

LEGAL NOTICE
RFP FOR RETIREMENT PLAN ADVISOR

REQUEST FOR PROPOSALS -- Notice is hereby given that Metroplan is seeking Requests for Proposals from qualified, competent, knowledgeable and experienced retirement plan advisor firms to partner with, consult with, and provide investment advice to Metroplan's 457(b) retirement plan. The Requests for Proposals (RFP) must be received by Metroplan; 501 W. Markham, Suite B, Little Rock, AR 72201; by 10:00 a.m. CDT, Friday, Aug 18, 2017. To obtain a copy of the complete RFP (including submittal guidelines, preliminary scope of work, requirements, and Notice of Nondiscrimination) download from www.metroplan.org or contact Cindy Segebarth at 501.372.3300 (hearing impaired may dial 711).

Please send proof of publication with billing to:
Metroplan
Attn: Cindy Segebarth
501 W. Markham, Ste. B
Little Rock, AR 72201

REQUEST FOR PROPOSALS RETIREMENT PLAN ADVISOR (FIDUCIARY)

Prepared by
METROPLAN
A Council of Local Governments

In cooperation with:
United States Department of Transportation
Arkansas State Highway and Transportation Department
Rock Region Metro Transportation Authority
and

City of Alexander	City of Haskell	City of Traskwood
City of Austin	City of Jacksonville	City of Wooster
City of Bauxite	City of Little Rock	City of Vilonia
City of Benton	City of Lonoke	City of Ward
City of Bryant	City of Maumelle	City of Wrightsville
City of Cabot	City of Mayflower	Faulkner County
City of Cammack Village	City of Mount Vernon	Lonoke County
City of Conway	City of North Little Rock	Pulaski County
City of Greenbrier	City of Shannon Hills	Saline County
City of Guy	City of Sherwood	

Notice of Nondiscrimination:

Metroplan complies with all civil right provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. Therefore, Metroplan does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, in admission or access to and treatment in Metroplan's programs and activities, as well as Metroplan's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding Metroplan's nondiscrimination policies may be directed to Susan Markman, ADA/504/Title VI Coordinator, 501 West Markham Street, Suite B, Little Rock, AR 72201, (501) 372-3300, or the following e-mail address: smarkman@metroplan.org. (Hearing impaired may dial 711.) This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape and in Braille.

**REQUEST FOR PROPOSAL
RETIREMENT PLAN ADVISOR (FIDUCIARY)**

Metroplan invites proposals from qualified, competent, knowledgeable, and experienced retirement plan advisor firms to partner with, consult with, and provide investment advice to Metroplan’s 457(b) retirement plan.

Issue Date: Tuesday, August 1, 2017
RFP Title: Retirement Plan Advisor (Fiduciary)
Issuing: Metroplan
501 West Marhkam, Suite B
Little Rock, AR 72201

Contact: Cindy Segebarth
Metroplan
(501) 372-3300
csegebarth@metroplan.org

Website: www.metroplan.org

I. SUBMISSION DEADLINE

Proposals will be accepted until 10:00 a.m. on August 18, 2017, and each must be submitted in a sealed envelope plainly marked on the outside “**SEALED BID FOR RETIREMENT PLAN ADVISOR RFP – DO NOT OPEN WITH REGULAR MAIL.**” to:

SEALED RESPONSES MUST BE MAILED OR PHYSICALLY DELIVERED TO:

Metroplan
501 West Markham, Suite B
Little Rock, AR 72201

RESPONSES MUST BE SUBMITTED BY: 10:00 a.m. on Friday, August 18, 2017.

Sealed bids are due by this date and will be publicly opened at that time in the offices of Metroplan at the above address. Facsimiles, electronic, or e-mailed proposals will NOT be accepted. Bid proposals not received by the specific date and time will be rejected.

***METROPLAN RESERVES THE RIGHT TO REJECT ANY AND ALL PROPOSALS
FOR ANY REASON***

II. PROJECT OVERVIEW

A. Introduction/Statement of Purpose

Metroplan is issuing this Request for Proposals (RFP) to partner with an independent investment advisor to partner with, consult with, and provide investment advice to Metroplan's 457(b) retirement plan.

B. Organizational Overview

Metroplan is a council of local governments and metropolitan planning organization (MPO) based in Little Rock, Arkansas. Metroplan's total membership includes 24 cities, four counties, the Rock Region Metro Transportation Authority (RRMTA), and the Arkansas State Highway and Transportation Department (AHTD). Metroplan's primary mission is developing long-range transportation plans and short-range transportation improvement programs as part of the comprehensive, continuing, coordinated planning process for the metropolitan planning area. This planning process and the resulting transportation projects are financed in part by the U.S. Department of Transportation. The Central Arkansas Regional Transportation Study (CARTS) area includes major portions of the four most populous counties in the six-county Little Rock-North Little Rock-Conway Metropolitan Statistical Area.

Metroplan, as a not-for-profit organization, employs 15-20 people. Expertise in conducting these services for a not-for-profit organization with a similar staff size is required. All additional expertise requirements are specified in the scope of work section of this document.

Metroplan anticipates selecting one firm to provide all of the services specified in this RFP.

C. General Disclaimer

This RFP does not commit Metroplan to award a contract. This RFP and the process it describes are proprietary and are for the sole and exclusive benefit of Metroplan. No other party, including any Respondent, is intended to be granted any rights hereunder. Any response including written documents

and verbal communication, by any Respondent to this RFP, shall become the property of Metroplan and may be subject to public disclosure by Metroplan.

III. SCOPE OF WORK

A. Project Details

The overall objective of this RFP is to identify an independent investment advisor who specializes in 457(b) retirement plan consulting, investment advice and co-fiduciary services for not-for-profit organizations similar to Metroplan.

B. Required Proposal Format

1. Proposal Cover Sheet – Should be completed with the Respondent’s information and included as the first page of the proposal.
2. Questionnaire (example provided as Appendix A) – Should be prepared simply and economically, providing a straightforward, concise description of the Respondent’s ability to meet the requirements of the RFP.
 - a. About your Firm / Team
 - b. Service Team
 - c. Investment Services
 - d. Participant Services
 - e. Provider / Vendor Services
 - f. Fiduciary Status and Compliance
 - g. Fees
 - h. Technology
 - i. Security and Business Continuity

IV. ADDITIONAL INFORMATION

A. Contract Period

Metroplan reserves the right to amend contracts throughout the contract period, and to renegotiate the contract length as needed.

B. Independent Contractor’s Status

Vendor shall at all times during the term of the contract perform the services described as an independent contractor, and hereby waives any claims for any compensation or benefits afforded to Metroplan’s employees.

C. Metroplan’s Current 457(b) Plan:

1. Quarterly Report – The quarterly report for April 1-June 30, 2017 is included as an addendum to this document.

2. Eligible Participants – 13
Active Participants – 13 – [The number of active participants slightly varies with staffing changes.]

3. Total Assets - \$1,207,403.86
There are no anticipated large withdrawals during the course of the next year or two.

3. Historical Participation

	2012	2013	2014	2015	2016
TOTAL CONTRIBUTIONS					
	122,747.53	114,409.88	134,647.27	130,602.81	130,374.08
Metroplan’s Contributions					
	81,430.72	78,516.80	89,610.13	83,015.93	84,430.01
Employees’ Contributions					
	41,316.81	35,893.08	45,037.14	47,586.88	45,944.07

4. Record-keeper (TPA)
The record-keeper – Werntz & Associates

5. 457(b) Plan Agreement – upon request.

IV. RESPONDENT QUALIFICATIONS

Metroplan will only consider proposals from Respondents that:

1. Can demonstrate a proven track record of successfully and reliably providing similar services to public and private entities.
2. Are in good standing with Metroplan.
3. Can demonstrate substantial compliance to this Request.

V. EVALUATION CRITERIA

The Following criteria will be used to establish the lowest evaluated bid price:

1. Degree of Respondent's ability to fully comply with the Requirements in this RFP.
2. Demonstrated qualifications and relevant experience.
3. Demonstrated understanding of the project.
4. Appropriateness of project approach and effectiveness of proposed project plan and timetable.
5. Likelihood that the proposal will provide the best value compared to other submitted proposals.
6. Appropriateness of staffing to complete the project.
7. Special consideration will be given to businesses owned and controlled by minorities, women and disabled persons.
8. References of performance with like plans.
9. Other factors determined to be relevant by Metroplan.

VI. RESPONSIVENESS OF PROPOSALS

A. **Responsiveness**

Metroplan shall only consider those Proposals that conform to the material requirement of Metroplan's Request and that are submitted in the Proposal Format set forth below. A Proposal will be considered as confirming and responsive if it substantially addresses and promises to meet the requirements contained in this Request or any future reasonable requests made over the course of the selection process.

Metroplan may waive any non-conformance that is immaterial AND does not prejudice other Respondents.

B. **Non-responsiveness**

Metroplan will reject any Proposals that materially deviate from the request OR that due to any deviation from the Request prejudice other Respondents whose Proposals substantially conform to the Request.

C. **Respondent Responsibility**

The responsibility of Respondents shall be determined on the evaluation of the Respondent and the management team, separate and distinct from the proposal that is submitted.

D. Accuracy of Respondent's Proposal

The accuracy of the Respondent's Proposal shall be evaluated on the basis of the plan provided as part of the Proposal after adjustments that the Selection Committee believes; in its business judgment shall be made to reflect economic or other conditions. Adjustments to the Proposers' plan shall be made based on the basis of qualitative criteria developed by the Selection Committee and objective financial criteria to determine whether Proposals are financially feasible.

VII. SELECTION

A. Selection Committee

The Selection Committee will be comprised of a team of employees with and combined with individuals outside of Metroplan with specific fiduciary / investment expertise.

B. Selection Process (please refer to the RFP Timeline below)

1. *Initial Selection Process.* Respondents whose proposals are acceptable in form and substance will be selected to be included on a short list of potential awardees if, in the Selection Committee's business judgment, they meet the minimum qualifications.
2. *Interviews.* Metroplan reserves the right to conduct interview of Respondents included on the short list of potential awardees. Metroplan will contact the designated Respondent's representative to schedule an interview date and time. Interviews are anticipated to occur during the month of August, 2017. Respondents are expected to be available at that time. An appointment will be scheduled. Expenses Respondents incur to prepare for and attend the interview will be the responsibility of the Respondent. Following interviews, a final selection will be made.
3. *Negotiations of Contractual Terms.* After the Selection Committee makes its final determination, the awardee and Metroplan will negotiate and execute a final agreement prior to the commencement of the work under the Contract. Failure by any Respondent to timely respond or come to terms with Metroplan will be cause for a rejection of the Proposal.

4. *Timeline of Selection, Negotiations and Awards*

<u>Event</u>	<u>To Be Completed by</u>
RFP Issued and Advertised	Tuesday, August 1, 2017
Inquiry Deadline	Friday, August 11, 2017
Deadline for Proposals	10:00 a.m. Friday, August 18, 2017
Interviews	August 21-31, 2017
Successful Bidder Notified	September 8, 2017
Finalize Agreements	September 29, 2017, preferably earlier
First Date of New Contract	October 1, 2017 (final quarter 2017)

VIII. RESPONDENT QUESTIONS

Metroplan shall answer any questions that Respondents may have prior to the Submission Deadline. Respondents should provide their e-mail address and/or fax number to Cindy Segebarth, Administrator, (501) 372-3300 [csegebarth@metroplan.org] so they can receive any answers to questions asked by other Respondents. Questions concerning any aspect of this RFP must be submitted in writing by e-mail to Cindy Segebarth. All questions must be received by close of business on Friday, August 11, 2017. Metroplan will respond to questions it considers appropriate to the RFP and of interest to all Respondents, but reserves the right, in its discretion, not to respond to any question. Responses will be posted on the Metroplan website (www.metroplan.org) by Monday, August 14, 2017. Responses posted on this website become part of the RFP upon posting. Metroplan reserves the right, in its discretion, to revise responses to questions after posting, by posting the modified response. No oral response to any Respondent by Metroplan shall be binding on Metroplan or in any way considered to be a commitment by Metroplan. Contact with other Metroplan staff, or other related staff, regarding this RFP is not permitted and failure to comply with this restriction could result in disqualification.

It is each Respondent's responsibility to read the entire RFP, and to be fully acquainted with the scope of work outlined herein. The failure of the Respondent to do the foregoing does not relieve the Respondent from any obligation with respect to the bid proposal submitted. If any Respondent is in doubt as to the true meaning of any part of the specifications, the Respondent should submit a written request for an interpretation.

IX. PROPOSAL FORMAT

Proposals shall be submitted on standard 8 ½ x 11 inch paper with font size no smaller than twelve (12) point. Proposals shall consist of one (1) signed original and three (3) copies, submitted in a sealed envelope plainly marked **SEALED BID FOR RETIREMENT PLAN ADVISOR - FIDUCIARY. DO NOT OPEN WITH REGULAR MAIL.** Proposals shall consist of the following:

1. A Cover Letter of Transmittal that includes:
 - a. The name of the company
 - b. Current address.
 - c. Main contact person
Title / telephone / email / fax
 - d. Signature of official authorized to bind Respondent to a contract
 - e. Typed name of official authorized and title
 - f. Date submitted
2. A Table of Contents, indicate the page where each section begins.
3. An Executive Summary, which should include a succinct description of the major features of the bid. The Executive Summary should not exceed three (3) pages in length.
4. Ownership Information, which shall identify how the company is owned; the year the company was established; the former name(s) of the company, if applicable; and the state in which the company is incorporated, if applicable.
5. Questionnaire, complete and accurate responses. See Appendix A for data inclusion detail.
6. A written plan that clearly identifies the services proposed and a detailed description of how the Respondent proposes to implement the plan. The plan is not to exceed five (5) pages in length, excluding any exhibits or appendices the Respondent may choose to submit. The plan should address the specifications contained in this document at a detailed level – meaning **all requirements** set forth in this RFP must have an INDIVIDUAL response in the RFP (indicating the requirement is (1) met, (2) not met, or (3) met with conditions – including commentary on the specific conditions to meet the requirement).
7. A minimum of three (3) references that Metroplan can contact for information about Respondent's performance within the past twelve (12) months.
8. *Optional:* Additional information to fully develop the Respondent's qualifications.

X. ADDITIONAL TERMS

1. *Costs.* Costs incurred developing bid proposals are to be entirely borne by the Respondents and will not be reimbursed under any circumstances. All supporting documentation and manuals submitted with this bid proposal will become the property of Metroplan. All bid proposals and associated documents are public record.

XI. PUBLIC INFORMATION NOTICE

All proposals submitted to Metroplan will be kept in confidence by the Selection Committee and shall be used solely for the purpose of evaluating the proposal for a possible award. Metroplan retains the right to provide copies provided by Respondents to its staff, legal, technical and financial advisors and representatives. Respondent should take care not to provide any confidential information, trade secrets, or other intellectual property, that they do not want Metroplan staff to receive.

Please Note: All information submitted for review may be subject to the Arkansas Freedom of Information Act and may be available upon request by the public. Respondents should identify any confidential, proprietary information or trade secrets and provide justification why such material should not be disclosed.

APPENDIX A – Questionnaire

For the Questionnaire section of the RFP, please include:

About your Firm / Team

Please tell us about your firm. If your team is affiliated with a large firm that includes multiple teams around the country, please tell us about your team.

1. Firm (team) Name:
2. Address:
3. Contact for this RFP:
 - a. Name/Title
 - b. Phone
 - c. Fax
 - d. Email
4. Describe the ownership and structure of your firm (team).
5. List your firm's lines of business (including affiliated companies).
6. How many years has your firm been in business?

7. Briefly describe your firm's history
 - a. How many years has your firm been servicing retirement plan clients?
 - b. What documentation of your firm's history servicing retirement plan clients can you provide?
8. What is the total number of employees in the firm?
 - a. Of those, what is the number of employees who are Investment Advisory Representatives (IAR).
 - b. Do you use sub-contractors?
 _____Yes _____No
 If yes, who and for what services?
9. What is the position of your firm in the employer-sponsored retirement plan business?
 - a. Percentage of revenue from retirement plan investment advisory services.
 - b. Plan assets under advisement
 - c. Total number of clients with a defined contribution plan under your advisement [401(k), 403(b), 401(a) Profit Sharing/ 401(a) Profit Sharing or Money purchase other than 401(k), Government 457, 457(b), and 457(f) plans].
 - d. Number of core client plans (with whom you firm has regular quarterly contact).
 - e. Number of client plans added over the past 24 months.
 - f. Number of clients lost over the past 24 months.
 - g. Publications your firm has created or contributed to.
 - h. Recognition received from independent sources demonstrating expertise and credibility.
10. Please list the types of services your firm offers for retirement plans.
11. Please describe your firm's experience helping clients through complex processes such as Department of Labor audits, Internal Revenue Services audits, voluntary compliance actions, partial plan termination determinations, and plan mergers of spin-offs, plan terminations, or corrective contributions.
12. Describe what differentiates your firm from other investment consulting firms.
13. How does your firm define and measure the success of retirement plan consulting relationships?
14. Please list the federal, state, and other regulatory agencies with which your firm is licenses or registered, and the type of license held.
 Please indicate which employees are not registered or licensed, and why.
15. Have any individuals from your firm ever been disciplined by any government regulator for unethical or improper conduct or been sued by a client who was not happy with the work performed by the firm?

16. Has your firm or any advisor of your firm been found guilty of any violation or paid any fines because of violations of securities regulations or ERISA?
17. Is your firm bonded/insured? If so, to what amount?
18. Does your firm work with client plans on an advisory basis?
If applicable, please provide a copy of both parts of your firm's most recent SEC Form ADV.
19. Does your firm work with clients on a commission basis?
20. Please provide a current list of representative clients.
21. Please list four reference clients similar to our organization in terms of size and plan.

Service Team

1. Describe your service model to our plan (staff, responsibilities, interactions with our plan, frequency of in-person meetings, frequency of conference calls, team dynamics).
2. Primary contact for our relationship:
 - a. Name/Title
 - b. Address
 - c. Phone/Fax/Email
 - d. Overall experience with employer-sponsored retirement plans.
 - e. Commitment to the retirement plan business
 - f. Education, honors, designations and other credentials
 - g. Regular activities to stay current on market and regulatory developments
 - h. Area of expertise
 - i. Years with the firm
 - j. Role with the firm
 - k. Number of plans supported
 - l. Average size of plans supported
 - m. Number of plans list this year

Investment Services

1. Describe your firm's approach to 457(b) plan investment consulting.
2. What investment policy statement support do you offer?
3. What tools does your firm use to evaluate investment funds and managers?
Which of these tools are proprietary to your firm, developed in-house or specifically for your firm?
4. Describe your investment research resources and capabilities.
 - a. How are investment benchmarks determined?

- b. Is your investment research proprietary or from a third party?
- 5. Do you hold performance review meetings with client and what reports do they receive?
- 6. Do you have an investment watch list and what is your termination recommendation process?
- 7. What actions do you take when investments are not performing?
- 8. Provide a sample of a written recommendation provided to a client.
- 9. Will your firm offer investment advice to our plan?

_____Yes _____No

Please explain.

Participant Services

- 1. Please list the types of services your firm provides to retirement plan participants.
- 2. Do you offer advice/education?
- 3. Do you offer model allocations?
- 4. What resources do you have dedicated to participants?
- 5. Please provide 2 specific examples of ways in which your firm has made a positive impact on retirement plans your support over the past 24 months (for example: increased participation, increased deferrals, enhanced services, lowered fees).

Provider / Vendor Services

- 1. Describe your vendor benchmark service and process.
- 2. Describe your service provider search RFP service and process.
- 3. In the past 36 months, how many TPA / Record keeper / Trustee searches have you conducted for the DC and DB plans your firm supports?
 - a. How many of these resulted in a change of TPA / Record keeper / Trustee?
 - b. List the top three TPA / Record keeper / Trustees that you have recommended.
- 4. With how many different service providers does your firm work to support current clients?
- 5. What experience do you have with our current service provider?
 - What relevant issues should we be aware of / focused on?
- 6. What plan design change initiatives have you led with your clients in the past 24 months?

Fiduciary Status and Compliance

- 1. Do you intend to act as a fiduciary for the plan and/or its participants?
- 2. What compliance resources does your firm provide?
- 3. Do you offer committee training, education, and support?
- 4. Describe your fiduciary responsibility under ERISA to our plan, including your ability to serve in an ERISA 3(21) or e(38) capacity.
- 5. Describe your fiduciary responsibility to our plan participants.
- 6. Describe potential conflicts of interest that may arise with the proposed advisory relationship

7. Does your firm have a written policy for addressing conflict of interest?
_____Yes _____No
Please describe.
8. Have any of your clients been the subject of an investigation by the Department of Labor?
_____Yes _____No
Please describe.

Fees

1. How is your firm compensated for services?
2. What percentage of your firm's revenue is derived from:
a. Commission relationships?
b. Advisory relationships?
3. Does your firm receive any form of compensation or benefits from companies or individuals whose products or services you may refer or recommend?
_____Yes _____No
Please explain.
4. Please describe any and all fees for services to our plan under this proposal.
5. Are you willing to guarantee your fees for a specific period of time?
6. Does your firm provide written agreement or a letter of engagement detailing services provided to our plan?
_____Yes _____No
If so, please include sample.
7. What is your ability to offset fees with 12b1 fees, finders' fees, or other fees embedded within the plans' investments?

Technology

1. Describe any technology available to your firm (excluding technology of our provider).
Which of this technology is proprietary to your firm, built in-house, or specifically for your firm?
2. What applications do you run that would be beneficial to our plan?
Which of these applications are proprietary to your firm?

Security and Business Continuity

1. Please describe the succession plan for the primary contact who will be working with our plan.
2. Please describe the succession plan of your firm.
3. Please describe your firm's data security measures.
4. Please describe your firm's disaster recovery plan.

ATTACHMENT A
ELIGIBLE BIDDER CERTIFICATION

The Bidder warrants and represents that neither the Bidder, any of its employees or its subconsultants:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
2. Have not within a three-year period preceding this Bid been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph two (2) of this certification; and
4. Have not within a three-year period preceding this application/Bid had one or more public transactions (Federal, State, or local) terminated for cause or default.

The person executing this certification further represents, warrants and affirms the truthfulness and accuracy of the contents of the statements submitted on or with this Certification and understand that the provisions of 31 U.S.C. Sections 3801 Et.Seq are applicable thereto.

BIDDER NAME

BY: _____
Signature

TITLE: _____

ATTACHMENT B
RECEIPT OF ADDENDA CERTIFICATION

The Bidder warrants and represents that it has received all Addenda (if any) issued by Metroplan in connection with this Request for Proposal.

BIDDER NAME

BY: _____

Signature

TITLE: _____

ATTACHMENT C
NON-COLLUSION ASSURANCE AFFIDAVIT

The undersigned, having first been duly sworn, on and under oath, state and affirm as hereinafter stated:

1. That I am the person responsible for the final decision as to the price(s) and amount of this Bid or, if not, that I have written authorization, attached to this certification, from that person to make statements set forth below on his or her behalf and on behalf of the Bidder.

2. I further attest that:
 - a. The price(s) and amount of this Bid have been arrived at independently without consultation, communication or agreement for the purpose of restricting competition with any other consultant, bidder or potential bidder.

 - b. Neither the price(s) nor the amount of this Bid has been disclosed to any other firm or person who is a bidder or potential bidder on this project, and will not be so disclosed prior to the Bid Opening Date.

 - c. No attempt has been made or will be made to solicit, cause or induce any firm or person to refrain from bidding on this project or to submit a bid higher than the bid of this firm, or any intentionally high or non-competitive bid or other form of complementary bid.

 - d. The Bid of this Bidder is made in good faith and not pursuant to any agreement or discussion with or inducement from, any firm or person to submit a complementary bid.

 - e. This Bidder has not offered or entered into a subcontract or agreement regarding the purchase of materials or services from any firm or person, or offered, promised or paid cash or anything of value to any firm or person, whether in connection with this or any other project, in consideration for an agreement or promise by any firm or person to refrain from bidding or to submit a complementary bid on this project.

f. This Bidder has not accepted or been promised any subcontract or agreement regarding the sale of materials or services to any firm or person, and has not been promised or paid cash or anything of value by any firm or person, whether in connection with this or any other project, in consideration for this Bidder submitting a complementary bid, or agreeing to do so, on this project.

g. I have made a diligent inquiry of all members, officers, employees, and agents of this Bidder with responsibilities relating to the preparation, approval or submission of this Bidder's Bid on this project and have been advised by each of them that he or she has not participated in any communication, consultation, discussion, agreement, collusion, act or other conduct inconsistent with any of the statements and representations made in this affidavit.

3. Further Affiant sayeth not.

Made and executed this ____ day of _____, 2017

Affiant's Signature

SUBSCRIBED AND SWORN to before me a Notary Public of and for the County and State aforesaid on this _____ day of _____, 2017.

Notary Public

My Commission Expires: _____

ATTACHMENT D
DISADVANTAGED/WOMEN BUSINESS
ENTERPRISE CERTIFICATION

The undersigned, having first been duly sworn, on and under oath, state and affirm as hereinafter stated:

1. That I am the Bidder or I have been authorized by the Bidder to make statements set forth below on behalf of the Bidder.

2. I further attest that:
 - a. The Bidder is a Disadvantaged Business Enterprise and meets the eligibility requirements detailed in 49 CFR Part 26.

 - b. The Bidder is certified with the Arkansas Highway and Transportation Department's DBE/WBE program or, if the Bidder has not been certified through the Arkansas Highway and Transportation Department, the source of the Bidder's DBE certification is: (Please insert source of DBE certification here).

3. Further Affiant sayeth not.

Made and executed this ____ day of _____, 2017

Affiant's Signature

SUBSCRIBED AND SWORN to before me a Notary Public of and for the County and State aforesaid on this _____ day of _____, 2017.

Notary Public

My Commission Expires: _____

**ATTACHMENT E
EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION**

The undersigned, having first been duly sworn, on and under oath, state and affirm as hereinafter stated:

1. That I am the Bidder or I have been authorized by the Bidder to make statements set forth below on behalf of the Bidder.

2. I further attest that:
 - a. the policy of the Bidder is to insure equal opportunity and non-discrimination, and require that all employees and applicants for employment be treated equally regardless of race, color, sex, national origin, religion, age and physical handicap not related to the ability to perform a particular job or occupation, and,

 - b. that the Bidder agrees to treat each person fairly without regard to race, color, sex, national origin, religion, age and physical handicap not related to the ability to perform a particular job or occupation, with respect to employment, upgrading, promotion, demotion, transfer, layoffs, termination, rates of pay or other forms of compensation, selection for training, and other terms and conditions of employment and further agrees to include in all recruitment advertising the notation that it is "An Equal Opportunity Employer", and to register its employment advertisements with such minority and female community organizations as appropriate.

3. Further Affiant sayeth not.

Made and executed this ____ day of _____, 2017

Affiant's Signature

SUBSCRIBED AND SWORN to before me a Notary Public of and for the County and State aforesaid on this _____ day of _____, 2017.

Notary Public

My Commission Expires: _____

ATTACHMENT F
CERTIFICATION OF RESTRICTIONS ON LOBBYING

The undersigned, having first been duly sworn, on and under oath, state and affirm as hereinafter stated:

1. That I am the Bidder or I have been authorized by the Bidder to make statements set forth below on behalf of the Bidder.

2. I further attest that:
 - a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the Bidder, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement, and

 - b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an office or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the Bidder shall complete and submit the Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions, and,

 - c. That the Bidder shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

d. The undersigned acknowledges that this certification is a material representation of fact upon which reliance is placed when this transaction is made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S.C. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

3. Further Affiant sayeth not.

Made and executed this ____ day of _____, 2017

Affiant's Signature

SUBSCRIBED AND SWORN to before me a Notary Public of and for the County and State aforesaid on this _____ day of _____, 2017.

Notary Public

My Commission Expires: _____

ATTACHMENT G
CERTIFICATION REGARDING DEBARMENT, SUSPENSION, PROPOSED
DEBARMENT, AND OTHER RESPONSIBILITY MATTERS

A. The Consultant certifies, to the best of its knowledge and belief, that—

1. The Consultant and any of its Principals—

- a. Are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any federal or state agency;
- b. Have not, within a 3-year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) contract or subcontract; violation of federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- c. Are not presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in Subsection 31.1.1.2; and,
- d. The Consultant has not within a 3-year period preceding this offer, had one or more contracts terminated for default by any federal or state agency.

B. *Principals*, for the purposes of this certification, means officers; directors; owners; partners; and, persons having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a subsidiary, division, or business segment, and similar positions). This certification concerns a matter within the jurisdiction of an agency of the United States and the making of a false, fictitious, or fraudulent certification may render the maker subject to prosecution under Section 1001, Title 18, United States Code, as well as any other applicable federal and state laws.

C. The Consultant shall provide immediate written notice to the Owner if, at any time prior to contract award, the Consultant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

D. The certification is a material representation of fact upon which reliance was placed when making award. If it is later determined that the Consultant knowingly rendered an erroneous certification, the Owner may terminate the contract resulting from this solicitation for default in addition to any other remedies available to the Owner.

E. Further Affiant sayeth not.

Made and executed this ____ day of _____, 2017

Affiant's Signature

SUBSCRIBED AND SWORN to before me a Notary Public of and for the County and State
aforesaid on this _____ day of _____, 2017.

Notary Public

My Commission Expires: _____