



## **REQUEST FOR PROPOSAL**

### **For: Audit Services**

The Rhode Island Commerce Corporation (“the Corporation”) is soliciting Proposals from a firm or firms qualified to perform audit services for:

- Rhode Island Commerce Corporation (the Corporation) and Component unit, Small Business Loan Fund Corporation (SBLF)
- Rhode Island Industrial Facilities Corporation (RIIFC)
- Rhode Island Industrial-Recreational Building Authority (RIIRBA)
- Rhode Island Commerce Corporation Pension Plan and Trust (the Plan)

Note: Prior year audited financials for all entities can be found at: <https://commerceri.com/about-us/open-government-transparency/> The financials include management analysis, descriptions of each entity and the associated method of accounting. All entities are managed by a centralized accounting staff. For more information on these and other programs managed by the Corporation please see <http://commerceri.com>.

### **Corporation’s Intent**

Comply with State and Federal regulations with respect to audited financial statements.

### **Project Overview**

The audit shall be completed and final audit reports (inclusive of all audit communications) related to the financial statements shall be delivered to RI Commerce Corporation, the Director of Administration, the State Controller and the Auditor General by September 30th of each year for RI Commerce Corporation, RIIFC, RIIRBA, and the Plan (as required by Section 35-6-37 of the General Laws). As noted above, prior year audited financials for all entities can be found at: <https://commerceri.com/about-us/open-government-transparency/>

### **Audit Scope**

1. Audit the separate financial statements and supplementary schedules of the following entities as of and for the years ended June 30, 2022, 2023, 2024, 2025 and 2026:
  - Rhode Island Commerce Corporation (the Corporation) and Component Unit, Small Business Loan Fund Corporation (SBLFC)
  - Rhode Island Industrial Facilities Corporation (RIIFC)
  - Rhode Island Industrial –Recreational Building Authority (RIIRBA)

Basic financial statements to be audited for each entity include:

- Statement of Net Position
- Statement of Changes in Net Position
- Statement of Cash Flows

2. Required supplementary information (RSI):
  - Management’s Discussion and Analysis (all entities)
  - RSI Schedules for participation in RI Commerce Corporation Pension Plan and Trust (as applicable - The Corporation)
  - RSI Schedules for participation in State Employees’ Retirement System (ERS) Plan (as applicable - The Corporation)
  - RSI Schedules for participation in State Employees’ and Electing teachers OPEB System Plan as applicable - The Corporation)
  - Notes to Required Supplementary Information (as applicable - The Corporation)
  
3. Supplementary information:
  - The Corporation
    - Combining Statement of Net Position
    - Combining Statement of Revenues, Expenses, and Changes in Net Position
    - Schedule of Net Position (Attachment B) State required format schedule
    - Schedule of Activities (Attachment C) State required format schedule
    - Combined Schedule of Long-Term Debt (Attachment D) State required format schedule
    - Combined Schedule of Changes in Long-Term Debt (Attachment E) State required format schedule
  - RIIFC
    - Schedule of Net Position (Attachment B) State required format schedule
    - Schedule of Activities (Attachment C) State required format schedule
    - Schedule of Long-term Debt (Attachment D) State required format schedule
    - Schedule of Changes in Long-Term Debt (Attachment E) State required format schedule
  - RIIRBA
    - Schedule of Uncommitted Mortgage Insurance Availability
    - Schedule of Net Position (Attachment B) State required format schedule
    - Schedule of Activities (Attachment C) State required format schedule
    - Schedule of Long-term Debt (Attachment D) State required format schedule
    - Schedule of Changes in Long-Term Debt (Attachment E) State required format schedule
  
4. Single Audit/Supplementary Schedule of Expenditures of Federal Awards with auditor’s opinion thereon (required regardless of whether there are any major programs) – as applicable for each of the entities listed above.
  
5. A detailed schedule of travel and entertainment expenses shall be included as supplementary information in the financial statements for each entity. All expenditures of \$200 or greater shall be itemized and a total shown for all expenditures less than \$200. Chapter 35-7-14 of the General Laws of the State of Rhode Island requires the Corporation to prepare and maintain documentation for all travel and entertainment in sufficient detail to allow for post audit (for each of the entities listed above). Guidance on the preparation of the Schedule of travel and entertainment expenses is included as Appendix 3(A) to the *Guidelines for Audit Procurement and Bid Specifications – Quasi-Public Entities – Audit Specifications*

6. Audit the separate financial statements Rhode Island Commerce Corporation Pension Plan and Trust (the Plan) for the years ended June 30, 2022, 2023, 2024, 2025 and 2026:

- Statement of Fiduciary Net Position
- Statement of Changes in Fiduciary Net Position
- Schedule of Employer Allocation
- Schedule of Pension Amounts by Employer

Required Supplementary Information for “the Plan” as follows:

- Schedule of Changes in Net Pension Liability and Related Ratios
- Schedule of Net Pension Liability
- Schedule of Employer Contributions
- Schedule of Investment Returns

The Corporation is opting to not complete a Management’s Discussion and Analysis for the pension audit.

7. Agreed Upon Procedures Examination:

Provide Listing of Revenue Bonds and Notes:

Rhode Island Commerce Corporation and Rhode Island Industrial Facilities Corporation (RIIFC) have the authority to issue bonds and notes. Rhode Island Industrial-Recreational Building Authority (RIIRBA) has the authority to insure bonds issued by RIIFC.

The auditors shall provide the following listings in both Alphabetical order by Trustee/Purchaser, in Alphabetical order by Obligor, and Chronologically by Series Year

- Bonds and notes issued by the Corporation (conduit debt obligations unless otherwise noted)
- Bonds issued by RIIFC and insured by RIIRBA (conduit debt obligations)
- Bonds issued by RIIFC but not insured by RIIRBA (conduit debt obligations)

8. Major Federal Programs:

The auditors shall audit major programs as required by OMB Circular-Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards-Subpart F-Audit Requirements and express an opinion on compliance for each major program.

Major programs shall be determined in accordance with guidance provided in OMB Circular- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards-Subpart F-Audit Requirements.

The entities are component units for financial reporting purposes, and accordingly, expenditures of federal awards will be combined with all other expenditures of federal awards for the State reporting entity for the purpose of determining the Type “A” program threshold. The following procedures should be followed when the entity is a component unit of the State reporting entity and will be included in the State’s Single Audit Report.

Identify Type “A” Programs

Type “A” programs will be determined using the State reporting entity’s total expenditures of federal awards. Accordingly, an estimate of total federal awards expended by the State of Rhode Island for the fiscal year will be provided by the Office of the Auditor General to the agency under audit and its auditors.

Risk Assessment

In accordance with criteria outlined in OMB Circular Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards-Subpart F-Audit Requirements, perform a risk assessment of Type “A” programs identified above to determine if they can be considered low-risk. Consider all Type “A” programs not qualifying for a low-risk assessment to be major programs and perform required audit procedures as outlined in OMB Circular.

The auditor should seek approval from the Auditor General’s Office before declaring any Type “A” program to be low risk.

No risk assessment shall be performed for programs which are less than the Type “A” dollar threshold unless specifically requested by the Office of the Auditor General.

**Qualifications of Auditor**

1. The firm selected for the audit shall be a firm of certified public accountants holding a valid practice permit in the State of Rhode Island (issued by the Rhode Island Board of Accountancy).
2. The senior accountant in charge of the fieldwork shall be a certified public accountant.
3. The audit organization and the individuals responsible for planning, directing, conducting substantial portions of the fieldwork, or reporting on government audits shall meet the continuing educational requirements of *Government Auditing Standards* issued by the Comptroller General of the United States.
4. The audit organization shall have an appropriate internal quality control system in place and participate in an external quality control review program as required by *Government Auditing Standards*.
5. The audit organization shall provide a copy of their most recent external quality control review report and also submit the results of any subsequent review performed during the term of the contract to the RI Commerce Corporation, the Auditor General and the Department of Administration.
6. The audit firm shall have at the time of proposal, and throughout the period of engagement, professional liability insurance coverage of not less than \$1 million.

**Audit Contract**

1. Audit contracts can cover a maximum period of 5 years- a three (3) year initial contract period with two (2) one-year extensions. Before extending the audit contract beyond the initial three (3) contract period the quasi-public entity shall seek approval from the Department of Administration and the Auditor General. When an initial contract period has been for a total of five years and the same firm is engaged through a new procurement, the second contract period shall be for no more than 3 years to limit the total

continuous engagement period to no more than eight (8) consecutive years. The engagement of auditors for more than eight consecutive years can be made when deemed necessary and when approved jointly by the Auditor General and Director of Administration.

2. Audit contracts covering more than one year shall specify an audit fee for each year and for each entity. The audit fee for each of the financial statement audits and supplementary schedule of expenditures of federal awards shall be inclusive of all expenses and shall be specified separately.

The contract shall also specify an hourly rate for all audit work and reporting requirements related to major federal programs due to the variable scope of work in applying the risk-based approach outlined in OMB Circular -Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards-Subpart F-Audit Requirements. Once the scope of testing required for major programs is determined, the auditor and agency will negotiate a not-to-exceed fee for the portion of the audit related to major federal programs.

3. The contract shall distinctly specify the cost of all audit work and reporting requirements related to “the Plan”. Audit contracts covering more than one year shall specify an audit fee for each year, and shall be inclusive of all expenses.

**Special Services**

All requests for special services which are beyond the scope of the audit will be made in writing and will be invoiced at the hourly rates specified in your bid as follows (add additional categories as required):

Partner/Principal	\$ _____
Senior Manager	\$ _____
Manager/Supervisor	\$ _____
Staff Accountant	\$ _____
Administrative	\$ _____

**Audit Standards**

1. The audit must be conducted in accordance with generally accepted auditing standards established by the American Institute of Certified Public Accountants.
2. The audit must be conducted in accordance with the standards for financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States.
3. For the single audit the standards contained in the amended (July 1996) Single Audit Act of 1984 and the provisions of OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards-Subpart F, must also be followed.

## **Audit Reports**

### Due Dates for Completion of Audit and Delivery of Reports

1. The audit shall be completed and final audit reports (inclusive of all audit communications) related to the financial statements must be delivered to the agency, Department of Administration – Office of Accounts and Control, and the Office of the Auditor General by **September 30** of each year (as required by Section 35-6-37 of the General Laws).

**Failure to comply with the statutory submission date may result in termination of a firm’s audit engagement.**

**Compliance with due dates for submission of the final audit report requires anticipation of and allowance for (1) sufficient review time by the Office of Accounts and Control and the Office of the Auditor General of draft audit reports and other audit communications; and (2) sufficient review time and acceptance by the audit committee, board of directors, or individuals constituting those charged with governance for the entity.**

**Draft reports shall be provided to the Office of Accounts and Control and the Office of the Auditor General not less than 7 days prior to the required final audit completion and submission date.** Draft reports and other communications submitted for review to the Office of Accounts and Control and the Office of the Auditor General shall have undergone review by the firm’s internal quality control review process prior to submission.

Submission of audit reports and communications in electronic form is preferred.

2. The additional audit reports relating to federal awards and required by the federal Single Audit Act and OMB Guidance 2 CFR part 200 - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards - Subpart F – Audit Requirements) (if required) shall be submitted no later than **November 30** of each year.

1. Draft copies (PDF version) of all audit report(s) and other audit communications shall be submitted to:

- a) those charged with governance for the RI Commerce Corporation (President/COO, Chief Financial Officer (CFO), Audit committee), and
- b) Office of the Auditor General and the Department of Administration-Office of Accounts and Control.

2. Final Audit Report(s) (Hard copy and PDF version) (inclusive of all audit communications) related to the financial statements and one unbound copy must be delivered to RI Commerce Corporation. The Corporations shall transmit one copy of each audit report (inclusive of all audit communications) to the State Controller for incorporation in the state’s annual financial report, one copy to the Director of Administration and two copies to the Auditor General. Electronic submission of the reports is encouraged.

3. Corporation breakdown as follows:

- a) Rhode Island Commerce Corporation Consolidated– 30 copies of the Audit Reports and 15 copies of the Management Letters
- b) RI Industrial Facilities Corporation – 25 copies of the Audit Reports and 10 copies of the Management Letters
- c) RI Industrial-Recreational Building Authority – 25 copies of the Audit Reports and 10 copies of the Management Letters
- d) Rhode Island Commerce Corporation Pension Plan and Trust - 30 copies of the Audit Reports and 25 copies of the Management Letters

3. Reports to be submitted for each entity include:

1. Reports on:

- a) basic financial statements, (as specified in the Audit Scope section) based on an audit performed in accordance with generally accepted auditing standards and *Government Auditing Standards*.
  - b) supplementary financial statements, schedules and information (including the State required format supplementary schedules to be submitted to the Office of Accounts and Control for component units and the schedule of travel and entertainment expenses).
  - c) internal control over financial reporting and on compliance based on an audit of financial statements performed in accordance with *Government Auditing Standards*.
2. Reports and summaries related to federal financial assistance (as appropriate in the circumstances) as required by OMB Circular - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards - Subpart F – Audit Requirements.
3. Other reports requested by the agency and/or the Department of Administration - Office of Accounts and Control and/or the Office of the Auditor General or as required by the applicable section of the General Laws.

Note: Auditors should not prepare the Data Collection Form referenced in OMB “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” (2 C.F.R §200). This form will be prepared by the Office of the Auditor General for the State reporting entity.

**Other Reports**

Listing of Revenue Bonds and Notes based on agreed upon procedures.

**Management Letter**

- 1. A management letter shall be submitted upon completion of the audit to the President/COO, Chief Financial Officer, Audit committee, and board of directors, with copies to the Director of Administration-Office of Accounts and Control and the Office of the Auditor General.

2. The management letter should include comments, and/or recommendations beyond those included in the reports described above, on such matters as:
  - a. policies, procedures and practices employed by the agency.
  - b. immaterial weaknesses in the internal controls that are not "significant deficiencies."
  - c. use of resources to provide a governmental service in a reasonable, judicious, economical, and efficient manner.
  - d. compliance with state laws pertaining to the agency and with rules and regulations established by the agency.

**Coordination between the Auditor of the Agency and the Office of the Auditor General and Department of Administration-Office of Accounts and Control**

The private auditor selected for the agency audit shall cooperate with the Auditor General, as Group Auditor, in his coordination of the Single Audit of the State. This will include communications between the Auditor General and the private auditor regarding the determination of major federal financial assistance programs using the risk-based approach prescribed by OMB Circular Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards-Subpart F- Audit Requirements.

Specific inquiries and procedures to assure such coordination include:

- a. a written representation that the private auditor of a component unit is aware that the financial statements he is to audit will be incorporated in the financial statements of the state as the reporting entity and that their report thereon will be relied upon and referred to by the Auditor General as well as any other reports required by *Government Auditing Standards* or the Single Audit Act and OMB Circular Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards-Subpart F.
- b. prompt notification to the Auditor General and the Director of Administration by the private auditor if he becomes aware of fraud, abuse, or illegal acts or indications of such acts affecting the agency.
- c. prompt notification to the Auditor General and the Director of Administration by the private auditor if he encounters any significant accounting and/or auditing problems, or any situations that would delay completion of the audit.
- d. audit workpapers of the private auditors shall be made available upon request of the Director of Administration and/or the Auditor General for their review, at the completion of the agency audit.
- e. a written representation that the private auditor is independent under the requirements of the American Institute of Certified Public Accountants including those in the AICPA Code of Professional Conduct and *Government Auditing Standards*.
- f. a written representation that the private auditor of a component unit meets the continuing educational requirements of *Government Auditing Standards*.



- g. a written representation that the private auditor has an appropriate internal quality control system in place and has participated in an external quality control review program as required by *Government Auditing Standards*. He will provide the Office of the Auditor General, as the group auditor, with a copy of his most recent external quality control review report.
- h. a written representation that the private auditor will perform the audits in accordance with generally accepted accounting standards promulgated by the American Institute of Certified Public Accountants and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. In addition, the financial statements must conform to generally accepted accounting principles for state and local government units.
- i. attendance of the Auditor General at entrance, exit and other conferences between the private auditor and the agency.
- j. submission of ALL "draft" copies of the audit report(s) and management letter before the exit conference but not less than 7 days prior to the required final audit completion and submission date. Draft reports and other communications submitted for review to the Office of Accounts and Control and the Office of the Auditor General shall have undergone review by the firm's internal quality control review process prior to submission.
- k. certify that in accordance with Chapter 27 of Title 17 of the Rhode Island General Laws, audit firm has filed, or will file upon execution of this contract if required, an affidavit with the State Board of Elections concerning reportable political contributions.
- l. certify that no Rhode Island "Major State decision-maker", or spouse or dependent child of such person as defined in RIGL § 42-6-1 holds either a ten percent or greater equity interest or a five thousand dollar or greater cash interest in the business.

**Audit RFP Evaluation Criteria**

<b>Summary Point Total</b>	<b>Points Available</b>	<b>Points Awarded</b>
Overall qualifications and experience of the firm and the specific engagement personnel to be assigned focusing on experiences with governmental entities and the specific line of business or services provided by the entity to be audited.	40	
Overall audit approach and audit strategy described/outlined in the proposal and firm capacity to perform the engagement within the specified timeframe (prior experience of the firm in meeting timelines should be factored in here)	30	
Audit fees - See formula for points awarded for audit fees (*)	30	
<b>Total Points</b>	<b>100</b>	
MBE/WBE/DisBE Participation (additional potential points) (**)	6	

**Audit RFP Evaluation Criteria (continued)**

\* Evaluation technique – audit fees

Audit fee score = (lowest bid/bid for firm being evaluated) X 30 points

**Example:** Assuming 3 bids received were: (firm A) - \$40,000, (firm B) - \$46,000, (firm C) - \$50,000

Firm A (the lowest bidder) awarded 30 points  $\$40,000/\$40,000 \times 30 \text{ points} = 30$

Firm B awarded 26 points  $\$40,000/\$46,000 \times 30 \text{ points} = 26$

Firm C awarded 24 points  $\$40,000/\$50,000 \times 30 \text{ points} = 24$

1. \*\* 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 nonISBE 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 RFP 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 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

**Proposal Requirements**

In order to be considered responsive and responsible, proposals must at a minimum contain the following:

Offeror's technical qualifications:

- a. Experience with governmental audit engagements and entities similar to the entity,
- b. Firm organization and leadership team and professional staff resources,
- c. Engagement staff qualifications and experience,
- d. Understanding of work to be performed, including planned audit procedures, process to gain an understanding of internal control sufficient to plan the audit, estimated hours and other pertinent information,
- e. Understanding regarding data to be provided and completed by entity that is needed for the audit,
- f. Project management approach and procedures the proposing firm will employ to ensure compliance with final audit completion delivery dates,
- g. Identification of any sub-contractors, co-proposers, or other entity that will be used to provide the professional services sought by the request for proposal,
- h. Audit client references that may be contacted regarding professional services provided previously,
- i. Proof of professional liability insurance coverage in effect in an amount not less than \$1 million,
- j. A listing or description of other professional services provided by the proposer to the State of Rhode Island (primary government) or any other component unit.

Administrative:

The following information shall be provided as part of the proposal:

1. Person who will be the primary point of contact with the Corporation
2. Hourly fee expectation by position
3. Fee for audit of each individual entity listed for each year; and the separate agreed upon procedures engagement
4. Rates for additional services offered by the firm
5. Acknowledgement of the Conflict of Interest Affidavit requirements.
6. A disclosure of all outstanding financial obligations with the State of Rhode Island.
7. All proposals should include a completed RFP Response Certification Cover Form, included in this document.
8. Submit six (6) printed copies and one (1) electronic copy (thumb drive) of the proposal on or before **2:00 P.M. on Tuesday, April 19, 2022.**

Rhode Island Commerce Corporation  
**Attention: Audit Services RFP**  
315 Iron Horse Way, Suite 101  
Providence, RI 02908

**Questions:**

Questions may be emailed to [Justin.Medeiros@commerceri.com](mailto:Justin.Medeiros@commerceri.com) by 4:30 P.M. on Wednesday, March 30, 2022. Responses to questions, interpretations or clarifications concerning this RFP will be posted on-line via addendum at [www.commerceri.com](http://www.commerceri.com) and [www.purchasing.ri.gov](http://www.purchasing.ri.gov) by Tuesday, April 5, 2022 to ensure equal awareness of important facts and details.

Rhode Island Commerce Corporation reserves the right to reject any or all bids for not complying with the terms of the request for proposal. Rhode Island Commerce also reserves the right to negotiate with the selected bidder in the event that the lowest responsive and responsible bid price exceeds available funds. Any bid may be withdrawn prior to the above scheduled time for the opening of bids or authorized postponement thereof. Any bid received after the time and date specified shall not be considered. Responses received via electronic submission only will be disqualified.

**Notifications:**

- Equal Employment Opportunity (RIGL 28-5.1) – 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 the State dollar is spent, in employment, public services, grants and financial assistance, and in State licensing and regulation. For further information, contact the Rhode Island Equal Opportunity Office at (401) 222-3090.
- In accordance with Title 7, Chapter 1.1 of the General Laws of Rhode Island, no foreign corporation, a corporation without a Rhode Island business address, shall have the right to transact business in the State 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 contractor.
- Certification that a Certificate of Good Standing from the Rhode Island Division of Taxation will be delivered to the Corporation upon awardee selection

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

## 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.

<b>Prime Contractor/Vendor Signature</b>		<b>Title</b>	<b>Date</b>
<b>Subcontractor/Supplier Signature</b>		<b>Title</b>	<b>Date</b>



## RFP/RFQ RESPONSE CERTIFICATION COVER FORM

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

### SECTION 1 - RESPONDENT INFORMATION

**RFP/RFQ Number:**

**RFP/RFQ Title:**

**RFP/RFQ Respondent Name:**

**Address:**

**Telephone:**

**Fax:**

**Contact Name: Contact Title:**

**Contact Email:**

### SECTION 2 —DISCLOSURES

**RFP/RFQ Respondents must respond to every statement. RFP/RFQ 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/RFQ 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/RFQ response is not a collusive RFP/RFQ 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