



REQUIRED FORMS

Complete all forms as appropriate and submit per the schedule described in **Section II of the Request for Proposals – Specific Provisions**. Proposals which do not include the required forms may be deemed non-responsive.

- A. Request for Proposals Acknowledgement**
- B. Proposal Pricing Form**
- C. Proposal Execution & Debarment Certification**
- D. Offeror References and Work History**
- E. E-Verify Certification**
- F. Iran Divestment Act Certification of Eligibility**
- G. Supplier Survey & W-9 Form**
- H. Tax Delinquency and Felony Convictions Certification**



REQUEST FOR PROPOSALS ACKNOWLEDGMENT

FORM A: Request for Proposals Acknowledgement

SUBMIT VIA E-MAIL TO AUTHORITY POINT OF CONTACT

A. Acknowledgment

The Offeror hereby certifies receipt of the Request for Proposals for **General Concessions Program Planning Services (RFP NO. 554-2023-0012-DSP)**. This form should be completed upon receipt of the Authority's Request for Proposals and emailed to the Authority Contacts as listed in **Section I** on or before the date set forth in the RFP Schedule above.

Date: _____

Authorized Signature: _____

Printed Name: _____

Title: _____

Company Name: _____

Contact Name: _____

Contact E-mail Address: _____



FORM C: Proposal Execution Form & Debarment Certification

**RFP NAME: General Concessions Program RFP NUMBER: 554-2023-0012-DSP
Planning Services**

FULL LEGAL NAME OF OFFEROR: _____

PRINCIPAL OFFICE ADDRESS: _____

TELEPHONE NUMBER AND EMAIL: _____

HOW DID YOU LEARN ABOUT THIS RFP? PLEASE CHECK ALL THAT APPLY:

- DIRECT EMAIL** **STATE OF NC IPS (Interactive Purchasing System)** **RDUAA WEB SITE** **OTHER** _____

A. PROPOSAL FORMS

All of the Offeror’s completed required Exhibits, Attachments and Forms within this RFP.

B. NON-COLLUSION AFFIDAVIT

In submitting this Proposal, Offeror hereby declares that the only person or persons interested in this Proposal as principal or principals is or are named herein and that no person other than herein mentioned has any interest in this Proposal or in the contract to be entered into; that this Proposal is made without connection with any other person, company or parties submitting a Proposal in response to this RFP; and that it is in all respects fair and in good faith without collusion or fraud. Offeror represents to the Authority that, except as may be disclosed in an Addendum hereto, no Board member, officer, employee or agent of the Authority presently has any interest, either directly or indirectly, in the business of Offeror, and that any such officer, employee or agent of the Authority having a present interest in the business of Offeror shall not have any such interest at any time during the term of the Agreement should it be awarded to the Offeror.

C. ACKNOWLEDGEMENT OF ADDENDA

Offeror further declares that it has examined the RFP including all Forms, Attachments, Exhibits and Addenda, as acknowledged below, and that he/she has satisfied himself/herself relative to the requirements, procedures and rights of this RFP. Acknowledgment is hereby made of receipt of the following Addenda (identified by number) since issuance of the RFP.

The Offeror hereby acknowledges receipt of Addenda as indicated below. Failure to do so does not relieve the Contractor from compliance with modifications provided in all Addenda issued by the Authority pertaining to this RFP.

Addendum Number	Date	Initials

D. OFFER AND ACCEPTANCE

This solicitation advertises the Authority’s needs for the services and/or goods described herein. The Authority seeks proposals comprising competitive proposals offering to sell the services and/or goods described in this solicitation. All proposals and responses received by the Authority shall be treated as offers to contract by the Offeror and must be consistent with the attached form of Services Agreement. The Authority’s acceptance of any proposal must be demonstrated by the Authority’s execution of such Services Agreement. Acceptance shall create a contract having an order of precedence among terms as follows: (1) Special terms and conditions specific to this RFP; (2) the Services Agreement as executed by both Parties; (3) Best and Final Offers (BAFO), if any; and (4) the awarded Contractor’s proposal.

In compliance with this RFP, and subject to all the conditions herein, the undersigned offers and agrees to furnish any or all services or goods upon which prices are submitted, at the prices offered herein, within the time specified herein subject to the Services Agreement.

The person executing the Proposal, on behalf of the Contractor, being duly sworn, solemnly swears (or affirms) that:

- (1) he/she is fully informed regarding the preparation, contents and circumstances of the Proposal,
- (2) that neither he/she, nor any official, agent or employee of the Contractor has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competition in connection with any Proposal, bid, or Contract,
- (3) that the Contractor has not been convicted of violating North Carolina General Statute §133-24 within the last three years, and
- (4) that the Contractor intends to do the work with its own bona fide employees or subcontractors and is not submitting a Proposal for the benefit of another Contractor.

In addition, execution of this Proposal in the proper manner also constitutes the Offeror’s certification of status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exceptions that are applicable.

This Proposal is valid for one-hundred-eighty (180) days from the RFP due date.

E. DEBARMENT CERTIFICATION

1. Offeror certifies that to the best of its knowledge and belief that it and its principals:
 - a. Are not presently debarred, suspended, proposed for disbarment, declared ineligible, or voluntarily excluded from “covered transactions” by any Federal, State, City or County department or agency;
 - i. “Covered Transactions” mean any Airport Improvement Program (AIP)-funded contract, regardless of tier, awarded by a contractor, subcontractor, supplier, consultant or its agent or representative in any transaction, if the amount of the contract is expected to equal or exceed \$25,000.
 - b. Have not within a three-year period preceding this application 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 had one or more public transactions (Federal, State, or local) terminated for cause or default.
2. Where the Offeror is unable to certify to any of the statements in this certification, it shall attach an explanation to this certification.
3. **CERTIFICATION OF LOWER TIER CONTRACTORS REGARDING DEBARMENT.** The successful bidder, by administering each lower tier subcontract that exceeds \$25,000 as a “covered transaction,” must verify each lower tier participant of a “covered transaction” under the project is not presently debarred or otherwise disqualified from participation in this federally assisted project. The successful bidder will accomplish this by:
 - a. Checking the System for Award Management at website: <http://www.sam.gov>.
 - b. Collecting a certification statement similar to the Certification of Offeror /Bidder Regarding Debarment, above.
 - c. Inserting a clause or condition in the covered transaction with the lower tier contract.

If the Federal Aviation Administration later determines that a lower tier participant failed to disclose to a higher tier participant that it was excluded or disqualified at the time it entered the covered transaction, the FAA may pursue any available remedies, including suspension and debarment of the non-compliant participant.

F. VERIFICATION AND CERTIFICATION OF AUTHENTICITY OF PROPOSAL

Submission of this Proposal is the duly authorized official act of the Offeror and the person(s) executing this Proposal and is in accordance with the terms and conditions as set forth in the RFP. The Offeror is duly authorized and designated to execute this Proposal on behalf of and as of the official act of Offeror, this _____ day of _____, 2023.

EXECUTION OF PROPOSAL DOCUMENT AND DEBARMENT CERTIFICATION

I certify that I have the authority to bind the Offeror:

**NAME OF AUTHORIZED
OFFICIAL**

TITLE OF AUTHORIZED OFFICIAL

**SIGNATURE OF AUTHORIZED
OFFICIAL**

DATE OF SUBMISSION

B. OFFEROR HISTORY

1. Has Offeror ever been subject to claims, actions, demands, suits or other litigation (collectively litigation) brought by any airport owner/operator or others over non-payment of rent or fees, or non-performance of similar Work as that requested under this RFP ? Yes () No ().

If the answer is “Yes,” attach a detailed explanation of the nature and result of such litigation.

2. Does the Offeror have any past due arrearages or is in breach of contract with any previous or existing contract with the Authority?
Yes () No ().

3. Has Offeror declared bankruptcy in the past ten (10) years? Yes () No ().

If the answer is “Yes,” attach a detailed explanation including the date of filing, the jurisdiction (state and court), the amounts of assets and liabilities and the disposition of that action.



FORM E: E-Verify Certification

This E-Verify Certification is provided to the Authority by the company signing below (“**Company**”) as a prerequisite to the Authority considering Company for award of the Agreement.

1. Company understands that:
 - a. E-Verify is the Federal program operated by the United States Department of Homeland Security and other Federal agencies to enable employers to verify the work authorization of employees pursuant to Federal law, as modified from time to time.
 - b. Article 2 of Chapter 64 of the North Carolina General Statutes requires employers that transact business in this state and employ 25 or more employees in this state to: (i) verify the work authorization of employees who will be performing work in North Carolina through E-Verify; and (ii) maintain records of such verification (the “**E-Verify Requirements**”).
 - c. North Carolina General Statute 160A-201(b) prohibits the Authority from entering into contracts unless the contractor and all subcontractors comply with the E-Verify Requirements.
2. As a condition of being considered for the Contract, Company certifies that:
 - a. If Company has 25 or more employees working in North Carolina (whether now or at any time during the term of the Contract), Company will comply with the E-Verify Requirements in verifying the work authorization of Company employees working in North Carolina; and
 - b. Regardless of how many employees Company has working in North Carolina, Company will take appropriate steps to ensure that each subcontractor performing work on the Contract that has 25 or more employees in North Carolina will comply with the E-Verify Requirements.
 - c. Company acknowledges that the Authority will be relying on this Certification in entering into the Contract, and that the Authority may incur expenses and damages if the Authority enters into the Contract with Company and Company or any subcontractor fails to comply with the E-Verify Requirements. Company agrees to indemnify and save the Authority harmless from and against all losses, damages, costs, expenses (including reasonable attorneys’ fees), obligations, duties, fines and penalties (collectively “**Losses**”) arising directly or indirectly from violation of the E-Verify Requirements by Company or any of its subcontractors, including without limitation any Losses incurred as a result of the Contract being deemed void.

Company Name

Signature of Company’s Authorized Representative

Date

Print Name:

Title:



**IRAN DIVESTMENT ACT CERTIFICATION OF ELIGIBILITY
UNDER THE IRAN DIVESTMENT ACT**

FORM F: Iran Divestment Act Certification of Eligibility

As provided in G.S. 147-86.59, any person identified as engaging in investment activities in Iran, determined by appearing on the Final Divestment List created by the State Treasurer pursuant to G.S. 147-86.58, is ineligible to contract with the State of North Carolina or any political subdivision of the State. The Iran Divestment Act of 2015, G.S. 147-86.55 *et seq.** requires that each Vendor, prior to contracting certify, and the undersigned on behalf of the Vendor does hereby certify, to the following:

1. that the Vendor is not identified on the Final Divestment List of entities that the State Treasurer has determined engages in investment activities in Iran;
2. that the Vendor shall not utilize on any contract with the agency any subcontractor that is identified on the Final Divestment List; and
3. that the undersigned is authorized by the Vendor to make this Certification.

Company Name

Signature of Company's Authorized Representative

Date

Print Name:

Title:

The State Treasurer's Final Divestment List can be found on the State Treasurer's website at the address <https://www.nctreasurer.com/inside-the-department/OpenGovernment/Pages/Iran-Divestment-Act-Resources.aspx>, which will be updated every 180 days.

Note: Enacted by Session Law 2015-118 as G.S. 143C-55 *et seq.*, but renumbered for codification at the direction of the Revisor of Statutes.



SUPPLIER SURVEY AND W-9 FORM

FORM G: Supplier Survey and W-9 Form

Offeror must complete, and insert the Authority's Supplier Survey and W-9 Form found by accessing the following link:

[RDU Small Business Programs - Small Business Contract Compliance System \(diversitycompliance.com\)](https://diversitycompliance.com)



FORM H: Tax Delinquency and Felony Convictions Certification

[REQUIRED FOR ALL AIP-FUNDED SOLICITATIONS AND CONTRACTS; THIS IS ACCEPTABLE LANGUAGE FOR FAA] Required for All Contracts and Subcontracts with small business firms or nonprofit organizations that include performance of *experimental, developmental, or research work*. This clause is not applicable to construction, equipment, or professional service contracts unless the contract includes *experimental, developmental, or research work*.

[NO MANDATORY LANGUAGE. THIS LANGUAGE ACCEPTABLE TO FAA. DIFFERENT LANGUAGE MUST MEET DOT ORDER 4200.6]

CERTIFICATION OF OFFEROR/BIDDER REGARDING TAX DELINQUENCY AND FELONY CONVICTIONS

The applicant must complete the following two certification statements. The applicant must indicate its current status as it relates to tax delinquency and felony conviction by inserting a checkmark (✓) in the space following the applicable response. The applicant agrees that, if awarded a contract resulting from this solicitation, it will incorporate this provision for certification in all lower tier subcontracts.

Certifications

- 1) The applicant represents that it is () is not () a corporation (or other business entity or individual) that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

- 1) The applicant represents that it is () is not () is not a corporation (or other business entity or individual) that was convicted of a criminal violation under any Federal law within the preceding 24 months.

Note

If an applicant responds in the affirmative to either of the above representations, the applicant is ineligible to receive an award unless the Authority has received notification from the agency suspension and debarment official (SDO) that the SDO has considered suspension or debarment and determined that further action is not required to protect the Government’s interests. The applicant therefore must provide information about its tax liability or conviction to the Authority, who will then notify the FAA Airports District Office, which will then notify the agency’s SDO to facilitate completion of the required considerations before award decisions are made.

Term Definitions

Felony conviction: Felony conviction means a conviction within the preceding twenty-four (24) months of a felony criminal violation under any Federal law and includes conviction of an offense defined in a section of the U.S. code that specifically classifies the offense as a felony and conviction of an offense that is classified as a felony under 18 U.S.C. § 3559.

Tax Delinquency: A tax delinquency is any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted, or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.