island to deliver state-of-the-art public health testing services. Such an investment will make the State better prepared for any future epidemic or pandemic with improved public health services, fiscal efficiency and economic impact, and a reduced liability. A new facility for the RISHL will also facilitate more collaboration with private industry and academic institutions with improved utilization of RISHL specialized capabilities and facilities, including its BSL-3 laboratory.
3. The State seeks qualified Respondents to develop, design, and construct both the RISHL and private laboratory space within a single building, which should provide building efficiencies, catalyze economic development, and de-risk private investment, while delivering a much-needed new RISHL facility. Recent studies indicate a demand for private lab space in Rhode Island in excess of 40,000 square feet. In addition, Brown University, in a recent letter attached as **Exhibit B**, has expressed an anticipated need of 20,000 to 30,000 square feet (SF) of private lab space over a period of time and expresses that it would assess opportunities to lease such space if the building is located in close proximity to Brown's Alpert Medical School and other facilities located in Providence's Jewelry District.
4. The RISHL will require approximately, 80,000 SF of space. **Exhibit A**, which can also be found at <https://commerceri.com/healthlab>, includes conceptual specifications for the RISHL facility. These materials were prepared by BR+A (MEP engineer) and Utile Design (architect) with guidance from RIDOH. The file also includes a conceptual estimate of hard costs based on these specifications for a standalone RISHL facility prepared by Vermeulens. The selected Project Developer will be required to deliver the RISHL space to the approval of the State on a turnkey basis.
5. It is anticipated that the State will own the RISHL portion of the building (e.g., through a condominium structure).
6. Respondents have the opportunity to propose a viable public or privately-owned site which they control or are in the process of securing. The I-195 Commission is offering specific terms to all interested parties for purposes of responding to the RFP. The specific terms are attached to this RFP as **Exhibit C**.
7. Respondents are expected to enable Project delivery by 2025. Earlier completion dates are welcome.

C. PROJECT FUNDING

1. It is anticipated that up to approximately \$80 million will be available for these purposes.
2. It is anticipated that funds will be disbursed through the Commerce Corporation or another state agency in installments based upon a mutually agreeable schedule between the Commerce Corporation and the Project Developer. The Project Developer may be required to provide bonds and other security sufficient to assure full and timely completion of the building and the

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RISHL space, depending on the agreed-upon structure.

3. There is a possibility that the RISHL portion of this project will be funded partially or entirely by Federal funds.

D. PHASE I SUBMISSION REQUIREMENTS

To be deemed responsive, Respondents should provide the following materials:

1. The contact information of the person who will be the primary point of contact with the Rhode Island Commerce Corporation.
2. At least three references for comparable lab projects conducted by each key team member, including technical partners, completed in last six years, including individual contact information.
3. Narratives, including:
 - a. A narrative of company and key team member backgrounds including resumes of key team members.
 - b. A narrative or list of relevant comparable experience for developer and each key team member, including:
 - i. Project names and locations
 - ii. Respondent's roles on the projects
 - iii. Project cost
 - iv. Overall square footage, and square footage of each use within the buildings
 - v. Example list of laboratory tenants located within the buildings and a brief description of their activities
 - vi. Dates completed
 - vii. Photograph of completed buildings
 - c. A narrative regarding the proposed site, including:
 - i. Address
 - ii. Square footage
 - iii. Status of site control by the Respondent. In the case of public land, Respondents must either (1) affirm that it is proposing for Lot 402 (aka Lot 3 of former Parcel 25) of the I-195 Redevelopment District consistent with the terms specified by the I-195 Commission (provided as **Exhibit C**) or (2) provide written confirmation from the entity responsible for its disposition confirming the availability of the site for the proposed purposes as well as details of the required disposition process, including a timeline.
 - iv. Any anticipated site preparation challenges
 - v. Description of how site addresses threshold and evaluation criteria including
 1. Proximity to medical, healthcare, and RIDOH assets.
 2. Walkability to research-oriented universities, healthcare institutions, bioscience companies, and urban amenities such as restaurants, retail, hotels, mass transit; as well as access to experienced workers.
 3. Any other advantages of the proposed site that the Respondent wants to highlight.

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- vi. Anticipated parking arrangement
 - d. Description of proposed development including uses and square footages for core RISHL requirements, common areas, parking, and private laboratory space, including additional details regarding the type of private laboratory space (e.g., incubation space, graduation space, etc.).
 - e. Preliminary plan for securing private tenants.
 - f. A narrative of how the Respondent will address Minority Business Enterprise and Women Business Enterprise and workforce compliance inclusion in the Project.
4. A massing and site diagram showing:
 - a. A viable laboratory floorplate overlaid onto the proposed site.
 - b. A massing diagram showing a layout consistent with the RISHL requirements listed in **Exhibit A** and at least 25,000 SF of private lab space in excess of the RISHL space. The floorplate and massing must be consistent with laboratory design best practices.
 - c. Approximate utility connection locations.
 - d. Anticipated parking location. If parking will be located off-site, please include the address of the parking area and proof of the Respondent's site control for this parking.
5. A preliminary pro forma which demonstrates a generally financeable project including at a minimum: overall hard costs, overall soft costs, acquisition and site prep cost, total development cost, anticipated capital stack, and projected private laboratory rents.
6. Submission of FEIN or Social Security number as evidenced by a W9, downloadable from www.purchasing.ri.gov.
7. A completed RFP Response Certification Cover Form, included in this document.
8. A proposed basic work plan and time schedule that achieves the Project objectives and demonstrates compliance with Project requirements.
9. Description of the proposed work approach and outline of the activities to achieve the requirements and anticipated schedule outlined in RFP.
10. The Commerce Corporation reserves the right to seek additional information or to otherwise revise its request for information through an Addendum to this RFP.

E. THRESHOLD CRITERIA FOR THE EVALUATION OF RESPONDENT AND PROPOSAL

1. Responses to the first phase of this RFP will be evaluated to ensure Respondents meet key threshold requirements which include:
 - a. The Respondent has provided acceptable proof of site control or is proposing to build on available and suitable public land. Site control may be evidenced by appropriate documentation acceptable to the Commerce Corporation as determined in its sole discretion. The land designated by the I-195 District for such purposes

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- shall be treated as committed for these purposes. In the case of public land, Respondents must provide written confirmation from the entity responsible for its disposition confirming the availability of the site for the proposed purposes and providing details of the required disposition process, including a timeline.
- b. The proposed site is located in proximity to medical and healthcare assets.
 - c. Respondent has sufficiently demonstrated that its team has experience successfully developing similar laboratory buildings.
 - d. The preliminary pro forma demonstrates a generally financeable Project.
 - e. Response includes at least an additional 25,000 SF of laboratory space for private bioscience tenancies and indicates a credible plan to secure private laboratory tenants sufficient to fill proposed private lab space.
 - f. The preliminary massing diagrams show the proposed site accommodates layouts consistent with RIDOH's requirements (see Exhibit A) and at least 25,000 SF of private lab space in excess of the RISHL space. The floorplate and massing must be consistent with laboratory design best practices.
 - g. A proposed basic work plan and time schedule that achieves the Project objectives and demonstrates compliance with Project requirements.

Please see section F (evaluation criteria) for a description of additional preferences which will be used to evaluate proposals that satisfy these threshold criteria.

- 2. For the second phase of this RFP process the Commerce Corporation shall submit a further request for information to the Finalists, which will require, among other things, a more detailed response addressing each of the foregoing requirements, and also including the preliminary design of the building and a Respondent's proposal for payments and security to assure full and timely completion of the Project. The second-phase response must also address Minority Business Enterprise and Women Business Enterprise and workforce compliance inclusion in this Project and the Respondent's previous compliance record. The submission requirements will include the provision of (a) information and evidence of the Respondent's compliance record with respect to Minority Business Enterprise and Women Business Enterprise goals and workforce inclusion goals for all projects completed which had such goals within the past six (6) years; and (b) a narrative of how goals are expected to be met with this Project. Please see section H, item 14.
- 3. In this second phase, Respondents will be expected to make their best and final offers with respect to private lab square footage, financial terms, or other characteristics that may make their proposals most competitive.

F. EVALUATION CRITERIA

Proposals meeting the requirements of section E.1 "Threshold Criteria" will be evaluated on the following basis:

SCORING	PHASE 1	PHASE 2
FINANCIAL APPROACH Evaluation of overall proposed financial approach and strategy. This criterion will factor in the extent the Project is cost effective for the State in the short- and long-term, has minimized the use of State investment,	15	25

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and maximizes the use of non-state sources (e.g., maximize eligibility for federal funding by being located in a qualifying census tract). In phase 2, proposal includes general deal terms acceptable to Commerce Corporation and the State including but not limited to: reimbursement structure, cost contingencies, State approval of key documents, etc.		
ECONOMIC DEVELOPMENT POTENTIAL Extent the location, Project, and team can secure private laboratory development beneficial to the state while serving the key requirements of RIDOH. - This criterion considers the quality, credibility, and feasibility of the private laboratory development proposed. In doing so, this criterion takes into consideration the strength of the plan to secure tenants. Project teams with identified tenants will further be prioritized. - This criterion also takes into account the extent the proposed private laboratory space fills needs in the bioscience ecosystem (e.g., incorporating incubation space, graduation space, and/or a combination).	15	20
EXPERIENCE AND DEMONSTRATED RESULTS OF TEAM Extent to which development team experience is likely to result in a properly and promptly executed Project, including quality and quantity of past laboratory development experience, quality of references, financial and staffing capacity, etc.	25	15
STRATEGIC APPROACH, WORK PLAN AND SCHEDULE Evaluation of overall proposed approach, work plan, schedule, readiness to proceed, and strategy, including creative ideas, to items and goals described/outlined in Project requirements. Readiness to proceed will include the status of site control. Proposal meets key administrative requirements including: safety record, adherence to Project schedules, bonding capacity, the approval of the submitted MBE/WBE/DisBE compliance documents, etc.	15	20
LOCATION Includes proximity to medical, healthcare, RIDOH assets, and other associated uses. Preference will be given to proposed sites in locations with characteristics consistent with those needed to attract private lab users, and serve the mission of RIDOH, including: a location walkable to research-oriented universities, healthcare institutions, peer companies and area amenities such as restaurants, retail, hotels, etc.; easy access to mass transit; and access to experienced workers.	15	10
PRIVATE DEVELOPMENT This criterion considers the extent of private development proposed. Projects proposing greater than the minimum required private laboratory space (50,000 square feet or even 100,000 SF) will be prioritized.	15	10
MWBE PARTICIPATION IN THE DEVELOPMENT TEAM (additional potential points)	6	6
SUBTOTAL	106	106

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G. PRELIMINARY SCHEDULE (Subject to change):

Issue RFP:	October 2021
RFP responses due for first phase:	Friday, December 10, 2021, by 2:00pm
RFP selection of finalists determined:	January 2022
Subsequent second phase process to select the Developer begins:	Early Spring 2022
Subsequent process to select the Developer concludes, and award determined:	Late Spring 2022

H. INSTRUCTIONS AND NOTIFICATIONS TO RESPONDENTS

1. Respondents are advised to review all sections of this RFP 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 RFP may be rejected as being non-responsive.
3. All costs associated with developing or submitting a response to this RFP, or to provide oral or written clarification of its content, shall be borne by the Respondent. The Commerce Corporation assumes no responsibility for such costs.
4. All pricing submitted from Respondents and Finalists will be considered to be a reasoned estimation unless otherwise indicated therein, and pricing must be separated between hard and soft costs.
5. Responses misdirected to other locations, or that are otherwise not received 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.
6. All submissions should identify the Respondent's proposed team of professionals, along with respective areas of expertise and relevant credentials. Respondents should also provide a delineation of the portion of the scope of work for which each of these professionals will be responsible.

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7. All submissions should include the agency's FEIN or Social Security number as evidenced by a W9, downloadable from www.purchasing.ri.gov
8. All submissions should include a completed RFP Response Certification Cover Form, included in this document. The continuation and completion of this Project will be contingent on the availability of funds and made at the discretion of the Commerce Corporation and RIDOH.
9. A shortlist will be formulated from among the highest ranked Respondents and an RFP will be issued to the shortlisted Respondents only. The Commerce Corporation anticipates shortlisting the top THREE (3) highest-ranked Respondents based upon the evaluation criteria established in this RFP. However, the Commerce Corporation reserves the right to increase or decrease the number of shortlisted Respondents if deemed in the best interest of the Commerce Corporation and/or the State to do so.
10. 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 Commerce Corporation, which may use any such materials and ideas.
11. Interested parties are instructed to peruse the Commerce 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 RFP. Addenda will also be posted to the Rhode Island State Division of Purchases' website at www.purchasing.ri.gov.
12. 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 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.
13. 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 required of the Project Developer.
14. Respondents should be aware of the State's Minority Business Enterprise (MBE) requirements, which address the State's goal of ten percent (10%) participation by MBEs in all procurements. For further information, visit the website <http://odeo.ri.gov/offices/mbeco/> or contact the Minority Business Enterprise Compliance Office at 401-574-8670.
15. Responses to this RPP are due by **Friday, December 10, 2021, by 2:00pm**. One (1) electronic (PDF) version on thumb drive or disk and five (10) printed copies of the complete response must be mailed or hand-delivered in a sealed envelope marked:

Rhode Island Commerce Corporation
Attention: for the new RISHL and Additional Private Laboratory Space

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315 Iron Horse Way, Suite 101
Providence, RI 02908

16. Note: No phone calls and late responses will be accepted, and responses received via electronic submission only will be disqualified.
17. A Non-Mandatory Informational Session will be held on **Monday, November 15, 2021, at 12:00 PM. Please sign up to attend at**
https://us06web.zoom.us/webinar/register/WN_G1UChOGITSexGQ7y2qqNUA [us06web.zoom.us].
18. Questions, interpretations, or clarifications concerning this should be directed by e-mail to RISHL@commerceri.com no later than **10:00 AM on Wednesday, November 17, 2021.**
19. Responses to questions may be posted on a rolling basis and are anticipated to be posted by approximately **Wednesday, November 24, 2021.**
20. Responses to questions as well as interpretations, revisions, or clarifications concerning this RFP will be posted online via addendum at www.commerceri.com and www.purchasing.ri.gov to ensure equal awareness of important facts and details.
21. Any steel products required in connection with the Project may be required to be formed, extruded, forged, cast, fabricated or otherwise processed from steel made in the United States.
22. The Project Developer may be required to furnish a 100% payment and performance bond from a surety licensed to conduct business in the State.
23. Respondents are advised that all provisions of Title 37, Chapter 13 of the General Laws of Rhode Island may apply to work covered by this solicitation, and that payment of the general prevailing wage rate of per diem wages and the general prevailing wage rate for regular, overtime and other working conditions existing in the locality or each craft, mechanic, teamster or type of workman needed for the Project may be a requirement for both contractors and subcontractors.
24. Respondents should assume that the Project will require conformance to the State's apprenticeship program on the Project in formulating phase 1 proposals, which will be specified in more detail in phase 2 of the RFP process. Specific information about apprenticeship programs is available on the Rhode Island Division of Labor and Training website at <https://dlt.ri.gov/regulation-and-safety/apprenticeship>.
25. A Project Developer who has contributed, within 24 months preceding the contract award, an aggregate amount of more than \$250 within a calendar year to any Rhode Island general officer, candidate for general office, any member of the general assembly, or any Rhode Island political party, must file a "Vendor Affidavit" with the State of Rhode Island Board of Elections.
26. The Commerce Corporation may investigate the qualifications of any Respondent for as long as proposals are under evaluation, may require confirmation of information submitted by a

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Respondent, and may require the Respondent to submit additional documentation regarding any matters associated with review and consideration of the proposal submitted in response to this RFP.

27. The Commerce Corporation reserves the right to amend, modify or terminate this solicitation, including the extension of any deadlines, prior to entering into any executed written agreement with any qualified firm pursuant to this RFP, and by responding hereto, no firms are vested with any rights in any way whatsoever.
28. The Commerce Corporation reserves the right to reject any or all responses for not complying with the terms of this RFP.

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Exhibit A

Preliminary Specifications

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Exhibit B

Letter from Brown University

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Exhibit C

I-195 Resolution Surrounding Lot 402

APPENDIX A

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

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

1. Proposal of ISBE Participation Rate. Unless otherwise indicated in the RFP, a Proposer 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 Proposer 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 Proposer 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. Proposers shall be evaluated and scored based on the amounts and rates submitted in their proposals. If awarded the contract, Proposers shall be required to achieve their proposed ISBE Participation Rates. During the life of the contract, the Proposer 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 Proposer shall notify the ODEO of the change as soon as reasonably possible. Proposers 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 Proposer 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 Proposer may agree to a modified ISBE Participation Rate provided that the change in circumstances was beyond the control of the Proposer 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 proposal 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:		<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> 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

Rhode Island Commerce Corporation
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 No:

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):

RESPONDENT

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.

Date: _____

Name of Respondent

Signature in ink

Printed name and title of person signing on behalf of Respondent