

**Request for Proposal
2022 -01
NEWTON COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY
(NCIDA)**

Professional Auditing Services

SUBMISSIONS ARE DUE ELECTRONICALLY ,USING THE PORTAL BELOW,
NO LATER THAN
MONDAY, MARCH 24, 2022 AT 5:00 PM

THE OFFEROR IS RESPONSIBLE FOR SUBMITTING A RESPONSE TO THIS
REQUEST FOR PROPOSAL (RFP) TO NCIDA ON OR BEFORE THE STATED
DEADLINE

ISSUE DATE: MARCH 4, 2022

ADVERTISEMENT FOR REQUEST FOR PROPOSAL
Professional Auditing Services
RFP # 22-01

The Newton County Industrial Development Authority (the "NCIDA") will be receiving separate sealed proposals for Professional Auditing Services electronically **until 5:00 PM, local time, Thursday, March 24, 2022**. ALL PROPOSALS MUST BE SUBMITTED TO NCIDA Treasurer Frank B. Turner, Jr. at frank.turner@gstlawfirm.com.

INSURANCE:

Consultant shall maintain the following insurance:

- a) Comprehensive General Liability, including blanket contractual, Covington bodily injuries with limits of no less than \$1,000,000.00 per occurrence, and property damage with limits of no less than \$1,000,000.00 per occurrence;
- b) Commercial Automobile liability, including blanket contractual, covering bodily injuries with limits of not less than \$1,000,000.00 per occurrence, and property damage with limits of not less than \$1,000,000.00 per accidents;
- c) Statuary Worker's Compensation Insurance, including \$1,000,000.00 employer's liability insurance; All insurance shall be provided by an insurer(s) acceptable to the NCIDA, and shall provide for thirty (30) days prior notice of cancellation to the NCIDA. Upon request, Contractor shall deliver to the NCIDA a certificate or policy of insurance evidencing Contractor's compliance with this paragraph. Contractor shall abide by all terms and conditions of the insurance and shall do nothing to impair or invalidate the coverage.

NOTE: Prime firms and any sub consultants must have a business license and be fully insured as described herein.

Each proposal will be considered by the NCIDA, taking into consideration specific evaluation factors, as set forth in the Request for Proposal. The NCIDA reserves the right to reject any or all Proposals, including without limitation, the right to reject any Proposal that the NCIDA believes would not be in the best interest of the Project.

Digital copies of the PROPOSAL DOCUMENTS may be obtained at 2105 Lee Street, Covington, Georgia or by contacting Frank Turners at frank.turner@gstlawfirm.com. Hard copies of the PROPOSAL DOCUMENTS may be obtained upon a non-refundable payment of \$25.00 for each set. The NCIDA is not obligated to consider the contractor's proposal if they are on record with issuing office as having received the complete Proposal Documents.

March 4, 2022

Newton County Industrial Development Authority

INTRODUCTION

THE NEWTON COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY (the “NCIDA”) is requesting separate Sealed Proposals for Professional Auditing Services. Instructions for preparation and submission of a proposal are contained in this packet. Proposals must be typed or printed in ink.

The NCIDA provides equal opportunity for all businesses and does not discriminate against any person or business because of race, color, religion, sex, national origin, handicap or veteran’s status. This policy ensures all segments of the business community have access to supplying the goods and services needed by the NCIDA.

PURCHASING CONTACT FOR THIS REQUEST:

All questions concerning this invitation and all questions arising subsequent to award are to be addressed to the Treasurer at the following address:

Frank B. Turner, Jr., NCIDA Treasurer, at PO Box 1617, Covington, Georgia 30015 Phone: 770-786-4390 Email:

frank.Turner@gstlawfirm.com

To maintain a “level playing field”, and to assure that all proposers receive the same information, proposers are requested **NOT** to contact anyone other than the contact above until after the award of the contract. Doing so could result in disqualification of the proposer.

SUBMISSION INSTRUCTIONS AND DUE DATE:

1. Prepare your submission materials:
2. Technical Proposal (including all “required” documents) in PDF(.pdf) format in 1 file required.
3. Pricing Proposal Form Only in PDF(.pdf) format in 1 file required

4. Email your submission to:
frank.turner@gstlawfirm.com

Your submission must be received prior to the Proposals Due Date of **Thursday, March 24, 2022, 5:00 PM local time**. Proposals received after this time will not be accepted. NCIDA accepts no responsibility for non-receipt and/or delays in receipt caused by transmission and reception problems, equipment failure or any other similar cause.

ADDENDA

Answers to questions submitted that materially change the conditions and specifications of this RFP will be distributed to all addressees as an addendum. Any discussions or documents will be considered nonbinding unless incorporated and distributed in an addendum. Answers to all questions shall be provided a minimum of 72 hours prior to the time the Proposal is due.

Proposers shall check with Frank B. Turner, Jr. frequently during the bidding process to verify that they have received all issued addendums. While every attempt is made to make sure that registered proposers receive notice of addendums, proposers have the responsibility of making sure that they have received all issued addendums. Addenda are required to be signed and returned with the proposal submitted.

PROPRIETARY INFORMATION

Careful consideration should be given before submitting confidential information to the NCIDA. The Georgia Open Records Act permits scrutiny of most materials collected as part of this process. Please clearly mark any information that is considered a trade secret, as defined by the Georgia Trade Secrets Act of 1990, O.C.G.A 10-1-760 et seq., as trade secrets are exempt from disclosure under the Open Records Act. The NCIDA does not guarantee the confidentiality of any information not clearly marked as a trade secret.

AWARD OF CONTRACT

The NCIDA's review committee will make a recommendation for award(s). The NCIDA Board will make the actual award of the contract(s).

This is a qualification/performance/price trade-off source selection in which competing offeror's performance history and qualification will be evaluated first. Award(s) will be made to the responsible offeror whose proposal represents the best value after evaluation in accordance with the factors listed below. The NCIDA may reject any or all proposals and to waive any technicalities or informalities if such action is in the NCIDA's Interest.

The NCIDA intends to evaluate proposals and award a contract(s) without discussion with offerors. Therefore, the offeror's initial proposal should contain the offeror's best terms from a price and technical standpoint. The NCIDA reserves the right to conduct discussions if the NCIDA later determines them to be necessary.

Proposers will be evaluated based on the following criteria and may be called in for an interview. The NCIDA intends to award the contract to the responsible and responsive contractor whose proposal is determined in writing to be the most advantageous to the NCIDA taking into consideration all of the evaluation criteria.

EVALUATION CRITERIA

Proposals will be evaluated using the categories and scoring indicated below:

- a) Mandatory Elements – 20%
 - a. The audit firm is independent and licensed to practice in the State of Georgia
 - b. The firm has not conflict of interest with regard to any other work performed by the firm for NCIDA

- c. The firm submits a copy of its last external quality control review report and the firm has a good record of quality audit work
- d. The firm adheres to the instructions in the request for proposal on preparing and submitting the proposal.
- b) Technical Quality – 30%
 - a. Expertise and Experience
 - i. The firm’s past experience and performance on comparable government engagements
 - ii. The quality of the firm’s professional personnel to be assigned to the engagement and the quality of the firm’s management support personnel to be available for technical consultation
 - c) Audit Approach – 30%
 - i. Adequacy of proposed staffing plan for various sections of the engagement
 - ii. Adequacy of sampling techniques
 - iii. Adequacy of analytical procedures
 - d) Price – 20%
 - a. Cost will not be the primary factor in the selection of an audit firm

INSURANCE

With its proposal, each proposer shall indicate whether it meets the insurance requirements stated above, or if greater coverage is held, the coverage types and amounts in its insurance program.

TERM OF CONTRACT

The Contract term for this project is anticipated for one (1) fiscal year (FY2022 – July 1, 2021 to June 30, 2022) with the option to renew up to four (4) more one (1) fiscal year terms.

CONTRACT ADMINISTRATION

The contract for any Task Assignments or purchase order(s) arising as a result of the RFP shall be Frank B. Turner, Jr., Treasurer.

TENTATIVE BID SCHEDULE

Advertisement	March 4, 2022
Deadline to Submit Questions	March 17, 2022 at 5:00 PM
RFP 22-01 Due Date	March 24, 2022 at 5:00 PM

WITHDRAWAL OF PROPOSAL

A proposer may withdraw his proposal before the proposed due date, without prejudice to the proposer, by submitting a written request of withdrawal to frank.turner@gstlawfirm.com Following the proposal due date, submitted proposals shall be valid for a period of ninety (90) days from the proposal due date.

REJECTION OF PROPOSAL

The NCIDA may reject any and all proposals and must reject a proposal of any party who has been delinquent or unfaithful in any formal contract with the NCIDA. Also, the right is reserved to waive any irregularities or informalities in any proposal in the proposing procedure. The NCIDA shall be the sole judge as to which proposal is best, and in ascertaining this, will take into consideration the business integrity, financial resources, facilities for performing the work, and experience in similar operations of the various proposers.

STATEMENT OF EXPERIENCE AND QUALIFICATIONS

The proposer may be required, upon request, to prove to the satisfaction of the NCIDA that he/she has the skill, experience, necessary facilities and ample financial resources to perform the contract(s) in a satisfactory manner and within the required time. If the available evidence of competency of any proposer is not satisfactory, the proposal of such proposer may be rejected. The successful

proposer is required to comply with and abide by all applicable federal and state laws in effect at the time the contract is awarded.

NON-COLLUSION AFFIDAVIT

By submitting a proposal, the proposer represents and warrants that such proposal is genuine and not sham or collusive or made in the interest or in behalf of any person not therein named, that the proposer has not directly or indirectly induced or solicited any other proposer to put in a sham proposal, or any other person, firm or corporation to refrain from proposing and that the proposer has not in any manner sought by collusion to secure to that proposer any advantage over any other proposer.

NO CONFLICT OF INTEREST

By submitting a proposal, the proposer represents and warrants that no Board member, Administrator, employee, or any other person employed by the NCIDA has, in any manner, an interest, directly or indirectly, in the proposal or in the contract which may be made under it, or in any expected profits to arise therefrom.

DOCUMENTS DEEMED PART OF THE CONTRACT

The notice, invitation to proposers, general conditions, and instructions for proposers, special conditions, specifications, proposal, and addenda, if any, will be deemed part of the contract.

STANDARD INSTRUCTIONS

1. The instructions contained herein shall be construed as part of any proposal invitation and/or specifications issued by NCIDA and must be followed by each proposer.
2. The written specifications contained in this proposal shall not be changed or superseded except by written addendum. Failure to comply with the written specifications for this proposal may result in disqualification.

3. All proposals must be received through the manner as described above by proposal due date and time. Each proposer assumes the responsibility for having his/her proposal received at the designated time and place of proposal due date. Proposals received after the stated time and date may be subject to rejection without consideration. NCIDA accepts no responsibility for non-receipt and/or delays in receipt caused by transmission and reception problems, equipment failure or any other similar cause.
4. Unless otherwise stated, all proposals submitted shall be valid and may not be withdrawn for a period of 90 days from the due date.
5. Each proposal form submitted must include the name of the business, mailing address, the name, title and signature of the person submitting the proposal.
6. The NCIDA reserves the right to reject any and all proposals.
7. Telephone, Telegraphic or Facsimile proposals will not be accepted.
8. If applicable, completed questionnaires must be signed manually. NCIDA reserves the right to accept or reject any proposal on the Exhibit basis of incomplete or inaccurate answers to the questionnaire.
9. Proposers shall identify any subcontractors, Joint Ventures, and include an explanation of the service or product that they may provide.

SPECIFIC INSTRUCTIONS

Any Proposer submitting a Proposal in response to the aforesaid Request for Proposal shall comply with the following specific instructions:

1. The submission of a Proposal constitutes a representation by the Contractor that it has studied and examined the Proposal Documents, including the scope of work attached to this RFP,

2. Any Proposal may include such documentation and information as the contractor deems appropriate to establish that it is a responsible and responsive Contractor and that its Proposal is the most advantageous to the NCIDA, taking into consideration the specific evaluation factors, as set forth in the aforesaid Request for Proposals.
3. Any changes, additions, interpretations, or corrections, to or concerning the Proposal Documents prior to the date for submission of Proposals will be issued as an Addendum by the NCIDA. Only such written changes, additions, interpretations, or corrections by Addendum shall be binding. Any changes, additions, interpretations, corrections given by any other method shall not be valid and the Contractor shall not rely upon any manner whatsoever, any verbal statements, instructions, interpretations, corrections, or other information provided by NCIDA.
4. All Proposals must be signed by a duly authorized officer, member, or general partner (as appropriate) and dated. All blanks on the completed Proposal Form shall be filled in where so requested. The completed Proposal shall be without interlineations, alterations, or erasures.
5. Upon submission, all Proposals shall become and remain the property of the NCIDA. The NCIDA shall have no liability arising out of the disclosure, dissemination or publication of any Proposal or information contained therein.
6. Any Proposal submitted to the NCIDA shall remain open for acceptance by the NCIDA, and same shall be honored by the contractor, for a period of ninety (90) days of the date set forth hereinabove for the receipt of Proposals;
7. NCIDA reserves the right to amend these instructions, or clarify same by Addendum, within the time provided by Georgia Law. If such revisions or amendments are of such magnitude as to warrant, in the sole discretion of the NCIDA, the postponement for the date of the submission and receipt of Proposals, written notification shall be issued to any contractor who has notified the NCIDA in writing of its intent to submit a Proposal pursuant to the NCIDA's Request for Proposals.

8. A Summary Checklist of the items to be included in each proposal is shown below:

Exhibit A: Proposal Certifications (Required)

Exhibit B: Technical Proposal

Exhibit C: Non-Collusion Affidavit (Required)

Exhibit D: Price Proposal Sheet (Required, uploaded separately)

Exhibit E: Business License & Professional License (Required)

Exhibit F: Insurance Certificate (Required)

Exhibit G: Immigration and Security Form (Required)

Exhibit H: Certification Regarding Debarment (Required)

Exhibit I : Any addenda received from NCIDA (Required if applicable)

Exhibit A

I certify that this proposal is made without prior understanding, agreement, or connection with any corporation, contractor or person submitting a proposal for the same, and is in all respects fair and without collusion or fraud. I understand that collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards. I agree to abide by all conditions of this **Request for Proposal #22-01** and certify that I am authorized to sign this proposal for the company.

This _____ day of _____ 20__.

Company Name (Please Type or Print)

Person Authorized to Sign:

Name: _____

Name: _____

Street: _____

Title: _____

City: _____

Telephone Number: () _____

State: _____ Zip: _____

Signature: _____

Email: _____

Exhibit B
Technical Proposal
PROFESSIONAL AUDITING SERVICES

Introduction:

The NCIDA is requesting proposals from qualified firms of certified public accountants to audit the financial statements of the NCIDA for the fiscal year ending June 30, 2022, with the option of auditing these financial statements for each of the (4) subsequent fiscal years.

Background and Nature of Services Required:

- Newton County is a 279 square mile area east of Atlanta on Interstate 20 in north central Georgia. It has a population estimated to be in excess of 105,000 people. The NCIDA Office of Economic Development is located at 2105 Lee St. SW, Street, Covington, Georgia. The NCIDA is governed by a five-member Board. The members are the appointee of the Newton County Board of Commissioners, the Mayor of the City of Covington or their designee, the President of the Newton Chamber of Commerce or their designee, and two appointed members at large. Frank Turner, Jr. serves as Attorney and Secretary/Treasurer.
- The entity to be audited includes all departments directly under the NCIDA. At this time the only such department is the Office of Economic Development.
- There are a number of funds the firm will be required to audit. The Economic Development account, the Stanton Grove Bond accounts, and general NCIDA accounts.
- The NCIDA's accounting records are maintained on the accrual or modified accrual basis, and they make every effort to record all payables and receivables existing at year-end.
- NCIDA's Fiscal Year runs from July 1st through June 30th.
- The NCIDA Treasurer and Economic Development staff will be available to assist the audit firm selected as needed. The audit firm selected will be provided an area to work with access to copier, telephone, and internet. Most of the files provided will be electronic files of requested documents. Management letters can also be made available upon request.
- A copy of the NCIDA's FY2021 audit is attached to this Exhibit B. Prior year audit reports can be made available to the auditors.

Scope of Services:

- The audit service proposals requested are for an audit and expression of opinion on the fair presentation of the basic financial statements in conformity with generally accepted accounting principles (GAAP). The audit must be performed in accordance with generally accepted auditing standards (GAAS) as set forth by the American Institute of Certified Public Accountants; Circular F, which replaces the Single Audit Act Amendments of 1996 and the provisions of OMB Circular A-133; and the Government Auditing Standards issues by the United States General Accountability Office (GAO). It must also meet the requirements of the applicable laws of the State of Georgia.

The NCIDA plans to issue a Comprehensive Annual Financial Report annually. The auditor shall be responsible for performing any necessary procedures involving the Required Supplementary Information and Other Information as required by generally accepted auditing standards (GAAS).

- The NCIDA will provide the necessary Comprehensive Annual Financial Report components including the statistical section but the audit firm will provide assistance as needed. The NCIDA will submit the Comprehensive Annual Financial Report to Newton County and NCIDA reserves the right to request special assistance to meet the requirement of that program. The audit firm will be responsible for Comprehensive Annual Financial Reports presentation and for overseeing and printing the report.
- The NCIDA has met the threshold requiring a single audit of federal expenditures in the most recent year and anticipates that we will continue to do so.
- The audit firm selected shall provide guidance to NCIDA on the implementation of new accounting standards as promulgated by authoritative bodies. The auditor shall also provide guidance to the NCIDA regarding any nonstandard transactions that may occur during the year. The NCIDA acknowledges its responsibility for the reliability, accuracy, and completeness of the financial records.
- The audit firm will assist the NCIDA with preparation and timely submittal of the Annual Authority Registration and Financials required by Georgia law (HB257).

Time Requirements:

- NCIDA desires that a firm will be selected by March 31, 2022. Following notification of the audit firm selected, it is expected a contract will be executed and approved at the Board meeting on April 25, 2022.
- Following the signing of the audit contract, a pre-audit conference will be held by the selected firm and the NCIDA financial staff. At this time a detailed schedule for the

FY 2022 should be developed. A similar conference will be held each year of the contract.

- The fiscal year ends June 30 each year. The accounting ledgers remain open through August each year to record revenue and accounts payable accruals. Further year-end adjustments, accruals, and corrections are recorded during the month of August. The general ledger is finalized the last week of August.
- NCIDA desires the field work be timed such that it be substantially completed by November 30th and the report issued no later than December 16th.
- The Audit Presentation is expected to be presented at the NCIDA board meeting in December.

Technical Qualifications:

The firms bidding on the audit services request for proposal shall submit information in their proposal in the following format.

1. General Information
2. Qualifications of the Firm
3. Qualifications of Staff assigned to this Audit
4. Description of Audit Approach
5. Audit Firm References
6. Peer Review and Quality Programs
7. Professional Fees & Compensation
8. Most recent two years of Audited Financial Statements
9. Other Information

Response Format:

Please provide your responses to the request for proposal for audit services for NCIDA in the following format.

1. General Information
 - a. Name of Firm

- b. Address of Firm Headquarters
 - c. Address of Local Office
 - d. Primary Contact Person at Local Office
 - e. Number of Employees Firm
 - i. Firm Overall
 - ii. Local Office
 - f. History of the Firm
2. Qualifications of the Firm
- a. Number of Government Audit Staff
 - i. Firm Overall
 - ii. Local Office
 - b. Local Government Client Information last 3 years
 - i. Local Government Audits
 - ii. Local Government Audits with Single Audits
 - iii. Local Government Audits with Comprehensive Annual Financial Reports
 - c. Proof of Licensing for Public Practice in the State of Georgia
- a. Proof that Firm and Members meet the Independence Requirements of the GAO
 - b. Proof of Quality Assurance and Peer Review Participation
 - c. Completed Contractor Affidavit to ensure compliance with Immigration Reform
 - d. Business License
3. Qualifications of Staff assigned to the Audit
- a. Name, Title, and Position assigned to the Audit
 - b. Degree, Certification, and Training of staff assigned to Audit
 - c. Experience in Years in General, Firm, Local Government Audits, Comprehensive Annual Financial Reports, etc.
 - d. Responsibility on Local Government Audits
 - e. Other Staff Certifications and Qualifications
4. Description of Audit Approach
- a. Describe your understanding of the NCIDA and requirements for its annual financial audit, single audit, Annual Authority Registration and Financials and Comprehensive Annual Financial Reports.
 - b. Describe the approach your firm would use to meet these requirements.
5. Audit Firm References

- a. Name and Location of Government Client
 - b. Scope of Services provided to Client
 - c. Date of Services
 - d. Client Contact Information
6. Peer Review and Quality Programs
- a. Describe your firm's participation in AICPA sponsored quality control programs
 - b. Provide last 3 years results of Peer Reviews
 - c. Provide information about any regulatory action against firm/staff in the last 3 years
 - d. Describe any litigation against the firm or its staff in the last 3 years
7. Professional Fees and Compensation

Provide the estimated staff and hours necessary to complete including hourly rates and total costs for the following categories by fiscal year: Financial Audit,

- a. Single Audit, Comprehensive Financial Reports, Annual Authority Registration and Financials and Other Reports not specified.
- b. Provide a schedule of reimbursable expenses to be charged in relation to the audit services such as mileage, computer access, phone, printing, and other travel costs.
- c. For items 7b and 7c, please organize by fiscal year with the categories denoted as column headings.

Fiscal Year 2022
Fiscal Year 2023
Fiscal Year 2024
Fiscal Year 2025
Fiscal Year 2026

Exhibit C
Non-Collusion Affidavit of Prime Bidder/Subcontractor

State of Georgia
Newton County, Georgia

_____, being the first duly sworn, deposes and says that:

1. He/she is _____ of _____
(Owner, partner, etc.) (Company)

the Bidder that has submitted the attached Bid;

2. He/she is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such Bid;

3. Such Bid is genuine and is not a collusive or sham Bid;

4. Neither the said Bidder nor any of its officers, partners, owners, subcontractors, agents, representatives, employees or parties in interest including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Bidder, firm or person to submit a sham Bid in connection with the Contract for which the attached Bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly sought by agreement or collusion or communication or conference with any other Bidder, firm or person to fix price or prices in the attached Bid or of any other Bidder, or to fix overhead, profit or cost element of the bid price or the bid price of any other bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement and advantage against NCIDA or any person interested in the proposed contract;

5. The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees or parties in interest including this affiant;

Signature: _____

Date: _____

Name & Title: _____

Notary: _____

My Commission Expires _____

Exhibit D
Price Proposal Sheet
RFP 22-09
***To be uploaded separately**

This form along with all billing requirements outlined in the RF should be uploaded to the Price Proposal tab on the portal only. Do not upload the price in your technical proposal.

1. Proposal on specifications as outlined: Yes _____
No _____ *Variations are to be noted

2. Proposal Price as outlined below:

Price not to exceed: \$ _____

Under the terms and conditions contained in the RFP and its accompanying Agreement, the undersigned proposes to contract with the Newton County Industrial Development Authority to provide the following professional services for the indicated rates a

Company: _____

Address: _____

Phone: _____

Contact: _____

Authorized Representative (print/type)

Authorized Representative Signature

Exhibit E

Business License & Professional License

Exhibit F

Insurance Certificate

Exhibit G
IMMIGRATION AND SECURITY FORM

O.C.G.A. § 13-10-91 requires Consultants interested in public works contracts to file an affidavit that the contractor and its subcontractors have registered and participate in a federal work authorization program intended to ensure that only lawful citizens or lawful immigrants are employed by the contractor or subcontractor.

To ensure compliance with the Immigration Reform and Control Act of 1986 (IRCA), D.L. 99-603 and the Georgia Security and Immigration Compliance Act OCGA 13-10-90 et. seq., Consultant must warrant and affirm that Contractor has complied with the Immigration Reform and Control Act of 1986 (IRCA), D.L. 99-603 and the Georgia Security and Immigration Compliance Act by registering at <https://e-verify.uscis.gov/enroll/StartPage.aspx?JS=YES>; and verifying information of all new employees; and by executing any affidavits required by the rules and regulations issued by the Georgia Department of Labor set forth at Rule 300-10-1-.01 et.seq.

By executing this affidavit, the undersigned Consultant verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm, or corporation which is contracting with the Newton County Industrial Development Authority has registered with and is participating in a federal work authorization program [any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603], in accordance with the applicability provisions and deadlines established in O.C.G.A. § 13-10-91, and Contractor warrants that it will continue to use the federal work authorization program throughout the contract period.

The undersigned further agrees that, should it employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to this contract with NCIDA, Georgia, Consultant will secure from such subconsultant(s) similar verification of compliance with O.C.G.A. § 13-10-91 on the Subcontractor Affidavit provided in Georgia Department of Labor Rule 300-10-01-.08 or a substantially similar form. Contractor further agrees to maintain records of such compliance and provide a copy of each such verification to NCIDA, Georgia at the time the subcontractor(s) is retained to perform such service.

Signature

Title

Firm Name: _____

Street/Mailing Address: _____

City, State, Zip Code: _____

Telephone Number: _____

Email: _____

Company Identification Number: _____

Date of Authorization: _____

Exhibit H

CERTIFICATION REGARDING DEBARMENT SUSPENSION, AND OTHER RESPONSIBILITY MATTERS - PRIMARY COVERED TRANSACTIONS

INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation could disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available, the NCIDA may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion- Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the

eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 49 CFR pan 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

CERTIFICATION

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Organization Name

PR/Award or Project Name

Name and Title

Signature

Date

Exhibit I
Acknowledgement of Addendums Issued by NCIDA

Acknowledgements:

Please fill out and sign below to indicate Addenda received to the RFP.

Received Addendum No. _____ Dated: _____

Received Addendum No. _____ Dated: _____

Received Addendum No. _____ Dated: _____

Received Addendum No. _____ Dated: _____

Received Addendum No. _____ Dated: _____

This, the _____ day of _____, 2021

Firm: _____

*By: Printed Name

*Signature

*Title

(Corporate Seal)