



**REQUEST FOR PROPOSAL**  
**RFP #: RFP-2337**

**For: Small Business Assistance Program (SBAP)-Access to Capital-Small-Loans**

The Rhode Island Commerce Corporation (“Corporation”) seeks to retain multiple vendors to provide small business lending and technical assistance services to small businesses in Rhode Island under the Small Business Assistance Program (“SBAP”). The Corporation encourages those responding to the RFP to propose innovative and economically impactful proposals.

This document constitutes a Request for Proposal (“RFP”), in a competitive format, from eligible proposers. This request is an offer by the Corporation to underwrite, in accordance with the terms and conditions of this RFP, the services proposed by the successful proposer(s), by contract.

The respondents (“Proposers”) to this RFP shall provide a proposal, in accordance with the terms and conditions set forth herein, to provide all or part of services to the Corporation as described in the Scope of Work.

**Background and Purpose**

As a quasi-public agency, the Corporation is the official full-service, economic development organization for the state of Rhode Island. The Corporation works with public, private and nonprofit partners to create the conditions for businesses in all sectors to thrive and to improve the quality of life for our citizens by promoting the State’s long-term economic health and prosperity.

SBAP fits squarely within this mission as it provides access to capital and targeted technical assistance otherwise not available to businesses, thereby creating the conditions for such businesses to thrive. SBAP provides loans (from \$25,000 up to \$750,000) to small businesses in Rhode Island that may be deemed “too risky” for traditional lenders. SBAP presently works with three community-based lenders, two local micro-lenders, and one organization that provides both lending and microlending through the program.

SBAP has a track record of success—since inception, it has awarded over \$33.5 million in loans, leveraging \$6.8 million in Corporation/State funds, with a less than 4% default rate. Across the portfolio, SBAP has closed 259 loans and created 385 jobs. More than 50% of these loans have gone to minority- or woman-owned businesses. Coupled with business technical assistance to further the growth of the business, these loans would not have been written by traditional lenders.

Between ten percent (10%) and twenty-five (25%) of the available funding is being set aside to provide micro-loans between \$2,000 and \$25,000. There is a separate RFP focused exclusively on the micro-loan component. This RFP is focused on funds for larger loans.

Proposers selected through this RFP will be responsible for administering a loan portfolio in partnership with the Corporation, including vetting businesses eligible to apply to obtain small loans up to \$750,000 including women- and minority-owned enterprises. Proposers will be responsible for reporting portfolio metrics to the Corporation quarterly and yearly.

### **Program Guidelines**

The RFP seeks proposals that support the goal of the SBAP program-lenders to facilitate small business loans and to help entrepreneurs and small businesses that are having difficulty obtaining adequate credit from traditional lending organizations. The program focuses on women- and minority-owned enterprises, as well as those eligible businesses located in Rhode Island's underserved communities.

Proposers are invited to present diverse and innovative ideas on how to reach small businesses, albeit viable, that find it difficult to access traditional capital in accordance with the program guidelines below.

#### **A. Service Delivery Area and Target Audiences**

The SBAP program is designed to reach small businesses Statewide that, though viable and making meritorious loan requests, are facing challenges accessing capital. Proposers that target underrepresented groups, areas of high economic distress, market niches and industry clusters will be reviewed favorably. If a Proposer's current service area does not cover a large portion of the state or multiple target audiences and/or geographies, the Proposer is strongly encouraged to partner with other lending and/or technical assistance providers, community development organizations and/or other non-profit organizations to expand its footprint.

#### **B. Eligible Proposers**

To be eligible to receive funds from the Corporation, a Proposer must be one of the following:

1. A Community Development Financial Institution ("CDFI"), meaning a community-based organization that provides financial services and products to communities, businesses and people underserved by traditional financial institutions.
2. A small business lending consortium; or
3. A Certified Development Company; or
4. A United States Small Business Administration loan provider; or
5. A Credit union; or
6. A non-profit organization whose purposes include serving as a lender in low to moderate-income communities and to women and minorities.

All eligible Proposers and/or Proposer teams must have staff with sufficient expertise to analyze small business loan applications, evaluate the creditworthiness of small businesses, and regularly monitor small business loans. The Corporation will rely upon the selected Proposers to review every loan application in order to determine, among other things, the feasibility of the proposed use of the requested financing by the small business loan applicant, the likelihood of repayment and the potential that the loan will generate economic activity and jobs within Rhode Island. Also, Proposers must be legally able to receive and use the proceeds as herein stated; meet any other requirements herein stated for the specific purpose of the Program; and be in good standing with any other Corporation assistance.

#### **C. Award Structure and Eligible Uses**

The purpose of this RFP is to invite a diverse and innovative set of ideas on how to reach small businesses that are viable and yet find it difficult to access traditional capital. Each Proposer should propose a two-part structure. 90% of the award will be structured as a below-market interest rate loan with an initial seven-year term for the applicant to make small business loans. Lenders can use this portion to provide subordinated and mezzanine debt; offer collateral support in the form of credit enhancement or establish a cash collateral account to enhance collateral coverage of individual loans. Not more than 10% of the total award can be used as a grant for the provision of technical assistance.

The Corporation will make one or more awards. Selected Proposers will be expected to deploy loan proceeds within 18-24 months upon the execution of the Program Agreement with the Corporation.

#### **D. Eligible Businesses**

Proposers should include in their proposal processes and methods for vetting eligible businesses and ensuring businesses comply with all program requirements. An eligible business is defined as:

1. A business enterprise that resides in Rhode Island,
2. Independently owned and operated,
3. Business size of 200 or fewer employees in Rhode Island.

#### **E. Eligible Types of Financial Assistance to Businesses**

Proposers are responsible for ensuring their proposal complies with the eligible types of financial assistance to businesses. All loans must be made for a “business purpose”, which includes, but is not limited to, startup costs, working capital, business procurement, franchise fees, equipment, inventory, as well as the purchase, construction, renovation or tenant improvements of an eligible place of business that is not for passive real estate investment.

The term “business purpose” generally excludes activities that relate to acquiring or holding passive investments such as commercial real estate ownership, the purchase of securities and lobbying activities.

Loan proceeds may not be used for the following purposes:

1. Repay delinquent federal or state income taxes unless the borrower has a payment plan in place with the relevant taxing authority; or
2. Repay taxes held in trust or escrow, e.g. payroll or sales taxes; or
3. Reimburse funds owed to any owner, including any equity injection or injection of capital for the business’ continuance; or
4. Purchase any portion of the ownership interest of any owner of the business.

#### **Reporting**

Proposers are responsible for developing a process for meeting all reporting requirements. Program reporting shall include, but not be limited to, submitting regular reports that detail the Total Value of Loans Originated, Total Commerce Funds Utilized, Use of Funds, Loan

Recipient, and Loan Recipient Address, Charge-Off and Default Rates, Technical Assistance Activities, and other information required by the Corporation in relation to participation in the Program.

### **Proposal Requirements:**

All proposals shall provide information relating to compliance with the program guidelines outlined above and the following elements listed in sufficient detail to allow the Corporation to conduct a selection process. Failure to include any of the following information may have an adverse impact on the evaluation of a proposal. A submission must at a minimum, include the following elements:

#### **1. Funds Requested**

State the amount of funds requested for lending and for the provision of technical assistance and administrative costs.

#### **2. Organizational Information**

Describe the organization's status as an eligible entity that can participate and administer the Program, and that is registered to operate in Rhode Island.

Describe any conflicts of interest that may be presented by participating in the Program, and how those conflicts would be managed. Please note whether Applicant is a not-for profit or a for-profit entity. Include the year that the organization was established. Include the year certified, if a federally certified CDFI. State the organizational mission. (narrative)

- a) Certificate of incorporation (Attachment A)
- b) CDFI certification letter, if applicable (Attachment B)
- c) Bylaws (Attachment C)
- d) FDIC Bank Examination Reports, if applicable and available (Attachment D)
- e) Most recent annual report (Attachment E)

#### **3. Target Market**

Identify the audiences you intend to target. How does this Program respond to a need in the communities you will serve? Please provide relevant data and cite sources. Will you provide a unique service or product in your target area(s). Include three (3) examples of loans that your institution ordinarily wouldn't make but could be made under this Program. Summarize projected outcomes, including job creation and business launch or expansion outcomes. Include an explanation of strategies to be implemented to provide loans for small businesses with less capacity to weather financial hardship such as very small businesses, those with limited access to credit and/or limited collateral, minority or women-owned businesses, or those businesses serving disadvantaged communities.

#### **4. Management and Operations**

Describe the capacity, skills, size and experience of the Proposer's management team, partners, and key staff, including members of the loan review committee. Describe the capacity, skills,

size and experience of the Proposer's governing board. Include a list of names and affiliations of its Board of Directors or other governing body.

## **5. Track Record**

Describe the Proposer's capital structure for lending activities. Describe how the capital structure has changed over the past 3-5 years, what funds have been raised during that period, and how the capital structure is expected to change moving forward. Include a breakdown of the following:

- a) total loan funds (including what amounts are from debt, grant funds, and earned income)
- b) funds committed or deployed
- c) funds available for lending

## **6. Technical Assistance**

Describe existing and/or proposed technical assistance services, including information on types of technical assistance and training available, the target population and geography volume of services provided, demonstrated outcomes, and whether services are provided by the Proposer or through partnerships. Allowable services include business modeling or planning, marketing advice, identifying sources of capital other than lender, assistance with licensing, permitting and/or registration, financial education, credit counseling or any other technical assistance allowable services. Describe the connection between technical assistance and the financial products and services provided by the Proposer, including pre- and post-loan support. If technical assistance is not a component of your proposal, please indicate this in the response to this RFP. Proposals that include technical assistance as a component of the proposal are encouraged.

## **7. Marketing and Outreach**

Describe how the Proposer organization will utilize community partnerships of joint ventures and coordinate its efforts with other lending organizations or technical assistance providers to increase volume, expand the service delivery area, or enhance services.

Describe how the Proposer organization will market its loan program and related services in the target markets. The marketing plan should also contain strategies that will target the service delivery region as a whole and reach certain market subsets in specific communities, such as in underserved neighborhoods or to M/WBEs.

## **8. Certification**

Provide the Certification Form annexed hereto as **Appendix B**.

## **Criteria for Selection**

Responsive proposals for this RFP will be evaluated according to the Evaluation Criteria outlined below.

## EVALUATION CRITERIA

	<b>Points</b>
<p><b>OVERALL EXPERIENCE OF COMPANY &amp; DEMONSTRATED RESULTS</b></p> <p>Our evaluation will include an assessment of the history of your company, your experience as it relates to the requirements within this RFP, evidence of past performance, quality and relevance of past work, references, and related items.</p>	25
<p><b>POTENTIAL ECONOMIC IMPACT</b></p> <p>Our evaluation will include an assessment of the short and long-term potential impact of the proposed program.</p>	20
<p><b>STRATEGIC APPROACH</b></p> <p>Our evaluation will include an assessment of the overall approach and strategy described/outlined in the proposal, including demonstration of business need for the proposed effort, target market(s), level of expected lending activity. Our evaluation will include an assessment of the businesses to be supported by the Proposal. Specific consideration will be paid to proposals that support minority business enterprises, women-business enterprises, and veteran-business enterprises, as well as those located in disproportionately impacted census tracts.</p>	25
<p><b>FAMILIARITY WITH RHODE ISLAND'S ECONOMIC DRIVERS</b></p> <p>Our evaluation will include our assessment of your understanding of our organization and Rhode Island's economic drivers and how you integrated this knowledge into your proposal.</p>	15
<p><b>ABILITY TO EXECUTE PROPOSED APPROACH</b></p> <p>Overall approach and 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 will be factored in here)</p>	15
Total	100
MBE/WBE/DisBE Participation (additional potential points)	6 pts

**NOTE:** Designated Corporation staff or selected advisors will evaluate the written proposals. The Corporation may at any time during the evaluation process seek clarification from Proposers regarding any information contained within their proposal. Final scores for each respondent will reflect a consensus of the evaluations. Any attempt by a Proposer to contact a member of Corporation staff or selected advisors outside the RFP process, in an attempt to gain knowledge or an advantage, may result in disqualification of Proposer.

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 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 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.

## **Instructions and Notifications to Proposers**

1. Potential proposers 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 proposal.
2. Alternative approaches and/or methodologies to accomplish the desired or intended results of this procurement are solicited. However, proposals that depart from or materially alter the terms, requirements, or scope of work defined by this RFP will be rejected as being non-responsive.
3. All costs associated with developing or submitting a proposal in response to this RFP, or to provide oral or written clarification of its content, shall be borne by the proposer. The Corporation assumes no responsibility for such costs.
4. Proposals are considered to be irrevocable for a period of not less than 120 days following the date set for submission of proposals.
5. All pricing submitted will be considered to be firm and fixed unless otherwise indicated herein.
6. Proposals that are submitted late, misdirected or sent to the wrong email address will not be accepted.
7. All proposals should identify the proposed team of professionals, including those employed by subcontractors, if any, along with respective areas of expertise and relevant credentials. The Proposer should also provide a delineation of the portion of the scope of work for which each of these professionals will be responsible.
8. All proposals should include the proposer's FEIN or Social Security number as evidenced by a W9, downloadable from <https://www.irs.gov/pub/irs-pdf/fw9.pdf>
9. All proposals should include a completed RFP Response Certification Cover Form, included in this document and available here: <https://commerceri.com/wp-content/uploads/2022/08/RFP-RESPONSE-CERTIFICATION-COVER-FORM.pdf>
10. The purchase of services under an award made pursuant to this RFP will be contingent on the availability of funds and made at the discretion of the Corporation.
11. Awarding this RFP is based on the Evaluation Criteria set forth in this RFP. Vendors are advised, however, that all materials and ideas submitted as part of this proposal 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](http://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.ridop.ri.gov](http://www.ridop.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 bidder.

15. The Proposer should be aware of the State's Minority Business Enterprise (MBE) requirements, which address the State's goal of fifteen percent (15%) participation by MBEs in all procurements, including a minimum of 7.5% participation by minority business enterprises owned and controlled by a minority owner, as defined in Section 37-14.1-3, and a minimum of 7.5% participation by minority business enterprises owned and controlled by a woman. For further information, visit the website [www.mbe.ri.gov](http://www.mbe.ri.gov).

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

### **Proposal Requirements**

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

#### Technical Proposal Elements

1. Description of the proposed approach and work plan. Activities and timelines should be specific, measurable, achievable, realistic, and time oriented. Include a timeline of major tasks and milestones.
2. Person who will be the primary point of contact with the Rhode Island Commerce Corporation.
3. Qualifications of the Proposer to provide the requested services including capability, capacity, similarly complex projects and related experience, and client references. Certification of availability of individuals in proposal.
4. 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.
5. 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.

## **Proposal Submission**

Responses to this RFP must be received as follows:

One (1) electronic (PDF) version must be provided by email to [RFP@commerceri.com](mailto:RFP@commerceri.com) by **11:59 pm on May 31, 2024**. Submissions that are misdirected or sent to the wrong email address will not be accepted.

**Note: No phone calls or late responses will be accepted.**

Questions, interpretations, or clarifications concerning this RFP should be directed by e-mail to [RFP@commerceri.com](mailto:RFP@commerceri.com) no later than 11:59 pm on May 10, 2024. Responses to questions, interpretations, or clarifications concerning this RFP will be posted online via addendum at [www.commerceri.com](http://www.commerceri.com) and [www.ridop.ri.gov](http://www.ridop.ri.gov) on May 21, 2024 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 Proposal, 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 proposals for not complying with the terms of this RFP.*

## 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. 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/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