



## **REQUEST FOR QUALIFICATIONS**

for

**SOLAR ENERGY (SEPA) CONSTRUCTION SERVICES**

### **The Classic Center & Arena Project Solar Energy (SEPA)**

**THE CLASSIC CENTER (CCA)  
Athens, Georgia  
RFQ# CCA-ARENA1SOLAR**



**REQUEST FOR QUALIFICATIONS**  
for  
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**The Classic Center & Arena Project Solar Energy**  
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**RFQ# CCA-ARENA1SOLAR**

**I. General Information**

**A. PROCUREMENT OVERVIEW**

The Classic Center Authority (“CCA”), an Authority of the State of Georgia, in cooperation with the Unified Government of Athens-Clarke County (ACC), is soliciting statements of qualifications from firms interested in providing solar construction contracting services under a Solar Energy Procurement Agreement (SEPA) arrangement for the Classic Center and a public arena to be constructed in downtown Athens, Georgia, known as CCA Project No. ARENA1, Classic Center Arena Project (“Project”). The Arena Project is one of a set of capital improvement projects included in a Special Purpose Local Option Sales Tax (SPLOST) which was approved by voters on November 5, 2019.

This Request for Qualifications (RFQ) seeks to identify potential providers of the above-mentioned services. Some firms that respond to this RFQ, and who are determined by the CCA to be sufficiently qualified, may be deemed especially qualified and capable of delivering comprehensive services for the envisioned project, deemed eligible for further consideration by the CCA to provide these services as the “SEPA Contractor”, and may be invited to interview for these services as finalists. All respondents to this RFQ are subject to instructions communicated in this document and are cautioned to completely review the entire RFQ and follow instructions carefully.

CCA retains the right to reject any or all statements of qualifications or subsequent submittals and/or proposals, and to waive technicalities, irregularities, and informalities, and retains the right to cancel or conclude this procurement at any time without selecting a firm to provide the described services, without any liability to any respondents, or any other person or entity, and is under no obligation to make an award relating to this RFQ to any person or entity. The final terms of any SEPA Services Agreement contemplated by this procurement will comply with the final terms and conditions of the CCA; subject, in all cases, to strict compliance with the applicable laws and ordinances of the of the State of Georgia and Athens-Clarke County (ACC).

## **B. IMPORTANT- A RESTRICTION OF COMMUNICATION IS IN EFFECT FOR THIS PROJECT:**

From the time of advertisement of this solicitation until final award is made to a successful respondent and such award is announced, interested firms are not allowed or permitted to communicate about this solicitation or scope with any staff or any official representatives of the CCA, ACC, or their consultants to the Project, except for submission of questions as instructed in the RFQ, or as provided by any existing work agreement(s). Finalists and Apparent Awardee(s) are restricted from making public statements or press releases about their selection as finalists or their apparent award. For violation of this restriction, the CCA reserves the right to reject the submittal of the offending respondent.

## **II. Project Information**

### **1. Project Goals**

The CCA intends for the Project result to be provide renewable energy and reduce the carbon footprint of the Classic Center and the upcoming Arena Project, a significant enhancement to the downtown Athens environment, and contribute to the overall sustainability goal of Athens/Clarke County. The arena will be a popular public assembly facility for the City of Athens and a successful enhancement to the CCA campus that incorporates the latest in design, construction, and efficiency for ultimate operations. High levels of environmentally sustainable technology in accordance with CCA and ACC goals shall be required, and such levels will be further determined as the design phase of the Arena Project progresses. The envisioned solar project will also be competitive with similar facilities recently constructed throughout the southeast United States.

### **2. Project Location**

The Project will be in Athens, Georgia at the Classic Center, and adjacent Arena project, near the University of Georgia in eastern downtown, and near the Hickory Street multi-modal transportation center. More information (site diagrams) about the location of the Project is provided herein as **Site and Campus Information, Attachment A**.

### **3. Project Completion Schedule**

The target date for substantial completion of the Arena Project is on or about fall/winter of 2023. It is anticipated that the schedule for the SEPA Project may commence with potential Classic Center solar facilities prior to the Arena construction completion.

## **III. Evaluation and Selection Process**

### **A. RFQ PROCESS RESOURCES**

The CCA has enlisted the following appropriate resources for assistance in carrying out this process:

#### **1. Project Procurement Director**

This individual shall be assigned by the CCA and will be responsible to the CCA and for the joint interests of the CCA and the ACC. This individual shall be the Issuing Officer and SOLE CONTACT during the solicitation and shall facilitate this procurement process in close coordination with the CCA, including posting of solicitations and notices, receipt of submittals and questions, coordination of review, evaluation, ranking recommendation, facilitation of meetings and interviews, and other duties up to, and throughout, the initial Step 1 and potential interviews of finalist firms, and negotiation and prospective execution of an SEPA Services Agreement in close coordination with the CCA Project team.

## **2. Evaluation Committee**

This Committee shall be composed of qualified persons approved by the CCA and ACC to review and evaluate respondent firms' statements of qualifications and other submittals, and possibly interview qualified finalist firms. The Committee shall be comprised of qualified representatives or stakeholders of the CCA and the ACC. The Committee shall, through the procedures defined herein, perform the following: a) Ranking of all submitting firms for determination of finalists; b) Review any subsequent submittals and interview finalist firms; and, c) Ranking of finalist firms for determination of most qualified firm in the best joint interests of the CCA and the ACC.

## **B. METHOD OF COMMUNICATION**

Public procurement documents, notices, clarifications, and associated addenda (if issued) will be publicly posted on the Georgia Procurement Registry (GPR) and the CCA Website at the following web address <https://www.classiccenter.com/171/Request-for-QualificationsProposals>.

General communication of relevant, significant information regarding this solicitation will also be made via the above site. Known interested firms and those firms which are deemed likely to be interested may be directly solicited immediately after public advertisement, however all firms are responsible for checking the site on a regular basis for updates, clarifications, and announcements.

The CCA reserves the right to communicate via electronic-mail with the respondents' primary contacts listed in the Statements of Qualifications. The Project Procurement Director named herein shall be the SOLE point of contact for participating firms for the duration of the procurement. Other specific communications will be made as indicated in the remainder of this RFQ. In accordance with Section I-B above, the CCA reserves the right to reject the submittal of any respondent violating this provision.

## **C. EVALUATION OF STATEMENTS OF QUALIFICATIONS (STEP 1)**

The CCA Evaluation Committee will evaluate all submittals upon submittal validation by the Project Procurement Director, which shall include verification of receipt-on-time and in good order (apparent responsiveness). Each member/evaluator will assign points using the criteria defined in this RFQ. Under facilitation and coordination from the Project Procurement Director, the members will thoroughly review and evaluate Statements of Qualifications submitted in response to this RFQ, using the criteria stated herein. For each evaluator, the points assigned to each criterion will be totaled and an individual evaluator

rank will be determined for each firm. The rankings of all evaluators will be totaled to arrive at the sum of individual rankings for each submittal evaluated in order to determine the most qualified “finalist” firms. For determination of the number of firms to be recommended for short listing, the number of recommended finalists may be determined through review of any large differences between short listed firms’ sums of individual rankings only upon agreement by the majority of members.

#### **D. FINALIST NOTIFICATION (BEGINS STEP 2)**

The names of the firms selected as finalists will be posted on the web site and will receive written notification (“Finalist Notification”) from the Project Procurement Director which will address the necessary elements of the remainder of the selection process. Criteria for the remainder of the selection process and other appropriate evaluation information will be communicated in the Finalist Notification. The Notification may also address:

- **Issuance of Additional Program Information (as appropriate)**
- **Agreement Terms & Conditions**

In the Finalist Notification, an interview may be requested of finalist firms. Each finalist firm shall be notified in writing and informed of the place, date and time for the presentation/interview session and/or proposal due date. Detailed presentation/interview instructions and requirements of the finalists will be provided in the Finalist Notification. Committee members will be present and participating during the presentation/interview. Other persons may also be present, as approved by the CCA. Firms shall not address any questions, prior to the Presentation/Interview, to anyone other than designated contact.

#### **IV. Schedule of Events**

The following Schedule of Events represents the CCA’s best estimate of the schedule that will be followed. All times indicated are prevailing times in Athens. The CCA reserves the right to adjust the schedule, with prior notice, as it deems necessary.

a. CCA issues public advertisement of RFQ	7/16/21	-----
b. Deadline for submission of written questions and requests for clarification-	7/28/21	2:00 PM
c. CCA provides answers/clarifications/addenda-	7/30/21	-----
<b>d. Deadline for submission of Statements of Qualifications (SOQs)-</b>	<b>8/13/21</b>	<b>2:00 PM</b>
e. SOQ evaluation completed and CCA issues Finalist Notification, Specimen Services Agreement, and additional program information to Finalists-	8/20/21	-----

## **V. DELIVERABLES for Statements of Qualifications**

Interested firms shall submit one (1) electronic copy in .pdf format of the complete qualifications package in a single file. Submittals must be prepared in a manner that when printed would typically fit on standard (8 ½" x 11") paper. (The entire response shall not exceed 25 pages. All pages count, no exceptions.) Submittals that include qualifications of more than one firm shall not exceed the page limits. Emphasis should be on completeness, relevance, and clarity of content. To expedite the review of submittals, it is essential that respondents follow the format and instructions outlined below.

### **A. Stability**

A1- Provide basic company information: Company name, address, name of primary contact, telephone number, fax number, e-mail address, and company website (if available). If the firm has multiple offices, the qualification statement shall include information about the parent company and branch office separately. Identify office from which project will be managed and this office's proximity to the project site. If applicable, indicate the year the local office was established and the number of persons staffing that office and their disciplines. Provide form of ownership, including state of residency or incorporation, and number of years in business. Is the offeror a sole proprietorship, partnership, corporation, Limited Liability Corporation (LLC), joint venture, or other structure? For joint venture entities that have not undertaken at least two projects together, each firm should submit its qualifications separately. Joint submittals are subject to the same submittal page limit.

A2- Briefly describe the history and growth of your firm(s). Provide general information about the firm's personnel resources, including disciplines and numbers and classifications of employees, and locations and staffing of offices.

A3- Has the firm been involved in any litigation in the past five (5) years? Describe your experience with litigation with Owners and/or Municipal Owners. List any active or pending litigation and explain. List any claims against your firm or against Owners where your firm is named.

A4- List the firm's annual revenue, for the parent office and the local office separately, if applicable, for the past 5 years and supply main financial and banking references.

A5- Has the firm, or a member thereof, ever been removed from a contract or failed to complete a contract as assigned? If yes, provide explanation.

A6- The firm, to be deemed eligible for evaluation, must provide supporting documentation asserting that the firm meets the minimum qualifications required for this project

a. Certify that your firm has sufficient bonding capacity for anticipated total cost of work and our surety and insurance companies are in the current Department of Treasury's Listing of Approved Sureties (Department Circular 570). All insurance and bonds will be obtained through a company licensed by the Georgia Insurance Commissioner to transact the business of insurance in the State of Georgia for the applicable line of insurance. The company is an insurer (or qualified self-insurers or group self-insureds, a specific excess insurer providing statutory limits) with an A.M. Best Financial Strength rating of "A-" or better with an A.M. Best Financial Size Category of Class V or larger.

b. Certify your firm has Commercial General Liability Insurance coverage with minimum limits of \$1,000,000 per occurrence and \$2,000,000 general aggregate for premises and operations coverage, \$1,000,000 per occurrence and \$2,000,000 general aggregate for products and completed operations coverage, and \$1,000,000 for personal and advertising injury coverage. Firm must also have current commercial umbrella liability coverage in the amount of at least \$5,000,000 per occurrence and general aggregate (the CCA reserves the right to require additional limits and/or coverage for actual contract). Provide a copy of your current insurance certificate.

c. Certify your firm has all necessary, valid, and current licenses (including a valid and current Georgia General Contractor's License) to do business in the State of Georgia. General Contractor must provide a valid and current Georgia General Contractor License at the time of submission of qualifications. Provide a Georgia Certificate of Existence or Certificate of Authority demonstrating your firm has registered with the Georgia Secretary of State and is authorized to do business in Georgia.

d. Certify your firm has sufficient cash flow to undertake the project as evidenced by a current ratio (assets/liabilities) of 1.0 or higher. Provide no more than a one-page statement evidencing your current ratio.

e. Certify your firm demonstrates a commitment to safety with regard to Worker's Compensation by having a current Experience Modification Rating (EMR) of 1.2 or less. Provide evidence from your firm's carrier on their letterhead of your firm's EMR.

A7- Provide the firm's federal employer identification number and a completed IRS Form W9.

A8 Complete the Certification Form (Exhibit "A" enclosed with RFQ) and provide a scanned notarized copy with response as section "A8" of the firm's Statement of Qualifications.

A9- Complete and submit a "CONTRACTOR AFFIDAVIT UNDER O.C.G.A. § 13-10-91(b)(1)" (Exhibit "B") with response as Section "A9" of the firm's Statement of Qualifications.

A10- Complete and submit the "Disclosure Statement" (Exhibit "C") with response as Section "A10" of the firm's Statement of Qualifications.

## **B. Experience and Qualifications**

B1- Provide information on the firm's experience in designing, constructing, installing, connecting, and monitoring solar photovoltaic electric generation systems for municipal Solar Photovoltaic (PV) projects of similar size, function, and complexity (similar type of application as the incumbent project). Provide experience in successful SEPA arrangements (preferred).

B2- Describe no more than five (5) and no less than three (3) projects, in order of most relevant to least relevant, which demonstrate the firm's capabilities to perform the project at hand. For each project, the following information should be provided:

- a. Project name, location and dates during which services were performed.
- b. Brief description of project and physical description (delivery method, contract value, square footage, PV capacity, average annual solar generation (kWh), financing method, site area, unique project components or equipment).

- c. Describe similarities in the construction of the highlighted project to the project being advertised including the relevancy of the similarities and experience with the highlighted project to the project being advertised.
- d. Services performed by your firm and (if multiple offices) the location of the office involved.
- e. Respective Owner's stated satisfaction in construction and service of your firm. Provide any Owner-written letters of reference/recommendation about the firm's performance on the project.
- f. Owner/User/Architect contact information

B3- Provide professional qualifications and description of experience for principal Project Executive, Project Manager, and/or Superintendent. (At this stage, firms are asked for information on lead staff only, but may list qualifications and experience on more than one lead individual who is qualified and available for proposed project. If the firm is selected as a finalist, the CCA will request, in the RFP (step II), detailed information on the exact proposed expanded team and their relevant experience.)

### **C. Suitability**

C1- Project sizing – Please describe your approach to project sizing. How would your firm go about determining the optimal size solar system for the Classic Center? What are the criteria you evaluate for optimizing project size and how do you apply each criterion (e.g., available roof space, roof load bearing capacity, facility peak demand, facility average demand, maximization of onsite usage, etc.)?

- a. Describe your experience and /or that of your subcontractors in complex roof structures and adherence to load bearing requirements necessitating a high level of expertise.

C2-. Electricity Generation Projections – Please describe how you will determine the projected electricity generation of the solar installation you design for the Classic Center. What tools do you use for projecting project electricity generation? What margin of error do you incorporate into your electricity projections and related calculations? How accurate have your pre-construction estimates of project electricity generation proven to be on your past projects?

C3- Net Facility Demand(s) – Please describe your firm's approach to determining the net facility demand (post solar system operation). In your experience, should any adjustments be made to prior year usage data as a baseline? (In responding to this question, you can assume that the Classic Center will provide all qualified bidders, during the RFP phase, 36 months of detailed historic facility electricity usage and billing data on a monthly and hourly basis. Due to a recent energy efficiency upgrade project at the Classic Center and the temporary usage changes wrought by the pandemic, this data file will also include adjustments to baseline usage to normalize the data. The calculations involved in making any baseline normalization adjustments will be disclosed in the data files).

C4- Projection of Net Electricity Expense – it is imperative that the Classic Center clearly understands the projected net changes in its operating expenses, based on the operation of the proposed solar array, that project's estimated electricity generation, how those generation estimates align with current and/or forecasted facility demands and how the resulting changes interact with the facility's rate structure. The Classic Center takes electricity service from Georgia Power. The tariff associated with the Classic Center account is Real Time Pricing (RTP) – Day Ahead / Power and Light Medium. The historic load data

that will be provided to finalist proposers will include Customer Baseline Load (CBL) and RTP usage and costs on a monthly and hourly basis.

a. Describe your approach to calculating net electricity operating expense for facilities installing solar systems under a SEPA.

b. Describe your experience with calculating net operating expense changes for facilities on Georgia Power's RTP tariff.

c. Given the electricity usage changes anticipated from the planned facility expansion and the SEPA, a different tariff may prove more cost effective for the Classic Center. Please describe your firm's experience with and approach to optimizing rates as part of your SEPA engagements.

C5- Electricity Exports – given your approach to designing onsite solar systems, do you anticipate that the Classic Center will export electricity to the grid? Under what contractual relationship do you anticipate that the Classic Center could sell electricity back to Georgia Power?

C6- SEPA Best Practices – generally, what do you consider best practices for the successful negotiation, execution, and maintenance of a SEPA?

C7- Risk - Please describe what you believe are the various risks inherent in a SEPA and the siting, construction and operation of the underlying project and describe who (properly) assumes that risk under the terms of SEPAs as your firm has deployed them in the past?

a. Please describe any specific measures your firm employs to hedge the risks it assumes under a SEPA.

C8- Learning from Past Problems - Based on your knowledge of the industry, can you highlight elements or provisions of existing SEPAs that are inadequate and have led to problems? What problems arose and how would you propose to avoid those problems in the SEPA sought by Classic Center? Since your firm started engaging in SEPAs, has it made any specific changes in the terms of the SEPAs it executes? What are those changes and why did you make them?

C9. Distinguishing SEPA Features - Can you highlight any elements of SEPAs that your firm designed and executed that are superior to the approach used by others in SEPA providers in the industry?

C10- Provide any other information that may serve to differentiate the firm from other firms in suitability for the project. Suitability may include, but is not limited to, the firm's fit to the project and/or needs of the CCA, any special or unique qualifications for the project, current and projected workloads, the proximity of office to project location, and any techniques or methodologies offered by the firm that may be particularly suitable for this project type.

C11- Provide non-discrimination policies and describe the firm's record and methodologies of addressing public safety, social, environmental, historical preservation, accessibility for persons with disabilities and special needs, or other related concerns.

## **VI. Evaluation Criteria**

### **Criteria for Evaluation of Statements of Qualifications (Step I Evaluation Criteria)**

*The Committee will evaluate submittals using the following criteria:*

**25% Factor}** Stability and resources of the submitting firm, including the firm's history, status, growth, overall resources of the firm, form of ownership, litigation history, financial information, and other evidence of stability.

**40% Factor}** Firm's relevant experience and qualifications, including the demonstrated ability of the Firm in effective Solar Construction and SEPA services for public assembly projects comparable in complexity, size, and function, for customers similar in scope to the CCA, the ACC, and other similarly structured organizations. This includes relevant experience and qualifications demonstrated ability of firm in effective management of construction of solar solutions for facilities comparable in complexity, size, and function, for Owners such as the ACC, CCA, other similarly structured organizations. This includes relevant experience and qualifications of the firm in successful SEPA project methodology, and related demonstrated proficiency of the firm and its key staff in completed contracts similar to this Project.

**35% Factor}** Firm's apparent suitability to provide services for project, including the Firm's apparent fit to the program, project type and/or needs of the CCA, the apparent fit for the downtown Athens area, any special or any unique qualifications for the project as described in "C" deliverables, suitability for environmentally-sustainable and effective, compliant project work, proposed quality control/quality assurance procedures, special or enhanced capabilities, firm's non-discrimination and equal employment opportunities policies and evidence of efforts or success in W/MBE-DBE inclusion, the firm's record and methodology of addressing public safety and environmental concerns, and the firm's current and projected workloads (available resources), proximity of office(s) and/or lead staff to project location and/or proven ability to gather resources in location of service.

## **VII. SUBMITTAL INFORMATION**

### **A. SUBMITTAL OF QUESTIONS AND REQUESTS FOR CLARIFICATION**

Questions about any aspect of the RFQ, or the project, shall be submitted prior to the appropriate deadlines indicated in the Schedule of Events, and shall be submitted in writing to:

**Richard Sawyer, via email: [richard@classiccenter.com](mailto:richard@classiccenter.com)**

The deadlines for submission of questions relating to the RFQ are the times and dates shown in the (Schedule of Events- Section IV). From the issue date of this solicitation until a successful respondent is selected and the selection is announced, the Restriction of Communication shall be in effect. For violation of this provision, the CCA shall reserve the right to reject the submittal of the offending respondent. At any time prior to the submission date, the CCA may issue an RFQ addendum to further clarify any part of this RFQ, amend this RFQ or issue instructions or further information. Each such addendum will be posted

and/or distributed to all respondents. In addition, the CCA may adjust any timelines related to the project referenced herein or otherwise.

## **B. SUBMITTAL OF STATEMENTS OF QUALIFICATIONS**

One complete copy must be provided via USB device as a SINGLE .pdf file. Submittals must be printable on standard (8½" x 11") paper. The pages of the qualification submittals must be numbered. A table of contents with corresponding tabs must be included to identify each section as instructed in this RFQ. Responses are limited to 25 pages or less using a minimum of size 11 font. Each SOQ shall be prepared simply and economically, providing straightforward, concise delineation of respondent's capabilities. Fancy bindings, colored displays, and promotional materials are not desired. Emphasis must be on completeness, relevance, and clarity of content.

Submittals must be reference CCA RFQ# ARENA1SOLAR and the words "STATEMENT OF QUALIFICATIONS". Statements of Qualifications must be received by the Project Procurement Director prior to the deadline indicated in the Schedule of Events (Section IV of RFQ) at the exact address below:

**Richard Sawyer**  
**richard@classiccenter.com**

***Submittals received after the time and date set for receipt are subject to rejection.***

All SOQ submittals, subsequent Proposals, and other submittals upon receipt become the property of the CCA. Labeling information provided in submittals "proprietary" or "confidential", or any other designation of restricted use will not be binding upon the CCA nor its representatives and will not protect the information from public view. Subject to the provisions of the Open Records Act, the details of the proposal documents will remain confidential until final award. All expenses for preparing and submitting responses are the sole cost of the party submitting the response. Neither the CCA nor the ACC are obligated to any party to reimburse such expenses.

## **C. SUBMITTAL CONDITIONS**

1. **HOLD HARMLESS AND INDEMNIFICATION** The Respondent agrees, insofar as it legally may, to indemnify and hold harmless the Classic Center Authority and the Unified Government of Athens/Clarke County, its officers, employees and agents from and against all loss, costs, expenses, including attorneys' fees, claims, suits and judgments, whatsoever in connection with injury to or death of any person or persons or loss of or damage to property resulting from any and all operations performed by Offeror, its officers, employees, and agents under any of the terms of this contract.
2. Respondents understand and agree that the CCA is not required to select the (ultimately) lowest fee proposal and has the right to reject all submittals or to cancel the RFQ process at any time without any liability to the CCA or any other person, and the parties are under no obligation to make an award relating to this RFQ to any person or entity. In addition, the CCA reserves the right to evaluate only those Proposals determined to be fully responsive to the RFQ. All such decisions are ultimately to be made in the sole discretion of the CCA, for any reason or for no reason whatsoever, and the CCA is under no obligation to assign any reason for the rejection, non-review or non-

acceptance of any SOQ. Under no circumstances shall this RFQ be construed as a contractual offer.

3. Respondents understand and agree that the CCA may, in its sole discretion, request SOQs from, and subsequently enter into an agreement with, any entity selected in this process, including any entity that has previously advised or acted on behalf of the CCA in any capacity. Furthermore, Respondents shall not hold the CCA, their respective affiliates and/or any of their respective employees, representatives, agents, attorneys, advisors, or consultants liable for any reason whatsoever related to this RFQ and respondents hereby waive all such claims.
4. Respondents may make no modification, correction, or withdrawal of their submissions after the submission date. By submitting its submission, each respondent represents that: (i) it has read and understands this RFQ, (ii) its submission complies with the requirements of this RFQ, (iii) respondent has the necessary corporate CCA to submit its SOQ
5. All information supplied in this RFQ or by the parties or anyone acting on behalf of the parties to each respondent is provided solely as a convenience to facilitate the selection process. The CCA does not guarantee the accuracy or completeness of any such information supplied. In addition, respondent shall not rely on any express or implied statements, warranties or representations made by the CCA or anyone acting on its behalf. Respondent agrees that the CCA and its affiliates and their employees, representatives, agents, advisors, or consultants cannot be held liable for any such statements, warranties or representations or inaccuracies or incompleteness in any information provided.
6. Drug Free Workplace

The CCA requires that the labor force of the consultant and its team be drug-free. The consultant hereby acknowledges this requirement and asserts that the organization of the consultant adheres to such policy and practice. The consultant acknowledges that it may be required to produce certificates affirming its compliance of these requirements of drug-free workplace for duration of agreement term, at execution, or at any time during the term of the agreement. The consultant may be suspended or terminated if it is determined that: 1. The consultant has made false certification hereinabove; or 2. The consultant has violated such certification by failure to carry out the requirements of Official Code of Georgia Section 50-24-3.

7. Non-Discrimination

The CCA or ACC may require, prior to, or incidental to, the award of a contract, confirmation by the respondent stating that the respondent has not discriminated and will not discriminate on the basis of race, creed, color, sex, religion or national origin in any of its employment practices with respect to the work force of the business, or procurement services in connection with this project. The successful respondent may be required to execute certificates, affirming these requirements of non-discrimination. More information is provided herein.

**Exhibit I**  
**CERTIFICATION FORM**

I, \_\_\_\_\_, being duly sworn, state that I am \_\_\_\_\_ (title) of \_\_\_\_\_ (firm) and hereby duly certify that I have read and understand the information presented in the attached proposal and any enclosure and exhibits thereto.

I further certify that to the best of my knowledge the information given in response to the Request for Qualifications is full, complete, and truthful. I further certify that the submitting firm and any principal employee of the submitting firm has not, in the immediately preceding five (5) years, been convicted of any crime of moral turpitude or any felony offense, nor has had their professional license suspended, revoked, or been subjected to disciplinary proceedings.

I further certify that the submitting firm has not, in the immediately preceding five (5) years, been suspended or debarred from contracting with any federal, state or local government agency, and further, that the submitting firm is not now under consideration for suspension or debarment from any such agency. I further certify that the submitting firm has not in the immediately preceding five (5) years been defaulted in any federal, state, or local government agency contract and further, that the submitting firm is not now under any notice of intent to default on any such contract.

I acknowledge, agree, and authorize, and certify that the proposer acknowledges, agrees, and authorizes, that the CCA may, by means that either deems appropriate, determine the accuracy and truth of the information provided by the proposer and that the CCA may contact any individual or entity named in the Statement of Qualifications for the purpose of verifying the information supplied therein.

I acknowledge and agree that all the information contained in the Statement of Qualifications is submitted for the express purpose of inducing the CCA to award a contract. I certify we have not employed or retained any company or person, other than a bona fide employee working solely for it, to solicit or secure this contract and that we have not paid or agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee working solely for us, any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award or the making of this contract.

I certify that any proposal we submit for this project shall be made without prior understanding, agreement, or connection with any corporation, firm, or person submitting or who will be submitting a separate proposal on the same project or for the same services, materials, labor, supplies, or equipment and is in all respects fair and without collusion or fraud. We understand collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards. We agree to abide by all conditions of this solicitation. We certify that no person associated with our firm is a member of the CCA Board of Governor's or officer or employee of the CCA or holds any statewide elective or appointed office. We further certify that no person who holds any state-wide elective or appointed office or who is a member of the Board of Governors or officer or employee of the CCA has been paid or promised by the firm any compensation in connection with this procurement by the CCA.

A materially false statement or omission made in conjunction with this proposal is sufficient cause for suspension or debarment from further contracts, or denial of rescission of any contract entered into based upon this proposal thereby precluding the firm from doing business with, or performing work for, the CCA. In addition, such false statement or omission may subject the person and entity making the proposal to criminal prosecution under the laws of the State of Georgia of the United States, including but not limited to O.C.G.A. §16-10-20, 18 U.S.C. §§1001 or 1341.

Sworn and subscribed before me

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
NOTARY SEAL

**EXHIBIT II**

**GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT AFFIDAVIT**

Solicitation No.: CCA **RFQ# ARENA1SOLAR**

Respondent's Firm Name: \_\_\_\_\_

**STATE OF GEORGIA  
CONSULTANT AFFIDAVIT**

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 interested in contracting with the CCA has registered with, is authorized to participate in, and is participating in the federal work authorization program commonly known as E-Verify\*, in accordance with the applicable provisions and deadlines established in O.C.G.A. 13-10-91.

The undersigned Consultant further agrees that it will continue to use the federal work authorization program throughout the prospective contract period and, should it employ or contract with any subconsultant(s) in connection with the physical performance of services pursuant to this prospective contract with the CCA, Consultant will secure from such subconsultant(s) similar verification of compliance with O.C.G.A. § 13-10-91 on the Subconsultant Affidavit provided in Rule 300-10-01-.08 or a substantially similar form. Consultant further agrees to maintain records of such compliance and provide a copy of each such verification to the CCA at the time the subconsultant(s) is retained to perform such service.

\_\_\_\_\_  
EEV / E-Verify™ User Identification Number

\_\_\_\_\_  
Date of Authorization

\_\_\_\_\_  
BY: Authorized Officer or Agent  
(Contractor Name)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title of Authorized Officer or Agent of Consultant

\_\_\_\_\_  
Printed Name of Authorized Officer or Agent

**SUBSCRIBED AND SWORN  
BEFORE ME ON THIS THE**

\_\_\_\_ DAY OF \_\_\_\_\_, 202\_

[NOTARY SEAL]

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

\*or any subsequent replacement 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. SEE BELOW FOR MORE INFORMATION:

**What Your Business Needs to Know about Georgia's E-Verify Requirements  
(Effective July 1, 2013):  
E-Verify Contractor Requirements:**

Georgia law, O.C.G.A. § 13-10-91, requires all businesses that contract with a public employer for labor or services by bid or by contract in which the labor or services exceed \$2499.99 to sign an affidavit attesting that they are registered for and use E-Verify unless 1) the contractor has no employees (in which case they must present an approved state issued identification card/drivers' license from an approved state as provided on the Attorney General's website ) or, 2) the contract is with an individual licensed under Title 26, Title 43, or the State Bar of Georgia who is in good standing and that individual is performing that service. Anyone your business subcontracts with for labor and services, as well as the subcontractors of your subcontractors, in furtherance of that contract is also subject to this requirement. E-Verify Contractor, Subcontractor, and Sub-Subcontractor affidavits can be found here.

E-Verify Private Employer Requirements Georgia law, O.C.G.A. § 36-60-6, requires all businesses, with more than 10 employees that are seeking an occupation tax certificate/business license or other document required to operate a business with a county or city to sign an affidavit attesting that they are registered for and use E-Verify. Businesses with 10 or fewer employees are required to sign an affidavit attesting that they are exempt from this requirement. Once a business has provided this affidavit to the county, all subsequent renewals can be provided with the submission of the E-Verify number, as long as it is the same number as provided on the affidavit, or assertion that your business is exempt. The county will provide the format in which renewal information is collected. E-Verify Private Employer and Exemption Affidavits can be found here.

**What Is E-Verify?**

E-Verify is a federal Web-based system that electronically verifies the employment eligibility of newly hired employees. It works by allowing participating employers to electronically compare employee information taken from the I-9 Form (the paper-based employee eligibility verification form used for all new hires) against records in the Social Security Administration's database and the records in the Department of Homeland Security immigration databases.

**Where Do I Find My E-Verify Number?**

The Human Resources Department for your business should have that information if you have registered. The E-Verify number, which consists of four to six numerical characters, is located directly below the E-Verify logo on the first page of the memorandum of understanding (MOU) entered into between your business and the Department of Homeland Security (DHS) to use E-Verify.

**What if I cannot locate or do not have access to my MOU?**

If the HR director/program administrator for E-Verify from your business has taken the E-Verify tutorial, you may obtain your company ID number by: 1) Logging in to E-Verify with your assigned user ID and password; 2) From 'My Company,' select 'Edit Company Profile;' 3) The Company Information page will display the company ID number. If your HR director/program administrator has not completed the tutorial, you must contact E-Verify Customer Support at 888-464-4218 or at E-Verify@dhs.gov for assistance.

**Is the Federal Tax Identification Number/Employer Identification Number (EIN) the same as the E-Verify Number?** No. While you will be required to provide the Federal Tax Identification Number/EIN for your business to DHS in order to register for E-Verify, a separate number, which consists of four to six numerical characters, will be provided as the E-Verify number for your business by DHS, which will be located on the MOU.

**How Do I Register for E-Verify?** To register for E-Verify, please visit the DHS website. If you need assistance in completing the registration process or need additional information relating to E-Verify, call their customer service number at 1-888-464-4218, email them at E-Verify@dhs.gov or visit their website at <http://www.dhs.gov/e-verify>.

**ATTACHMENT A**  
**SITE AND CAMPUS INFORMATION**