



EXHIBIT F

- F.1 Proposal Certification**
- F.2 Proposal Questionnaire & Conflict of Interest Declaration**
- F.3 Non-Collusion Affidavit**
- F.4 Local Preference Policy and Declaration of Local Business Enterprise Form**

F.1 Proposal Certification

NO PROPOSAL SHALL BE ACCEPTED WHICH HAS NOT BEEN SIGNED IN BLUE INK IN THE APPROPRIATE SPACE BELOW

Prospective Operator's Company Name	
Address	
Telephone Number	
Facsimile Number	
E-mail Address	
Contact Person Name and Title	

PROSPECTIVE DEVELOPER TEAM REPRESENTATIONS

1. Prospective Developer Team did not, in any way, collude, conspire or agree, directly or indirectly, with any person, firm, corporation or other Prospective operator in regard to the amount, terms, or conditions of this Proposal.



2. Prospective Developer Team certifies that neither the Prospective operator nor its principals are presently disbarred, suspended, proposed for disbarment or suspension, declared ineligible or voluntarily excluded from participation in this transaction by any federal department or agent, any California state agents, or any local governmental agency.

3. Prospective Developer Team did not receive unauthorized information from any City staff member or official during the Proposal period, except as provided for in the Request for Proposal package, formal addenda issued by the City, or the Pre-Proposal Conference.

4. Prospective Developer Team hereby certifies that the information contained in the Proposal and all accompanying documents is true and correct.

5. Please check the appropriate box below:

 If the Proposal is submitted by a sole proprietor acting as Developer, it shall be signed by him or her, and if he or she is doing business under a fictitious name, the Proposal shall so state.

 If the Proposal is made by a partnership, the full names and addresses of all members and the addresses of the partnership, the full name and addresses of all members and the addresses of the partnership, the full names and addresses of all members and the address of the partnership shall be stated and the proposal shall be signed for all members by one or more members thereof.

 If the Proposal is made by a corporation, it shall be signed in the corporate name by an authorized officer or officers.

 If the Proposal is made by a limited liability company, it shall be signed in the corporate name by an authorized officer or officers.

 If the Proposal is made by a joint venture, the full names and addresses of all members of the joint venture shall be stated and the bid shall be signed by each Development Team member.



By signing below, the submission of a bid shall be deemed a representation and certification by the prospective development team that they have investigated all aspects of the Request for Proposals, that they are aware of the applicable facts pertaining to the Request for Proposals process, its procedures and requirements, and that they have read and understood the Request for Proposals.

All signatures should be in blue ink.

Authorized Representative Name (print name)	
Authorized Representative Name (sign name)	
Authorized Representative Title, if any (print title)	
<u>Complete Additional Signatures Below as Required Under Number 5 Above</u>	
Authorized Representative Name (print name)	
Authorized Representative Name (sign name)	
Authorized Representative Title, if any (print title)	
Authorized Representative Name (print name)	
Authorized Representative Name (sign name)	
Authorized Representative Title, if any (print title)	



EXHIBIT F.2: Proposal Questionnaire

All information requested in this Questionnaire shall be furnished by the Prospective Development Team, and shall be submitted with the Proposal. Statements shall be complete and accurate and in the form requested. Omission, inaccuracy, or misstatement may be cause for the rejection of a Proposal.

1. Please confirm, by checking the box that follows this paragraph, that the Prospective Development Team:
 - a. Owns sufficient equipment required to perform the work as specified in the Request for Proposals.
 - b. Has a requisite amount of experience in the successful completion of project?
 - c. Is eligible to enter into an Agreement with the City of Salinas.
- YES

2. If a corporation, answer the following:
 - a. When incorporated? _____
 - b. In what state? _____
 - c. Authorized to do business in California? _____
If so, what date? _____

3. If NOT a corporation, answer the following:
 - a. Name of Organization: _____
 - b. Date of Organization: _____
 - c. Entity Status (Partnership, LLC): _____
 - d. Registered in California? _____
If so, when? _____

4. Have you ever had a bond or surety denied, canceled, or forfeited?

Yes No



If yes, state name of bonding company, date, amount of bond, and reason for such cancellation or forfeiture in an attached statement.

5. Have you ever declared bankruptcy or been declared bankrupt?

Yes No

If yes, state date, court jurisdiction, docket number, amount of liabilities and amount of assets

6. Have you or your company/entity ever had any agreements cancelled?

Yes No

If yes, give details in an attached statement.

7. Have you or your company/entity ever been sued for issues pertaining to fee payment, performance or other related issue?

Yes No

If yes, give details in an attached statement.

8. Are you or is your company now engaged in any litigation or action which does now or could in the future affect your ability to pay fees or perform under the Proposed Agreements?

Yes No



If yes, give details in an attached statement.

- 9. Declaration of Conflict of Interest: Please describe the potential or actual conflict of interests that apply to your company as of the date that this proposal is being submitted. (If none exist, please state this as well.)

The undersigned hereby declares under penalty of perjury that all statements, answers, and representations made in this questionnaire are true and accurate, including all supplementary statements attached hereto. In the case of a corporate prospective operator, the signature of one duly authorized representative is sufficient.

Signature

Date

Printed or Typed Name

Title (if any)



EXHIBIT F.3: Non-Collusion Affidavit

This information must be submitted with your Proposal.

State of California, County of Monterey

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

1. He/She is the owner, partner, officer, representative, or agent of _____;
2. He/She is fully informed respecting the preparation and contents of the attached Proposal and of all pertinent circumstances respecting such Proposal;
3. Such Proposal is genuine and is not a collusive or sham Proposal;

Neither the Developer nor any of its team-members, sub-contractors, officers, partners, owners, agents, representatives, employees, or parties in interest, including this affiant, has in any colluded, conspired, connived, or agreed, directly or indirectly, with any other operator, firm or person to submit a collusive or sham proposal in connection with this Request for Proposals, or has in any manner, directly or indirectly sought by agreement or collusion or communication or conference with any other operator, firm or person to fix the price or the prices in the attached Proposal or of any other operator, or to fix any overhead, profit or cost elements of the Proposal or the Proposal of any other operator, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the City of Salinas or any person interested in the proposed agreement; and

4. The price or prices quoted in the attached Proposal are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Developer, its Team, subcontractors, operator or of any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

Signed _____

(signature in blue ink)

Title



EXHIBIT F.4: LOCAL PURCHASING POLICY

Details regarding the City’s local purchasing preference policy can be found on the City’s web-site located here:

<http://www.cityofsalinas.org/our-city-services/finance/bid-requests>

Within the Municipal Code these policies are clearly spelled out:

Article III-A. - Local Purchasing Preference.

Sec. 12-28.010. - Purpose.

Local businesses contribute significantly to the economic health of the city and to the quality of life of the city's residents and visitors. The Salinas City Council encourages the growth of local businesses by means of increasing the participation of local businesses in the city's purchasing of goods and services through the adoption and the implementation of local purchasing regulations. Current purchasing regulations maximize competition and allow the city to obtain the best price and value for its purchases and contracts and allow for efficient procurement of goods and services with a minimum expenditure of administrative resources. Open competition is a fundamental component of the city's procurement process and this will continue through implementation of the city's local purchasing regulations.

Sec. 12-28.040. - Application of local purchasing preference—Procurement of services where price is not the determining factor.

Where competitive bidding is utilized for those services where price is not the determining factor and where such services would otherwise be excepted from the competitive bidding requirements pursuant to city Code [Section 12-25](#), including but not limited to contracts covered by the Little Brooks Act (California Government Code section 4525, et seq.) the local preference established under this article shall be applied as follows:

- (a) In determining the best-qualified and responsible, responsive bidder, bidders who qualify as a local business enterprise shall receive a credit of ten-percent of the total points.
- (b) If equal scores result from the evaluation process for a local business enterprise and a non-local business enterprise, the contract shall be awarded to the local business enterprise.

For more detail of the Municipal Code as it applies to Local Purchasing Preference Policy go the City’s webpage or click here:

https://www.municode.com/library/ca/salinas/codes/code_of_ordinances?nodeId=PTIITHCO_CH12FI_AR_TIII-ALOPUPR



CITY OF SALINAS
DECLARATION OF LOCAL BUSINESS ENTERPRISE

Business Information (All information must be completed)
(Please type or print clearly in ink)

Business Name: _____

Business Address: _____

Principal Business Office Address: _____, Salinas, California _____

City of Salinas Business License Number: _____

No. of Employees: _____ No. of Full-Time Employees in Salinas _____

Current on all City of Salinas taxes, fees, assessments, and fines? Yes No

Currently subject to enforcement action by the City or in litigation with the City? Yes No

Year began doing business within the city of Salinas: _____

Newly established business (doing business within the city of Salinas less than one year): is the newly established business owned by an individual(s) formerly employed by a local business enterprise? Yes No If Yes, for what years? _____

Any person claiming to be a local business enterprise as defined in Article III-A of Chapter 12 of the Salinas Municipal Code shall so certify in writing under penalty of perjury that they meet all the criteria listed in Salinas Municipal Code section 12-28.020, subsection (d). A local business enterprise shall be required to submit such declaration on an annual basis and shall immediately notify the City's Purchasing Officer if there is any change in circumstances which would disqualify it from application of the preference. The City shall not be responsible or required to verify the accuracy of any such certifications and shall have sole discretion to determine if a person meets the definition of "local business enterprise."

CERTIFICATION

I declare that I am 18 years of age or older and the information contained in the foregoing application is true and correct to the best of my knowledge. Under penalties of perjury, I certify that all the information provided herein is correct and that the business enterprise I am representing meets all of the criteria set forth in Salinas Municipal Code section 12-28.020, subsection (d) for a "local business enterprise." I declare that I am authorized to submit this Declaration for and on behalf of myself and the organization described above.

Signature _____

Date _____

Printed Name: _____