



Savannah-Chatham County Public School System  
208 Bull Street / Savannah, Georgia 31401 / (912) 395-5600

April 2, 2023

Ladies and Gentlemen:

The Savannah-Chatham County Public School System ("SCCPSS") would like to take this opportunity to announce that it is issuing this **Request for Qualifications ("RFQ") C23-17 for (ESPLOST) Athletic Fields and Field House Construction**. Through this process, SCCPSS will prequalify "responsive" and "responsible" professional organizations to perform the **Athletic Fields and Field House Construction** for SCCPSS facilities projects. **This is a mandatory prequalification process and prerequisite to participate in any subsequent invitation to bid ("ITB") or request for proposal ("RFP") for the award of the Athletic Fields and Field House Construction project.** No successfully prequalified Offeror is guaranteed the future award of a project.

Enclosed is a Request for Qualifications ("RFQ") packet, which provides instructions for the request for qualifications ("RFQ") process for prospective offerors to perform **Athletic Fields and Field House Construction** for SCCPSS facilities projects. All Qualifications Statements should be submitted electronically through e-Builder, an online procurement platform that is made available at no cost to all potential bidders at the following web address:

<https://gateway.app.e-builder.net/app/bidders/landing?bidpackageid=dd6750f7-87a1-4e7f-9f0f-94f757486477>

Qualifications Statements will be accepted no later than **11:00 A.M. on Tuesday, May 2, 2023**, at which time they will be registered by the Purchasing Department and the SCCPSS will begin its review of the Qualifications Statements to determine which bidders or offerors are prequalified. All bidders or offerors who submit Qualifications Statements will be notified as to whether they have been prequalified or not before the District issues an invitation to bid ("ITB") or request for proposals ("RFP") for the Athletic Fields and Field House Construction project.

**Time is of the essence, and any Qualifications Statement received after this deadline for submission will not be accepted.** Offerors are responsible for ensuring that their Qualifications Statements are timely received. The time of receipt shall be determined by the time stamp assigned by the e-Builder program. Please include with your bid all documents requested by this solicitation. **Failure to include all the information and/or documents requested by this RFQ could result in the Qualifications Statements not being considered by the SCCPSS.**

Sincerely,

  
Sabrina L. Scales, CPPB  
Purchasing Director

**Mission** - To ignite a passion for learning and teaching at high levels.  
**Vision** - From school to the world: All students prepared for productive futures  
*"AN EQUAL OPPORTUNITY EMPLOYER"*

**Request for Qualifications (“RFQ”): #C23-17  
(ESPLOST) Athletic Fields and Field House Construction**

**I. INTRODUCTION**

The Board of Public Education for the City of Savannah and the County of Chatham (the “District”), the body corporate responsible for public education in Chatham County, which is commonly known as the Savannah-Chatham County Public School System (“SCCPSS”), seeks sealed Statements of Qualifications (“Qualification Statement(s)”) as specified in this **Request for Qualifications (“RFQ”) C23-17 for (ESPLOST) Athletic Fields and Field House Construction**.

This is a mandatory prequalification process under O.G.C.A. § 36-91-20(f), and the District has determined that 1) all of the criteria for prequalification are reasonably related to the project or the quality of the work, 2) the criteria for prequalification are being made available to any prospective Offeror requesting such information, 3) this prequalification process serves as a method of notifying prospective Offerors of the criteria for or limitations to prequalification, and 4) this prequalification process includes a procedure for a disqualified Offeror to respond to his or her disqualification to a representative of the SCCPSS. Prequalified Offerors will not later be disqualified without cause, but no prequalified Offeror is guaranteed a future award of any contract.

Vendors who submit a Qualifications Statement in response to this RFQ shall be referred to herein as the “Bidder(s)” or “Offeror(s).” To be considered for prequalification under this RFQ, Offerors should carefully read this solicitation document, which is **Request for Qualifications (“RFQ”) C23-17 for (ESPLOST) Athletic Fields and Field House Construction**, and all of the forms or other materials that may be attached hereto or referenced herein. This RFQ and the associated documents contain the instructions for preparing and submitting Qualifications Statements in response to this RFQ, and outline the process by which the District will prequalify Offerors to submit bids or proposals for the **Athletic Fields and Field House Construction Project**.

**II. GENERAL TERMS AND CONDITIONS FOR THIS ITB**

**A. A “Cone of Silence” Applies to this ITB.**

A “Cone of Silence” is imposed upon this RFQ after advertising and terminates at the time the District awards a contract. Except as specifically set forth below, the Cone of Silence prohibits any communications in any form (whether written, oral, or electronic) by, or on behalf of, a prospective Bidder for this solicitation, including any persons affiliated with or in any way related to a prospective Bidder, with any District employee, any member of the elected Board of Education that serves as the District’s governing body, the Superintendent or her staff, and any other persons involved in evaluating the bid, such as program managers or members of any selection committee. The Cone of Silence is intended to prohibit lobbying for, or against, a particular Bidder or Bidders and to prevent prospective Bidders from circumventing the process for selection set forth in this ITB.

The Cone of Silence does not apply to oral communications with the Director of Purchasing, or the Director of Purchasing’s designees, at pre-bid conferences, site visits (as applicable), presentations before selection committees, contract negotiations with bidders selected for award, or at other times expressly allowed by this solicitation. Written communications expressly authorized by this solicitation, such as (1) the submission of the bid itself, (2) requests for interpretation, requests for material substitutions, protests, or similar inquiries to the purchasing department, (3) documents circulated at oral presentations before selection committees, or (4) documents circulated in connection with contract negotiations with the bidder(s) selected for award are also permitted in communication with the Director of Purchasing or the Director of Purchasing’s designees. The Cone of Silence does not apply to presentations allowed by Board policy or to the Board of Education at a duly called public meeting.

In addition to any other penalties provided by law, violation of the Cone of Silence by any bidder may result in the rejection of the bidder’s Qualification Statement and disqualify the bidder from being awarded any contract as a result of this solicitation. Any person having personal knowledge of a violation of these provisions shall immediately report such violations to the District’s Purchasing Department.

## **B. Services for Which the District Is Seeking Prequalification**

### **1.0 General Information**

This RFQ and the associated documents contain the instructions for preparing and submitting Qualifications Statements in response to this RFQ, and outline the process by which the District will prequalify Offerors to bid on or submit proposals in response to a future ITB or RFP for the District for “ **Construction Services for the new Groves K-12 Athletic Fields and Field House Construction.**”

A stated cost limitation of **\$20,000,000** will be allocated for this project. Funding will be from ESPLOST.

### **2.0 Site Information**

Project site located at 100 Priscilla Thomas Way.

### **3.0 Scope of Services**

The selected General Contractor shall furnish all expertise, labor and. The following generally highlights the services the contractor or construction manager may be required to perform:

#### **3.1 Project Scope:**

This RFQ seeks to prequalify firms to submit bids or proposals for the construction of a new Athletic Complex located at 100 and 160 Priscilla D. Thomas Way, Garden City, GA 31408. The project will consist of a new multi-level Fieldhouse building approximately 25,000 square feet in size including a 3,000 seat Stadium, Baseball and Softball fields, 6,000sf of support buildings, parking and drives. The project may also require the installation of artificial turf and the installation of a running track. The District may determine whether any parts of this projects will be listed as alternates in a future invitation to bid or request for proposals process.

Occupancy of the new complex is scheduled for August 2024.

## **C. The Advertising Dates for this RFQ.**

This RFQ is being advertised on the Purchasing Department page of the District website [www.sccps.com](http://www.sccps.com), from **Sunday, April 2, 2023**, and on the Georgia Procurement Registry (GPR) from **Monday, April 3, 2023** until the deadline for submitting Qualification Statements.

This RFQ is also being advertised in the Savannah Morning News, the newspaper for legal notices in Chatham County, on the following dates:

**Sunday, April 2, 2023, and  
Sunday, April 16, 2023**

## **D. No Pre-Submission Conference Required.**

The District does not anticipate holding a pre-submission conference for this RFQ. Thus, attendance at a pre-submission conference is not required.

**E. The Deadline for Submitting Qualification Statements in Response to this RFQ.**

Bidder must submit any Qualifications Statements in response to this RFQ, either electronically through E-Builder, unless extended by the District, no later than:

**11:00 A.M. on Tuesday, May 2, 2023.**

**Time is of the essence, and any Qualifications Statement received after this deadline for submission, whether electronically, by mail, or otherwise, will not be accepted.** Bidders are responsible for ensuring that their Qualifications Statements are timely received and stamped by Purchasing Department personnel through E-Builder. The time of receipt shall be determined by the time assigned by E-Builder. It shall not be sufficient to show that a Qualifications Statement was sent before the scheduled deadline.

This deadline may be extended for all prospective Offerors within the discretion of the Director of the Purchasing Department or her designee for any reason. A non-exclusive list of reasons why the deadline may be extended include: the issuance of addenda to this RFQ or the associated specifications, a total absence of Qualifications Statements, District closure due to inclement weather, etc. The Director of the Purchasing Department will either extend the deadline for all bidders or not all.

**Offerors may withdraw Qualifications Statements at any time up to the scheduled time for receipt of Qualifications Statements. Offerors may resubmit Qualifications Statements prior to the scheduled time for receipt of Qualifications Statements.**

Care should be taken to ensure that information provided in Qualification Statements is accurate, complete, and consistent. Omission of any of the required information may subject the Offer to disqualification. The District reserves the right to request information or respond to inquiries for clarification purposes only.

**F. Delivery and Submission of Qualifications Statements.**

Offerors shall timely deliver bids electronically.

Electronic submission may be accomplished through the District's online E-Builder web portal, which may be accessed at no charge by all prospective bidders at:

<https://gateway.app.e-builder.net/app/bidders/landing?bidpackageid=dd6750f7-87a1-4e7f-9f0f-94f757486477>

The E-Builder web portal will allow bidders to fill in the forms required by the RFQ in an electronic format and allow bidders to upload any supporting documents in the PDF format that bidders wish to submit.

**G. Receipt and Review of Qualifications Statements**

Qualifications Statements shall be time-stamped by the Purchasing Department upon receipt automatically through E-Builder. After the deadline for submissions of Qualifications Statements has past, they will be registered by the Purchasing Department, and SCCPSS will begin its review of the Qualifications Statements and determine which bidders or offerors are prequalified.

**H. Submission of Qualifications Statements Required to Participate Future Athletic Fields and Field House Construction Bids for SCCPSS Facilities Projects.**

Submission of a Qualifications Statement in response to this RFQ and being successfully prequalified by the District is a **MANDATORY** prerequisite to be eligible to submit a bid or proposal in response to a subsequent invitation to bid ("ITB") or request for proposals ("RFP") issued by SCCPSS for the award of future contracts for **Athletic Fields and Field House Construction** for SCCPSS facilities projects.

**I. Submission of Qualifications Statements Does Not Commit Offerors to Enter Future Contracts with the District.**

Although submission of a Qualifications Statement and successful prequalification are prerequisites to submitting a bid or proposal in connection with a future solicitation for the award of a future contract for the **Athletic Fields and Field House Construction** project, a Bidder that submits a Qualifications Statement is not required to enter into any future contracts with the District.

**J. Form and Formatting of Qualifications Statements.**

The form and formatting of Qualifications Statements requires Bidders to complete and return all of the forms and supporting documentation requested by this RFQ by the submission deadline set forth above.

**K. Pre-Qualification Requirements**

To be pre-qualified bid or submit a proposal with SCCPSS for the future **Athletic Fields and Field House Construction** project, Bidders must provide all the requested documentation and demonstrate they can meet all of the following mandatory, pre-qualification requirements to the satisfaction of the District. No Offeror is guaranteed any contract for any project even if successfully pre-qualified as a result of this solicitation.

**1. Bidder must be authorized to transact business in Georgia.**

While any lawful form of business may be prequalified for to perform **Athletic Fields and Field House Construction** for SCCPSS, Bidder must demonstrate that it is a legal entity authorized to transact business in the State of Georgia.

If the Bidder is a corporation or limited liability company (LLC), Bidder shall provide a copy of a current Annual Corporate Registration issued by the State in which the Bidder is incorporated and, if Bidder is not a Georgia domestic corporation, a certificate showing that it is a foreign corporation or LLC authorized to transact business in Georgia.

If the Bidder is a partnership or joint venture, a copy of the contractual agreement between the partners or the participants in the joint venture must be provided with the Bidder's Qualifications statement. The partnership or joint venture agreement must be adequate to its purpose of establishing a safe and well-structured good faith relationship between the participants, and must comply with all applicable laws, including Antitrust Laws. The agreement must include adequate provisions to address unforeseen events such as the demise of any one of the partners or joint venture companies, and the like. If the Bidder is a partnership or joint venture between two existing business entities, including, but not limited to, a corporation or LLC, then all partners should be routinely and on a daily basis in the business of providing services which are closely similar or identical to those Services solicited by this ITB. If the District determines that the form of the Bidder's business, including a partnership or joint venture, was not created for a legitimate business purpose, could impair the Bidder's performance in response to this solicitation, poses a liability to the District, or is otherwise not in the best interest of the District, then the District reserves the right to disqualify the Bidder and determine that it is not responsible.

**2. The Offeror must be licensed to perform the construction services requested in Georgia.**

Bidder must be licensed to perform the construction services offered in response to this RFQ in the State of Georgia.

**3. Bidder must provide a Federal W-9 Tax Form.**

Bidder should also provide a copy of its most recent Federal W-9 Tax Form, showing its Federal Tax Id. Number and Certification.

**4. Bidder must demonstrate past experience that satisfies the District that the Offeror has a past history of construction projects, including athletic facilities, with a construction budget of \$20,000,000 or more.**

Bidder must be in the business of construction and have a past history of being the prime contractor (not a subcontractor) on large construction projects, including but not limited to athletic facilities, athletic fields, gyms, and fieldhouses, that satisfies the District that Bidder has the experience and capacity to build athletic facilities at K-12 school with an estimated construction budget of \$20,000,000. To demonstrate the Bidder's past experience, the Bidder shall provide the District with a list of its five (5) most comparable or similar construction projects in terms of dollar value and project scope in response to Solicitation Form 3:

- 1) the Project Owner (entity name, a contact name, and contact phone number),
- 2) the Project Name
- 3) the Type of Building (gym, athletic fields with bleachers, field house etc.)
- 4) the Size of the Building (in square feet)
- 5) the Project Address (Street, City, State, Zip)
- 6) the Original Project Budget
- 7) the Actual, Final Project Cost
- 8) the Construction Start Date
- 9) the Actual Completion Date

In addition to providing this required information on Solicitation Form 3, Bidders are highly encouraged to provide additional or supplemental information on the previous projects, including photographs, that provide more details on the quality of construction and the similarities to this project.

**In evaluating a Bidder's past experience, the District will comply with O.C.G.A. § 36-91-23. This statute allows, but does not require, the District to disqualify Bidders if the cost of the new athletic facilities (which has a projected cost of \$20,000,000) is more than 30% greater in cost than the Bidder's largest prior project. In compliance with this statute, the District has determined that a bidder who has never served as the prime contractor for the construction of a building with a budget of at least \$12,000,000 will not be considered to have had sufficient similar past experience to be prequalified for this project.**

**5. The Bidder must be able to demonstrate an ability to obtain a bid bond not less than \$1,000,000.**

The Bidder must provide a letter from a surety company authorized by law to do business in the state of Georgia pursuant to a current certificate to transact surety business in Georgia by the Georgia Commissioner of Insurance stating that the Bidder has the capacity to obtain a bid bond in an amount not less than \$1,000,000, which is 5% of the estimated \$20,000,000 cost of the new athletic facilities requested.

**6. The Bidder must be able to demonstrate an ability to obtain payment and performance bonds in the full amount of the new K-12 Project (\$20,000,000).**

The Bidder provides a letter from a surety company authorized by law to do business in the state of Georgia pursuant to a current certificate to transact surety business in Georgia by the Georgia Commissioner of Insurance stating that the Bidder has the capacity to obtain payment and performance bonds in the full amount of the new athletic facilities requested, \$20,000,000.

**7. The Bidder must be able to demonstrate an ability to meet the District's insurance requirements.**

The Bidder provides a certificate of insurance or other documentation from an insurance agency or insurance broker indicating that Bidder currently has or could obtain the insurance coverages that would likely be required by the District in any resulting construction contract. At this time, the District expects that the following insurance coverages would be required, but reserves the right to require different or additional coverages in any final contract. Bidders must be able to meet the actual insurance requirements required at the time of contracting.

Required Insurance Coverages. The Contractor also agrees to purchase insurance and have the authorized agent state on the insurance certificate that the Contractor has purchased the following types of insurance coverages:

1.5.3.3.1 Workers' Compensation Insurance. The Contractor agrees to provide at minimum Workers' Compensation coverage in accordance with the statutory limits as established by the General Assembly of the State of Georgia. A group insurer must submit a certificate of authority from the Insurance Commissioner approving the group insurance plan. A self-insurer must submit a certificate from the Georgia Board of Workers' Compensation stating the Contractor qualifies to pay its own workers' compensation claims. The Contractor shall require all Subcontractors performing work under this Contract to obtain an insurance certificate showing proof of Workers' Compensation Coverage and shall submit a certificate on the letterhead of the Contractor in the following language:

This is to certify that all Subcontractors performing work on this Project are covered by their own workers' compensation insurance or are covered by the Contractor's workers' compensation insurance.

1.5.3.3.2 Employers' Liability Insurance. The Contractor shall also maintain Employer's Liability Insurance Coverage with limits of at least:

- (i) Bodily Injury by Accident \$1,000,000 each accident; and
- (ii) Bodily Injury by Disease \$1,000,000 each employee.

The Contractor shall require all Subcontractors performing work under this Contract to obtain an insurance certificate showing proof of Employers Liability Insurance Coverage and shall submit a certificate on the letterhead of the Contractor in the following language:

This is to certify that all Subcontractors performing work on this Project are covered by their own Employers Liability Insurance Coverage or are covered by the Contractor's Employers Liability Insurance Coverage.

1.5.3.3.3. Commercial General Liability Insurance. The Contractor shall provide Commercial General Liability Insurance (2004 ISO Occurrence Form or equivalent) that shall include, but need not be limited to, coverage for bodily injury and property damage arising from premises and operations liability, products and completed operations liability, blasting and explosion, collapse of structures, underground damage, personal injury liability and contractual liability. The CGL policy must include separate aggregate limits per Project and shall provide at a minimum the following limits:

Coverage	Limit
1. Premises and Operations	\$ 2,000,000.00 per Occurrence
2. Products and Completed Operations	\$ 2,000,000.00 per Occurrence
3. Personal Injury	\$ 2,000,000.00 per Occurrence
4. Contractual	\$ 2,000,000.00 per Occurrence
5. General Aggregate	\$ 2,000,000.00 per Project

Additional Requirements for Commercial General Liability Insurance are shown below at Paragraph 1.5.3.3.6.

1.5.3.3.4 Commercial Business Automobile Liability Insurance. The Contractor shall provide Commercial Business Automobile Liability Insurance that shall include coverage for bodily injury and property damage arising from the operation of any owned, non-owned, or hired automobile. The Commercial Business Automobile Liability Insurance Policy shall provide not less than \$1,000,000 Combined Single Limits for each occurrence. Additional Requirements for Commercial Business Automobile Liability Insurance are shown below at Paragraph 1.5.3.3.6. This requirement may be satisfied without a separate auto policy, if the required owned, non-owned, and hired automobile coverage is included as part of the Contractor's Commercial General Liability Insurance coverage.

1.5.3.3.5 Commercial Umbrella Liability Insurance. The Contractor shall provide a Commercial Umbrella Liability Insurance to provide excess coverage above the Commercial General Liability, Commercial Business Automobile Liability and the Workers' Compensation and Employers' Liability to satisfy the minimum limits set forth herein. The umbrella coverage shall follow form with the Umbrella limits required as follows:

For Contract Amounts Less Than \$5,000,000.00:  
\$ 2,000,000 per Occurrence  
\$ 4,000,000 Aggregate

For Contract Amounts Equal to or Greater than \$5,000,000:  
\$2,000,000 per Occurrence  
\$10,000,000 Aggregate

1.5.3.3.6 Additional Requirements for Commercial Policies in Paragraphs 1.5.3.3.3 through 1.5.3.3.5

(a) All insurance policies, other than the Workers Compensation policy, provided by Contractor to meet the requirements of this Agreement shall name "The Board of Public Education for the City of Savannah and the County of Chatham" as that name is defined below, as an additional insured as to the operations of Contractor under the Contract Documents and shall contain a severability of interests provisions.

The term "The Board of Public Education for the City of Savannah and the County of Chatham." shall include the Board of Public Education for the City of Savannah and the County of Chatham, the body corporate responsible for public education in the City of Savannah and the County of Chatham, and all Authorities, Boards, Bureaus, Commissions, Divisions, Departments and offices thereof, the District's elected school board, which is the governing body of the Savannah-Chatham County Public School District, the individual Board Members comprising the Board of Education, and all of the officers, employees or other agents of the District in their official capacity, and/or while acting on behalf of or at the direction of The Board of Public Education for the City of Savannah and the County of Chatham.

(b) The policy must be on an "occurrence" basis.

1.5.3.3.7 Builders Risk Insurance. Contractor shall provide a Builder's Risk Policy to be made payable to the Owner and Contractor, as their interests may appear. The policy amount should be equal to 100% of the Contract Sum, written on a Builder's Risk "All Risk", or its equivalent. The policy shall be endorsed as follows:

The following may occur without diminishing, changing, altering or otherwise affecting the coverage and protection afforded the insured under this policy:

- (i) Furniture and equipment may be delivered to the insured premises and installed in place ready for use; and
- (ii) Partial or complete occupancy by Owner; and
- (iii) Performance of work in connection with construction operations insured by the Owner, by agents or lessees or other Contractors of the Owner.

In the event that the Contract is for renovation, addition or modification of an existing structure and Builders Risk Insurance is not available, the Owner will accept an Installation Floater Insurance Policy with the above endorsements in lieu of the Builders' Risk Insurance Policy. Such floater must insure loss to materials and equipment prior to acceptance by Owner and must be on an ALL RISK BASIS with the policy written on a specific job site.

1.5.3.3.8. Certificate of Insurance. The Contractor shall provide the Owner with a Certificate of Insurance identifying the policies it has that satisfy these insurance requirements using the Form attached as an exhibit hereto.

1.5.3.3.9. Disposition of Insurance Documents. One original certificate of insurance with all endorsements attached must be deposited with Owner for each insurance policy required.



## **8. Satisfactory Civil Litigation and Criminal History.**

The Bidder must have a satisfactory civil litigation and criminal history, as determined in the discretion of the District. To evaluate the Bidder's civil litigation and criminal history, Bidder shall

1. List any criminal penalties imposed on Bidder or of any person, subsidiary, or affiliate of the Bidder, arising out of obtaining, or attempting to obtain a public contract or private contract to subcontract part of a public contract, or in the course of performing such contract or subcontract in the last twenty (20) years.
2. List any criminal penalties imposed on Bidder or on any person, subsidiary, or affiliate of the Bidder for offenses such as embezzlement, theft, fraudulent schemes, etc. or any other offenses indicating a lack of business integrity or business honesty which affect the responsibility of the Bidder in the last twenty (20) years.
3. List any civil litigation alleging that Bidder failed to complete a construction project on time, performed defective work, or otherwise breached a construction contract in the last ten (10) years.
4. List any civil litigation alleging that Bidder injured any person or caused any property damage in the performance of construction work or as a result of defective construction work in the last ten (10) years.
5. List any prior suspensions or debarments that would prevent Bidder from bidding on any public works construction projects by any federal, state, or local government entity in the last ten years (10) years.

## **9. Bidder Must Demonstrate a Willingness to Comply with O.C.G.A. § 13-10-91 and E-Verify.**

Bidders must demonstrate a willingness to comply with O.C.G.A. § 13-10-91, a Georgia statute that prohibits a public employer such as the District from entering into any contract with a contractor who fails to participate in the federal work authorization program E-Verify or fails to demonstrate that it is not required to participate in the E-Verify program. Bidder may accomplish this by providing the affidavit(s) or other documentation required O.C.G.A. § 13-10-91. While the District provides sample O.C.G.A. § 13-10-91 affidavit forms in this RFQ, Bidders are solely responsible for familiarizing themselves with their obligations under O.C.G.A. § 13-10-91 and making sure that they provide the District with the required documentation.

## **10. Bidder Must Demonstrate a Willingness to Enter Contracts Substantially Similar to the Attached Sample Contract.**

While the District reserves the right to negotiate any and all contract terms for any future contract, Offeror agrees that it would enter into future contract substantially similar to the attached sample contract, and the District may reject any proposed contract that is not substantially similar, in the District's sole discretion, to the proposed Sample Contract.

## **11. If the Contractor has performed work with the district in the past, the performance must have been satisfactory.**

If the Contractor has a past history of unsatisfactory work experience for the District, the District may disqualify a potential Bidder as "not responsible."

## **L. The District's Reservation of Rights to Cancel this RFQ, to Amend the RFQ Process, to Disqualify Bidders, and to Waive Irregularities and Technicalities.**

The District, in the discretion of the Purchasing Director, the Chief Financial Officer, the Superintendent, or the District's governing body, the elected School Board, may cancel this RFQ at any time before the District prequalifies any Bidders. Regardless of whether any Bidders are prequalified, the District may decline to proceed with the construction of the Athletic Fields and Field House Construction or may decide to use a different or new process to prequalify bidders or solicit bidders or offerors for the project

The District, in the discretion of the Purchasing Director, the Chief Financial Officer, the Superintendent, or the District's governing body, the elected School Board, reserves the right to amend this RFQ and all attachments in any way and at any time (without cancelling it in its entirety) before the deadline for the submission of Qualifications Statements. Any addenda amending this RFQ will be made available to all Bidders on the District's website. As stated above, the submission deadline will be extended at least seventy-two (72) hours if any addenda is issued less than seventy-two (72) hours before the submission deadline.

The District further reserves the right to amend this RFQ in any way after the deadline for the submission of Qualifications Statements (without cancelling the RFQ in its entirety), except the District will not amend the original Qualifications Statements formatting or submission requirements. Non-exclusive example of such an amendment to this RFQ may be the addition of an inadvertent omission from the project specifications.

The District further reserves the right to redo any stage of this RFQ (without cancelling it in its entirety) if the District, in the discretion of the Purchasing Director, the Chief Financial Officer, the Superintendent, or the District's governing body, the elected School Board, has concerns that a stage of the RFQ should be redone to eliminate any question of whether it was conducted properly.

The District reserves the right to reject any and all Qualifications Statements submitted in response to this RFQ, and to waive any irregularities or technicalities in Qualifications Statements received whenever such rejection or waiver is in the best interest of the District.

The District has the right to disqualify a bid of any Bidder on the basis that the Qualifications Statement is "nonresponsive" or the Bidder is "not responsible."

A Qualifications Statement shall be deemed "nonresponsive" if it fails to include all of the information or documents required by this RFQ.

A Bidder shall be deemed "not responsible" if the District determines that the Bidder fails to meet the minimal requirements for prequalification set forth in this RFQ.

The District reserves the right to request a Bidder to provide additional information in response to any concern that a Bidder may not be a "responsible" Bidder. Failure to provide the requested additional information, in itself, will be sufficient grounds for the District to declare the Bidder to be not "responsive" and/or not "responsible" for the purposes of this RFQ.

Bidders represent that, to the best of their knowledge, all information that they submit to the District in response to this RFQ whether through a Qualifications Statement or otherwise, is true and correct. If the District determines that information submitted by the Bidder is incorrect, the District may disqualify a bid as "non-responsive." If the District determines that an Bidder intentionally misrepresented information submitted in response to the RFQ, the District may disqualify the Bidder on the basis that it is "not responsible" for this solicitation and in future solicitations.

#### **M. Public Information.**

It is the policy of the District that at the conclusion of the selection process, the contents of all Qualifications Statements will be placed in the public domain and be open to inspection by interested parties. Trade secrets or proprietary information that are recognized as such and are protected by law may be withheld, if clearly identified as such in the Qualifications Statement. Failure to list all proprietary sections of the submitted bid shall relieve the District from any responsibility should such information be viewed by the public, a competitor, or be in any way accidentally released.

If this RFQ is cancelled before an award is made, Qualifications Statements will not be made available for public inspection to prevent Bidders from having an unfair advantage in future solicitations for the same goods or services.

**N. Bidder Questions, Requests for Interpretations, Requests for Substitution of Services or Changes to Proposed Contract terms, and Issuance of Addenda.**

If a Bidder should have any questions relating to this RFQ, including but not limited to the interpretation of RFQ language, the specifications for the goods and/or services requested, the terms of sample contract provisions attached to this solicitation, the preparation or submission of bids, or the evaluation and contract award process outlined in this RFQ, the Bidder may deliver written requests for interpretation to the following to the Purchasing Department through the e-Builder program. For technical support questions with using e-Builder only, please contact [support@e-builder.net](mailto:support@e-builder.net) or call 888-288-5717.

All answers to questions or requests to substitute services or contract terms shall be made by addenda to the ITB and shall be made available to all Bidders through e-Builder and on the District's website. While the District will also make a good faith effort to send any addenda to all Bidders who have registered to respond to this solicitation through the e-Builder Portal, submitted requests for interpretations to the District, or otherwise communicated an interest to receive notice of addenda through e-Builder, the District's failure to provide a Bidder with individualized notice of an addenda will not provide a Bidder with grounds to protest the implementation of this ITB. Bidders are ultimately responsible themselves for keeping track of addenda issued by the District before the deadline for submitting bids in response to this ITB.

**All requests for interpretation or substitutions must be submitted to the Purchasing Department on or before the close of business, 5:00 p.m. on Friday, April 21, 2023 through e-Builder.** The District shall not be required to answer any questions about this ITB submitted after this date.

The Purchasing Department will extend the deadline for submitting bids for all Bidders by at least seventy-two (72) hours if it issues any addenda within seventy-two (72) hours before the scheduled bid submission deadline.

The Purchasing Director, or her designee, in her discretion, may extend the deadline for submitting requests for interpretation for all Bidders if the deadline for submitting bids is also extended.

**O. Protests.**

Any actual Offeror or bona fide prospective Offeror who is aggrieved in connection with this RFP may protest to the Purchasing Director by email to [purchasing@sccpss.com](mailto:purchasing@sccpss.com). **Please include the "RFP NUMBER, NAME, AND PROTEST" clearly marked in UPPER CASE in the subject line of the email.** It is incumbent upon the Offeror to receive confirmation from the Purchasing Department that its protest has been received. Offerors who do not receive confirmation of the protest by email during normal business hours of 9:00 a.m. to 5:00 p.m. on the day the protest is sent should call the Purchasing Department to confirm receipt of the protest at (912) 395-5572.

By submitting a bid in response to this ITB without filing a protest observing the deadlines set forth below, the Bidder waives any objection to the content of this ITB (including any attachment or addenda issued prior to the submission date) as well as any objection to any procedure outlined therein. Protests filed after the deadline for submissions shall only concern the implementation of the ITB as applied to the Bidder or addenda issued after the submission date.

Any protest to the content of this ITB (including any attachment or addenda) as well as any objection to any procedure or evaluation criteria outlined therein shall be filed no later than five (5) business days prior to the deadline for submissions of bids, unless the objection concerns an addenda issued fewer than five (5) business days prior to the deadline for submissions of bids, in which case, an objection may be filed to that addenda only at any time before the submission deadline.

Any protest filed after the submission deadline shall be submitted within five business (5) days after the action by the District on which the grievance is based, but in no case later than five business (5) days after the date of the District's notice of intent to award a contract for the provision of goods and/or services requested in his ITB, which will be transmitted by email to all Bidders.

The District shall not intentionally withhold information that is stated in this ITB to be forthcoming at certain intervals, but failure of the District to notify a Bidder who might be aggrieved by the content of such notification shall not give rise to any claim or rights resulting from said failure. Only formal protests will be considered, and in order for a protest to be considered as formal, it must be presented in written form by email to [purchasing@sccpss.com](mailto:purchasing@sccpss.com), and must contain a minimum of the following:

- A specific identification of the statutory or regulatory provision(s) that the District's purchasing staff member or department is alleged to have violated,
- A specific description of each act alleged to have violated the statutory or regulatory provision(s) identified above,
- A precise statement of the relevant facts that include timelines and all involved parties, and
- An identification of the issue(s) that needs to be resolved that support the protest.

The letter of protest shall be taken under consideration by the Chief Financial Officer and/or the Superintendent, who shall respond to the protesting Bidder within ten (10) business days of receipt of the letter of protest. The initial written response may explain that the Chief Financial Officer and/or the Superintendent need additional time to review the Protest. In any event, a final decision will be issued on the Protest by the Chief Financial Officer and/or the Superintendent before the execution of a final contract with the successful Bidder. This written decision shall be final and conclusive.

**P. Bidders Not Entitled to Reimbursement for their Costs Associated with Submitting Qualifications Statements.**

The District recognizes that participating in this RFQ process, or any government procurement process, can be time consuming and expensive for Bidders. In participating in part of this process, Bidders acknowledge that their costs in participating in this process are the costs of attempting to do business with the District.

All Bidders or potential Bidders, including unsuccessful Bidders or Bidders or potential Bidders who file protests, agree that the District shall not be responsible for reimbursing the Bidder for any costs they may incur in connection with this RFQ, including staff time, printing costs, attorneys' fees, or expenses of litigation.

**Q. Gratuity Prohibition.**

No Bidder shall offer any gratuities, favors, or anything of monetary value to any official, employee, or agent of the District for the purpose of influencing consideration of this solicitation.

**R. Certification of Independent Submission of Bids.**

By submitting a Qualifications Statement in response to this RFQ, the Bidder must certify that:

1. The information in its Qualifications Statement has been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition with any other Bidder or with any competitor;
2. The information in its Qualification's Statement has not been knowingly disclosed by the Bidder and will not knowingly be disclosed by the Bidder prior to the District's final determination regarding this RFQ, directly or indirectly to any other Bidder or to any competitor;
3. No attempt has been made or will be made by the Bidder to induce any other person or firm to submit or not to submit a Qualifications Statement for the purpose of restricting competition; and,
4. In the event the Bidder is a partnership or joint venture, each party thereto certifies the above.

**[ITB Continues on Next Page]**

### **III. ITB ATTACHMENTS, SPECIFICATIONS, SAMPLE CONTRACTS, AND FORMS**

The following attachments, specifications, sample contracts and forms are part of this RFQ and are herein incorporated by this reference.

**A. Attachment A:** The following forms are to be completed and uploaded in a PDF format through E-Builder. The returned forms and any supporting documentation, collectively, shall constitute the Bidder's Qualifications Statement.

1. Solicitation Form 1: **Qualifications Statement Submission Checklist.** A checklist to help Bidders and Purchasing Agents determine that all required information is submitted for Bidder's Qualifications Statement. (to be included on the front of any submission).
2. Solicitation Form 2: **Bidder's Basic Business and Bonding Information:** This form provides a place for Bidder to provide its basic business and contact information, describe its business structure, and summarize its bonding capacity.
3. Solicitation Form 3: **Bidder's Past Project history.** Form for information pertaining to Bidder's Past Construction Project History
4. Solicitation Form 4 **Bidder's Past Civil Litigation and Criminal History.** Form for Bidder to provide information pertaining to Bidder's past Civil Litigation and Criminal History.
5. Solicitation Form 5: **Contractor Affidavit Under O.C.G.A. § 13-10-91.** Required by the State of Georgia O.C.G.A. § 13-10-91 (b) (1) for all firms providing service(s) to public sector entities. This form requires compliance regarding hiring and verification of employees.
6. Solicitation Form 6: **Non-Influence Affidavit:** While not every construction or design professional contract for the District is subject to the requirements of O.C.G.A. § 36-91-21, O.C.G.A. § 36-91-21(d) prohibits prospective bidders from attempting to prevent competition for a public works construction project. As the bid amount and type of work may determine the applicability of O.C.G.A. § 36-91-21, the District requires O.C.G.A. § 36-91-21(d) compliant affidavits for all construction-related projects, even if not strictly required by statute.

**B. Attachment B: Sample Contract**

**BOARD OF PUBLIC EDUCATION FOR THE CITY OF SAVANNAH AND THE COUNTY OF CHATHAM  
RFQ C23-17 - ATTACHMENT A**

**SOLICITATION FORMS**

1. Solicitation Form 1: Bid Submission Checklist.
2. Solicitation Form 2: Bidder's Basic Business and Bonding Information
3. Solicitation Form 3: Bidder's Past Project History
4. Solicitation Form 4: Bidder's Past Civil Litigation and Criminal History
5. Solicitation Form 5: Contractor Affidavit Under O.C.G.A. § 13-10-91.
6. Solicitation Form 6: Non-Influence Affidavit

**BOARD OF PUBLIC EDUCATION FOR THE CITY OF SAVANNAH AND THE COUNTY OF CHATHAM  
SOLICITATION FORM 1**

**Statement of Qualifications Checklist**

Please include this Statement of Qualifications Checklist on the front of your response to this RFQ **and check which documents are included.**

- Solicitation Form 1: Statement of Qualifications Checklist.
- Solicitation Form 2: Offeror's Basic Business and Bonding Information
- Solicitation Form 3: Offeror's Past Project History
- Solicitation Form 4: Offeror's Past Civil Litigation and Criminal History
- Solicitation Form 5: Contractor Affidavit Under O.C.G.A. § 13-10-91
- Solicitation Form 6: Non-Influence Affidavit
- If Offeror is a corporation or LLC, a copy of the Offeror's current Annual Corporate Registration for its State of Incorporation.
- If a Offeror is a corporation or LLC but not a Georgia domestic corporation or LLC, a copy of a certificate showing that Offeror is a foreign corporation or LLC registered to transact business in Georgia.
- If Offeror is a partnership or joint venture, a copy of Offeror's current partnership or joint venture agreement.
- Documentation showing that Bidder is licensed to do construction work in Georgia.
- Letter from a surety company licensed in Georgia showing Bidder can meet the required bid, performance, or payment bond requirements for this project.
- Documentation showing that Offeror can meet or reasonably expects to be able to meet all of the District's insurance requirements if awarded a contract.
- A copy of the Bidder's Federal W-9 Tax Form, showing its Federal Tax Id. Number and Certification
- Additional Documents Submitted by Bidder in Support of its Qualifications Statement

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**BOARD OF PUBLIC EDUCATION FOR THE CITY OF SAVANNAH AND THE COUNTY OF CHATHAM  
SOLICITATION FORM 2**

**Bidder's Basic Business and Bonding Information**

Full Legal Name of Business Organization: \_\_\_\_\_

Name and Position of Primary Contact: \_\_\_\_\_

Street Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Federal Tax Id Number: \_\_\_\_\_ E-Verify Number: \_\_\_\_\_

Form of Business:	{ }	Corporation	{ }	Sole Proprietorship
	{ }	Partnership*	{ }	Limited Liability Partnership
	{ }	Limited Liability Corporation	{ }	Joint Venture*
	{ }	Other _____		

If Offeror is a corporation or LLC, please write in the state of incorporation \_\_\_\_\_ and submit a copy of the Offeror's current Annual Corporate Registration for its state of incorporation.

If Offeror is a corporation or LLC but not a Georgia domestic corporation or LLC, please check this box and submit a copy of a certificate showing that Offeror is a foreign corporation or LLC registered to transact business in Georgia.

If Offeror is a partnership or joint venture, please list the names of all partners and provide a copy of Offeror's current partnership or joint venture agreement:

Partner/Joint Venturer 1: \_\_\_\_\_

Partner/Joint Venturer 2: \_\_\_\_\_

If more than 4 partners/joint venturers, please attach a separate list.

Is Bidder licensed to perform construction work in the State of Georgia? If yes, please check this box and submit documentation showing license to perform construction work. If not, Bidder will not be prequalified.

Does Bidder have the bonding capacity to obtain a bid bond not less than **\$1,000,000**? If yes, please submit a letter from a surety licensed to transact surety business by the Georgia Commissioner of Insurance.

Does Bidder have the bonding capacity to obtain a payment bond not less than **\$20,000,000**? If yes, please submit a letter from a surety licensed to transact surety business by the Georgia Commissioner of Insurance.

Does Bidder have the bonding capacity to obtain a performance bond not less than **\$20,000,000**? If yes, please submit a letter from a surety licensed to transact surety business by the Georgia Commissioner of Insurance.



Can Bidder currently meet the anticipated insurance requirements for the project or does Bidder reasonably anticipate being able to do so. If yes, please submit a current insurance certificate or other documentation from an insurance company or broker indicating Bidder could obtain the required insurance.

Bidder agrees to execute a contract substantially similar to the contract template issued with this RFQ, but recognizes that the District may modify that contract between now and final contract execution.

**Please Note: Bidder may submit a single or multiple letters regarding its bid, payment, and performance bonding capacity.**

**Signature and Certification**

This is to certify that I, on behalf of the undersigned Offeror, have read this RFQ in its entirety (including all attachments) and agree to be bound by the provisions of the contained herein.

This \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_ By: \_\_\_\_\_  
*Name (printed)*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Company*

Acknowledge Receipt of Addendum(s) # \_\_\_\_ # \_\_\_\_ # \_\_\_\_ # \_\_\_\_ # \_\_\_\_ # \_\_\_\_

**D. NOTARY:**

Subscribed and sworn before me on

This the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
*Notary public*

\_\_\_\_\_  
*My commission expires*

**BOARD OF PUBLIC EDUCATION FOR THE CITY OF SAVANNAH AND THE COUNTY OF CHATHAM  
SOLICITATION FORM 3**

**Past Project History:**

**Project 1:**

<u>Project Owner Name</u> <hr/> <u>Street Address (1)</u> <hr/> <u>City State Zip</u> <hr/> <u>Contact Name and Phone#</u> <hr/>	<u>Project Name</u> <hr/> <u>Street Address (1)</u> <hr/> <u>City State Zip</u> <hr/>
<u>Type of Service (e.g. Mechanical, Electrical, and Plumbing Services)</u> <hr/> <u>Building Size (square feet)</u> <hr/> <u>Start Date (Month/Year)</u> <hr/>	<u>Original Project Budget</u> <hr/> <u>Actual Final Project Cost</u> <hr/> <u>Completion Date (Month/Year)</u> <hr/>

**Project 2:**

<u>Project Owner Name</u> <hr/> <u>Street Address (1)</u> <hr/> <u>City State Zip</u> <hr/> <u>Contact Name and Phone #</u> <hr/>	<u>Project Name</u> <hr/> <u>Street Address (1)</u> <hr/> <u>City State Zip</u> <hr/>
<u>Type of Service (e.g. Mechanical, Electrical, and Plumbing Services)</u> <hr/> <u>Building Size (square feet)</u> <hr/> <u>Start Date (Month/Year)</u> <hr/>	<u>Original Project Budget</u> <hr/> <u>Actual Final Project Cost</u> <hr/> <u>Completion Date (Month/Year)</u> <hr/>

**Project 3:**

<p><u>Project Owner Name</u></p> <p><u>Street Address (1)</u></p> <p><u>City State Zip</u></p> <p><u>Contact Name and Phone #</u></p>	<p><u>Project Name</u></p> <p><u>Street Address (1)</u></p> <p><u>City State Zip</u></p>
<p><u>Type of Service (e.g. Mechanical, Electrical, and Plumbing Services)</u></p> <p><u>Building Size (square feet)</u></p> <p><u>Start Date (Month/Year)</u></p>	<p><u>Original Project Budget</u></p> <p><u>Actual Final Project Cost</u></p> <p><u>Completion Date (Month/Year)</u></p>

**Project 4:**

<p><u>Project Owner Name</u></p> <p><u>Street Address (1)</u></p> <p><u>City State Zip</u></p> <p><u>Contact Name and Phone #</u></p>	<p><u>Project Name</u></p> <p><u>Street Address (1)</u></p> <p><u>City State Zip</u></p>
<p><u>Type of Service (e.g. Mechanical, Electrical, and Plumbing Services)</u></p> <p><u>Building Size (square feet)</u></p> <p><u>Start Date (Month/Year)</u></p>	<p><u>Original Project Budget</u></p> <p><u>Actual Final Project Cost</u></p> <p><u>Completion Date (Month/Year)</u></p>

**Project 5:**

<p><u>Project Owner Name</u></p> <p><u>Street Address (1)</u></p> <p><u>City State Zip</u></p> <p><u>Contact Name and Phone #</u></p>	<p><u>Project Name</u></p> <p><u>Street Address (1)</u></p> <p><u>City State Zip</u></p>
<p><u>Type of Service (e.g. Mechanical, Electrical, and Plumbing Services)</u></p> <p><u>Building Size (square feet)</u></p> <p><u>Start Date (Month/Year)</u></p>	<p><u>Original Project Budget</u></p> <p><u>Actual Final Project Cost</u></p> <p><u>Completion Date (Month/Year) Completion</u></p>

**BOARD OF PUBLIC EDUCATION FOR THE CITY OF SAVANNAH AND THE COUNTY OF CHATHAM  
SOLICITATION FORM 4**

**Civil Litigation and Criminal History**

**If additional space needed, please attach a supplement.**

<p>1. List any criminal penalties imposed on Bidder or of any person, subsidiary, or affiliate of the Bidder, arising out of obtaining, or attempting to obtain a public contract or private contract to subcontract part of a public contract, or arising out of the performance of such contract or subcontract in the last twenty (20) years.</p>
<p>2. List any criminal penalties imposed on Bidder or on any person, subsidiary, or affiliate of the Bidder for offenses such as embezzlement, theft, fraudulent schemes, etc. or any other offenses indicating a lack of business integrity or business honesty which affect the responsibility of the Bidder in the last twenty (20) years.</p>
<p>3. List any civil litigation alleging that Bidder failed to complete a construction project on time, performed defective work, or otherwise breached a contract in the last ten (10) years.</p>
<p>4. List any civil litigation alleging that Bidder injured any person or caused any property damage in the performance of construction work or as a result of defective construction work in the last ten (10) years.</p>
<p>5. List any prior suspensions or debarments that would prevent Bidder from bidding on any public works construction projects by any federal, state, or local government entity in the last ten years (10) years.</p>

**BOARD OF PUBLIC EDUCATION FOR THE CITY OF SAVANNAH AND THE COUNTY OF CHATHAM  
SOLICITATION FORM 5**

**Contractor Affidavit Required by O.C.G.A. § 13-10-91(b)**

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm, or corporation which is engaged in the physical performance of services on behalf of Savannah-Chatham County Public School System has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period, if awarded a contract, and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

\_\_\_\_\_  
*Federal Work Authorization User Identification Number*      *Date of Authorization*

\_\_\_\_\_  
*Name of Contractor*

**RFQ C23-17 (ESPLOST) Athletic Fields and Field House Construction**

*Name of Project*

**The Board of Public Education for the City of Savannah and the County of Chatham**

*Name of Public Employer*

I hereby declare under penalty of perjury that the foregoing is true and correct. Executed on

\_\_\_\_\_, 20\_\_\_\_ in \_\_\_\_\_, and \_\_\_\_\_  
*City*      *State*

\_\_\_\_\_  
*Signature of Authorized Officer or Agent*

\_\_\_\_\_  
*Printed Name and Title of Authorized Officer or Agent*

SUBSCRIBED AND SWORN BEFORE ME ON

THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

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

\_\_\_\_\_  
*My Commission Expires*

**BOARD OF PUBLIC EDUCATION FOR THE CITY OF SAVANNAH AND THE COUNTY OF CHATHAM  
SOLICITATION FORM 6**

**NON-INFLUENCE AFFIDAVIT**

**Certification under Oath:**

O.C.G.A. § 36-91-21 provides in pertinent part:

(d) Whenever a public works construction contract for any governmental entity subject to the requirements of this chapter is to be let out by competitive sealed bid or proposal, no person, by himself or herself or otherwise, shall prevent or attempt to prevent competition in such bidding or proposals by any means whatever. No person who desires to procure such work for himself or herself or for another shall prevent or endeavor to prevent anyone from making a bid or proposal therefore by any means whatever, nor shall such person so desiring the work cause or induce another to withdraw a bid or proposal for the work.

(e) Before commencing the work, any person who procures such public work by bidding or proposal shall make an oath in writing that he or she has not directly or indirectly violated subsection (d) of this Code section. The oath shall be filed by the officer whose duty it is to make the payment. If the contractor is a partnership, all of the partners and any officer, agent, or other person who may have represented or acted for them in bidding for or procuring the contract shall also make the oath. If the contractor is a corporation, all officers, agents, or other persons who may have acted for or represented the corporation in bidding for or procuring the contract shall make the oath. If such oath is false, the contract shall be void, and all sums paid by the governmental entity on the contract may be recovered by appropriate action.

**STATE OF GEORGIA**  
**COUNTY OF \_\_\_\_\_**

I do solemnly swear on my oath that, as to the Contract dated \_\_\_\_\_, 20\_\_\_\_\_,  
between

\_\_\_\_\_ and The Board of Public Education for the City of Savannah and the County of Chatham, Georgia, I have not directly or indirectly influenced or the attempted exertion of any influence on behalf of the firm on behalf of which this affidavit is made, in any way, manner, or form in the purchase of materials, equipment, or other items involved in construction, manufacture, or employment of labor under the aforesaid Contract by or on any employee, officer, or agent of the Board, or any person connected with SCCPSS in any way whatsoever and I have not directly or indirectly violated subsection (d) of OCGA 36-91-21.

BY: \_\_\_\_\_  
Authorized Signature (BLUE INK PLEASE)

\_\_\_\_\_  
Printed Name Title

Sworn to and subscribed before me this \_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_\_.

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

My commission expires: \_\_\_\_\_  
(SEAL)

**NOTE: THE NOTARY SEAL MUST BE APPLIED UNDER GEORGIA LAW, WHETHER OR NOT THE LAW OF THE STATE WHERE EXECUTED PERMITS OTHERWISE.**