

**REQUEST FOR QUALIFIED
CONTRACTORS**

FOR

Municipal Grocery Store Development

April 11th, 2024

RESPONSES DUE: May 2nd, 2024



WWW.INVESTATLANTA.COM
P 404.880.4100 | F 470.498.4100
133 Peachtree Street NE, Suite 2900
Atlanta, GA 30303

SECTION I INTRODUCTION

Invest Atlanta (“IA”) is soliciting competitive, sealed responses (“Responses”) from interested and qualified firms (“Respondents”) to develop and operate a municipal grocery store(s) within the city. The intent and purpose of this request for qualifications is to identify no more than 3 qualified firms that will partner with Invest Atlanta in developing and operating a municipal grocery store that meets the objectives and priorities contained within this request for qualifications. Specifically, Invest Atlanta encourages responses from entities that include, but are not limited to, the following:

- Organizations that provide general consultation and implementation services pertaining to food access opportunities.
- Master developers which engage with subcontractors to meet food retail project milestones and deliverables.
- Cooperatives and partnerships which engage with subcontractors, partner entities, and/or other stakeholders to meet food retail project milestones and deliverables.

Respondents shall be selected and determined through IA’s review of each response, considering the factors identified in this Request for Proposals (“RFQC”) and any other factors that it considers relevant to serving the best interest of IA and its mission. Nothing in this RFQC shall be construed to create any legal obligation on the part of Invest Atlanta or any respondents. Invest Atlanta reserves the right, in its sole discretion, to amend, suspend, terminate, or reissue this RFQC in whole or in part, at any stage. In no event shall Invest Atlanta be liable to respondents for any cost or damages incurred in connection with the RFQC process, including but not limited to, any and all costs of preparing a response to this RFQC or any other costs incurred in reliance on this RFQC. No respondent shall be entitled to repayment from Invest Atlanta for any costs, expenses or fees related to this RFQC. All supporting documentation submitted in response to this RFQC will become the property of Invest Atlanta. Respondents may also withdraw their interest in the RFQC, in writing, at any point in time as more information becomes known.

BACKGROUND & MAIN OBJECTIVES

Invest Atlanta has prioritized increasing the pipeline of businesses within the COA that desire to set up or expand their grocery offerings. Specifically, Invest Atlanta is targeting businesses that want to extend their offerings in areas typically characterized as a “USDA Low Income, Low Access Community” or highly disinvested communities with food accessibility challenges. Communities adjoining to Low Income, Low Access and disinvested neighborhoods are considered priority communities in the Strategy. In 2015, just 52% of City residents lived within a half-mile of fresh food and by 2020 only 75% of residents across the city had access to affordable fresh food. Ultimately this research has led to the City’s overall development of a grocery and healthy foods strategy (the “Strategy”) for improving COA residents’ access to food. This strategy consists of four overarching strategies:

1. Attract Major Supermarket & Grocery Stores.
2. Expand, Retain & Improve Corner and Neighborhood Markets.
3. Support Innovative Food Access Models.
4. Drive Policy, Systems, and Environment Change.

The overall goal of this Strategy is to increase the number of residents within a half-mile of fresh, affordable food to 85% by 2025.

Furthermore, Invest Atlanta issued a Request for Information to solicit input regarding incentivizing and attracting new Grocer’s into disinvested areas. Much of the information collected during this process has validated Invest Atlanta’s current research and efforts regarding food deserts, as well as, led to defining the main objectives for the project below.

The main objectives of this project include:

- Establishing a sustainable and community focused grocery store that meets the diverse needs of the City of Atlanta’s residents.
- Increasing access to fresh and healthy food options, particularly in underserved neighborhoods and food deserts.
- Promoting economic development and job creation by sourcing products locally and hiring from within the community.
- Fostering partnerships with wholesalers, local farmers, growers, and food producers to showcase and support regional agriculture.
- Enhancing food security and food accessibility for residents of all income levels.

DEFINITIONS

COMPETITIVE RANGE: Based on the ratings of each proposal against all evaluation criteria, IA shall establish a competitive range comprised of all of the most highly rated proposals, unless the range is further reduced for purposes of efficiency.

FULL-SERVICE: Provides a minimum of 6,000 square feet of retail space for a general line of food and non-food grocery products intended for home preparation, consumption, and utilization. Provides at least 50 percent of a general line of food products intended for home preparation, consumption, and utilization. Provides at least 30 percent of retail space for perishable goods that include dairy, fresh produce, fresh meats, poultry, fish, and frozen foods. Provides at least 500 square feet of retail space for fresh produce.

PRIORITY AREA(S): 3 corridors and 4 Neighborhoods defined in the Scope of Services.

Respondent: Organizations that provide general consultation and implementation services pertaining to food access opportunities. Master developers which engage with subcontractors to meet food retail project milestones and deliverables. Cooperatives and partnerships which engage with subcontractors, partner entities, and/or other stakeholders to meet food retail project milestones and deliverables.

**SECTION II
TIMELINE OF EVENTS AND SUBMISSION INSTRUCTIONS**

INQUIRIES AND PROCESS TIMELINE

Only inquiries received electronically will receive a response. Do not contact any Invest Atlanta staff with any questions or comments pertaining to this RFQC. All such inquiries must be delivered by **5:00 p.m., April 20th, 2024 to the issuing officer at russell@investatlanta.com**. Inquiries received after such date and time will not receive a response. Invest Atlanta will publish all timely received written inquiries and Invest Atlanta’s responses to those inquiries as an Addendum to this RFQC on Invest Atlanta’s website (www.investatlanta.com) on or before the close of business on **April 22nd, 2024**.

Due Date	Action Required
April 11, 2024	Release of RFQC
April 18, 2024 @ 11:00am-12:00pm EST	Informational Session
April 20, 2023	Written questions due to Invest Atlanta
April 22, 2023	Responses to written questions posted
May 3, 2024	Responses due to Invest Atlanta

SUBMISSION INSTRUCTIONS

A. Responses to this Request for Quotes must be submitted in electronic Portable Document Format (PDF) no later than **5:00 p.m., May 3rd, 2024, to the issuing officer at lrussell@investatlanta.com**. Proposals should include all identified components (Responses to Mandatory Requirements, Mandatory Scored Requirements and Exhibit A Fee Proposal). Proposals received after the deadline time and date will not be considered.

By submitting a response to the RFQC, the Respondent is acknowledging that the Respondent:

1. Has read the information and instructions,
2. Agrees to comply with the information and instructions contained herein.

From the time of release of this RFQC through the conclusion of the selection process, there shall be no communication between any Respondents and/or their lobbyist or authorized/unauthorized agent(s) with any staff of the City, IA or the Atlanta Development Authority ("ADA"), any elected or appointed official of the City, IA, ADA and/or their staff or financial advisor, except as provided for in the RFQC, unless such communication is initiated by IA and is unrelated to this RFQC process. Any violation of this provision by any Respondent and/or its lobbyist or authorized/unauthorized agent(s) shall be immediate grounds for disqualification for award of a contract in connection with this RFQC.

The laws of the State of Georgia, including the **Georgia Open Records Act**, as provided in O.C.G.A §50-18-70, et seq., require certain public records be made available for public inspection. Even though information (financial or other information) submitted by a Respondent may be marked as "confidential", "proprietary", etc., Invest Atlanta will make its own determination regarding what information may or may not be withheld from disclosure.

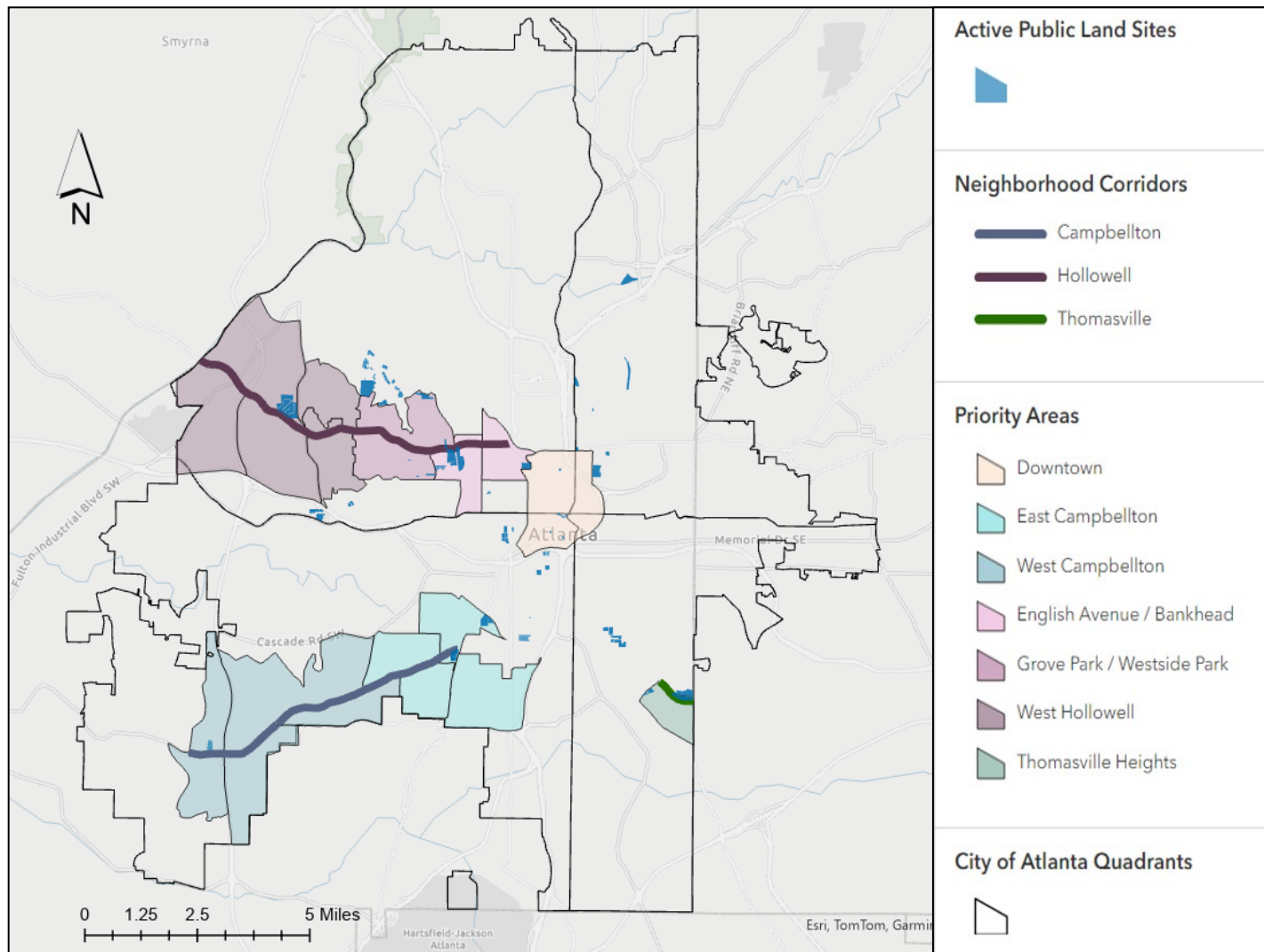
SECTION III SCOPE OF SERVICES

Invest Atlanta, in collaboration with the City of Atlanta, is seeking partnership with grocery store developers, business owners, retailers, and landowners in development of a municipal market. This market shall operate as a Full-Sized grocery store to provide a unique, local shopping experience that offers a combination of healthy food, retail services, and/or multiple food shops/restaurants. The prime motivation of this initiative is to attract and launch a full-sized grocery store and form a partnership that would serve residents of the City of Atlanta along with visitors from nearby communities. The proposed developments should aim to strengthen, expand, and innovate within the food retail supply chain and consider projects that process, distribute, aggregate, market, and sell healthy, fresh, and affordable foods to underserved communities in the City of Atlanta. Projects must demonstrate how their proposed project will contribute to food access through the availability of staple and perishable foods for retail sale.

A successful responder(s) will be selected through a competitive Request for Proposal (RFQC). There are several undeveloped land sites proposed, both privately and publicly owned within the target area. Invest Atlanta has identified three (3) commercial corridors and four (4) neighborhoods as described below, however, the Invest Atlanta remains open to respondents that propose alternate sites not included within this RFQC if they are within the designated priority areas, depending on the size, scope, needs, and public benefits of the project.

Designated Priority Areas for the Project:

- Commercial Corridors
 - Campbellton Road Southwest
 - Donald Lee Hollowell Parkway
 - Martin Luther King Jr. Boulevard
- Neighborhoods
 - Bowen Homes
 - Downtown
 - Grove Park
 - Thomasville Heights



The selected firm(s) to this RFQC will be responsible for:

1. Conducting market research, site selection, and needs assessments to identify suitable locations, target demographics, and market demand for the municipal grocery store.
2. Developing and implementing a comprehensive business plan and operating model for the municipal grocery store, including financial projections, marketing strategies, and supplier relationships.
3. Designing and outfitting the physical space to optimize layout, functionality, and customer experience, with a focus on sustainability and accessibility.
4. Selecting and sourcing a diverse range of products, including fresh produce, pantry staples, prepared foods, and specialty items, to meet the needs and preferences of the community.
5. Implementing best practices in food safety, quality control, and inventory management to ensure the highest standards of product freshness and integrity.
6. Recruiting and training staff members with a commitment to customer service, community engagement, and product knowledge.

7. Establishing partnerships with local organizations, community groups, and government agencies to support outreach education, and programming related to nutrition, cooking, and healthy eating.
8. Implementing marketing and promotional initiatives to raise awareness of the municipal grocery store and attract customers from across the city.

Furthermore, the role of the designated Developer/Operator for each project will be expected to bring and/or attract capital to finance development, implement a project concept, work with Invest Atlanta to fully develop a comprehensive design for the Project, consistent with design guidelines, manage the construction of the Project, and work with Invest Atlanta to fully develop a comprehensive operational plan for the Project. Activities performed by the Developer/Operator role may include any or all the following activities pertaining to the development of the project:

- Design & Construction
- Financing
- Leasing and Operation
- Community Outreach and Engagement
- Marketing
- Property Management

Invest Atlanta will consider a disposition(s) in the form of land acquisition, a license agreement, long-term ground lease, development, and management agreements for the Project.

One or more respondents may be chosen to lead a portion(s) of the scope. A short-list of qualified respondents will be identified during this phase of the project and Invest Atlanta may request more specific details on site options, project budget and financial capacity, public assistance requirements, and economic development impact through subsequent discussions or solicitations.

The term of the contract shall be for two years (2) years or the completion of the last mutually agreed upon development project/scope of work; subject to a satisfactory annual performance review at the sole discretion of IA.

GENERAL BUSINESS REQUIREMENTS

All Respondents shall have an active business license or if a joint venture, each entity must be registered to business in the State of Georgia.

SECTION IV TECHNICAL REQUIREMENTS

The technical requirements below provide a framework of the minimum standards that must be upheld for firms providing Bond Trustee Services. Firms are encouraged to carefully review all requirements and tailor their proposals accordingly while ensuring compliance with applicable laws and regulations.

MANDATORY REQUIREMENTS

To be considered responsive, responsible, and eligible for award or for selection as a qualified contractor, **Respondents must answer all questions in this section in the affirmative (with a “Yes”) to pass and must be submitted as a part of your response.**

1. Does the Respondent agree to construct and/or rehabilitate a grocery store and after project completion, manage the development and any commercial tenants in accordance with all relevant federal, State and local laws and regulations including, but not limited to, the Georgia Department of Agriculture’s basic requirements for retail food (<https://agr.georgia.gov/basic-requirements-retail-food>)?

2. Does the Respondent agree to adhere to approved accounting procedures compatible with the City of Atlanta's system of accounting with respect to the receipts and disbursements of the described properties, and suitable books and records will be kept, all subject to audit and inspection by City of Atlanta, HUD or any other authorized governmental agency?
3. Does the Respondent agree to provide Corporate financial statements and bank references under separate cover to be opened and reviewed upon request? (Please note that the City reserves the right to conduct or seek background or credit reports on the applicant(s) in conjunction with their proposals.)
4. Does the Respondent, in whole or in part, agree that it does not have any delinquent loan payments with the City of Atlanta?
5. Does the Respondent agree, in whole or in part, that it has not had property acquired through foreclosure or a judgment within the past ten (10) years.
6. Invest Atlanta is committed to the long-term development of the area. Does the Respondent agree to be a willing partner with the neighborhood and the City of Atlanta in the economic development of the area.
7. Does the Respondent agree to meet the below requirements for Full-Service Grocer Operations?
 - a. Provide a minimum of 6,000 square feet of retail space for a general line of food and non-food grocery products intended for home preparation, consumption, and utilization.
 - b. Provide at least 50 percent of a general line of food products intended for home preparation, consumption, and utilization.
 - c. Provide at least 30 percent of retail space for perishable goods that include dairy, fresh produce, fresh meats, poultry, fish, and frozen foods.
 - d. Provide at least 500 square feet of retail space for fresh produce.
8. If Selected as a Qualified Contractor, does the Respondent agree to show intent to lease and intent to operate a grocery store for a period no less than 10 years?
9. Does the Respondent agree that at least one, 1, proposed location is within the parameters of what is being defined as a food desert in the priority areas of this RFQC or a disinvested neighborhood?
10. Does the Respondent agree that the designated Developer/Operator(s) will be responsible for all permits, approvals, and site improvements?
11. If selected as a Qualified Contractor, does the Respondent agree to implement an Employment plan that includes the developed grocery store being locally owned or franchised and/or possess management control at a local level?
12. Does the Respondent agree to accept government nutrition program benefits/incentives such as SNAP and WIC?

MANDATORY SCORED REQUIREMENTS

The Respondent's technical proposal shall be structured in alignment with the framework provided below. To be considered responsive, responsible, and eligible for an award or for selection as a qualified contractor, you must answer all questions in this section. ***Respondents shall provide responses on Exhibit A Mandatory Scored Response Worksheet, in addition to the Cover letter and Additional Requirements and Forms.***

Multiple project concepts from proposers are permitted; however, each must fully conform to the RFQC requirements. Proposers must sequentially label (e.g. Proposals #1, Proposals #2) and separately package each Proposals.

A. PROPOSAL OVERVIEW AND COVER LETTER

1. Respondents shall provide a cover letter summarizing the key points of their response. The cover letter shall be executed by an officer or employee of the firm who is authorized to

commit the Respondent's resources to IA's proposed transaction. Please limit your transmittal letter to two pages.

- a. Include name of business (include any dba names); headquarters and parent company locations; mailing address, contact person, telephone number for primary contact person, email address; and a principal or officer of the business authorized to execute contracts or other similar documents on the business' behalf.

B. COMPANY AND TEAM QUALIFICATIONS (20 PTS)

1. Respondent shall provide a brief history of the business and experience in grocery retail operations. Respondent shall include years in operation and organizational hierarchy and structure (preferably in an organizational chart).
2. Respondent shall provide resumes or brief biographies of key personnel involved in the project, including project managers, architects, general contractor(s), food and retail experts.
3. Respondent shall provide a description of any grocery related professional affiliations and memberships it participates in and the number of years of participation.
4. Litigation and default history over the past five (5) years to include agreements, financing arrangement with any bank, financial institution, or other entity and if yes, specify date(s), details, circumstances, and prospects for resolution.

C. RELEVANT EXPERIENCE WITH PROJECTS SIMILAR IN SCOPE (30 PTS)

1. Respondent shall provide a description of a minimum of three (3) previous projects similar in scale and scope to the development and operation of a grocery store. Responses shall, at a minimum, indicate previous use of any public assistance for grocery store projects.
2. Respondent shall provide a description of any success stories or case studies demonstrating the firm's ability to serve underserved communities and provide access to fresh foods.
3. Respondents shall describe its current workload and on-going projects. Responses shall, at a minimum, include the number of ongoing projects.
4. The Respondent shall provide three (3) references within the past five (5) years for the business/company, existing staff, and/or key personnel on the team to include the following information for each reference:
 - a. Project Name: Name of the project.
 - b. Contact Name: Person who will be able to answer any customer satisfaction questions.
 - c. Phone Number: Phone number of the contact we will be surveying.
 - d. Date Completed/Date of Substantial Completion
 - e. Address: Street, City, and State where the project was completed.
 - f. Size: Size of the project in square feet and dollar amount.
 - g. Duration: Duration of the project/construction in months.
 - h. Type: Type of the project (i.e., Grocery Store only, Grocery Store with Additional Retail, Mixed Commercial and Residential)
 - i. Sustainability: Is the completed project still viable today?
 - j. Project management: was the project delivered on time and within budget? If not, what contributed to deviations from established plans?

D. PROPOSED APPROACH AND METHODOLOGY (30 PTS)

1. Respondents shall provide a detailed plan for site selection, design, construction, and ongoing operation of the grocery store. Responses at a minimum shall include:

- a. A description of how market evaluations will or have been conducted.
 - b. a description of site selection activities and procedures.
 - c. A preliminary Design and floor plan that demonstrates estimated square footage of store and the layout in terms of different store departments.
 - d. A construction and/or development schedule that estimates the project commencement and completion.
2. Respondents shall provide at least one priority area (Commercial Corridor AND Neighborhood) in which a Grocery Store Development will be most attractive. Respondents are encouraged to name specific sites within an priority area if possible. In addition, Respondents are encouraged to recommend more than one site.
 3. Respondent shall describe its strategy for community engagement and involvement in decision-making processes.
 4. Respondent shall describe its approach to sourcing fresh foods and ensuring quality and affordability for local residents.

E. FINANCIAL QUALIFICATIONS AND CAPACITY (20 PTS)

1. Respondents shall provide evidence of their financial capacity, financial success over time, and demonstrate their credit worthiness to undertake the project. For Respondents that are not publicly traded, audited financial statements in U.S. dollars for the three (3) most recent years must be provided. If the Respondents is a joint venture or partnership, financial statements for each partner are required. In addition to financial statements, additional evidence shall include two financial references, a letter from a financial institution with whom the Respondent has a relationship, and the identification of sources of equity or debt capital that may or will be used for the Project.
2. Respondents shall provide a list of incentives and or subsidies that is being requested from Invest Atlanta. This is not a guarantee or commitment that proposed incentives will be provided.

ADDITIONAL REQUIREMENTS & FORMS

F. CERTIFICATION STATEMENT

The following shall be repeated in the Respondent's Response and signed by an individual authorized to bind the Respondent. Failure to include and provide an original signature of the certification statement may result in rejection of Response.

"I agree to abide by the conditions of this RFQC and certify that all the information provided in this Response is true and correct, that I am authorized to sign this Response for the Respondent, and that the Respondent is in compliance with all requirements of the RFQC."

Authorized Signature: _____

Name:

Title:

G. E-VERIFY AFFIDAVIT & SAVE AFFIDAVIT

Provide notarized proof of compliance with Illegal Immigration Reform and Enforcement Act,

O.C.G.A. §13-10-90, et seq. (Appendix A) E-Verify. Respondents must comply with the Illegal Immigration Reform and Enforcement Act, O.C.G.A. §13-10-90, et seq. All services physically performed within the State of Georgia must be accompanied by proof of your registration with the E-Verify Program, as well as verification of your continuing and future participation in the E-Verify program established by the United States Department of Homeland Security. A completed E-Verify Contractor Affidavit must be submitted to Invest Atlanta (Appendix A-1). To the extent there are subcontractors working on this contract, you are responsible for obtaining a fully signed and notarized subcontractor affidavit from those firms with whom you have entered into sub-contracts (Appendix A-2). In turn, should there be second-tier subcontractors on this project, you must require the subcontractors to obtain E-Verify Affidavits from those second-tier.

H. DIVERSITY, EQUITY INCLUSION POLICY

At Invest Atlanta, economic prosperity and competitiveness in Atlanta start with equity—equitable access to opportunity and pathways to wealth creation. It is more than a goal; it is a guiding principle that drives us. We advance our work through this lens to ensure that all Atlantans are positioned to benefit from economic investments in our city, regardless of their zip code.

Invest Atlanta encourages all Respondents to promote opportunities for diverse businesses, including Minority Business Enterprises (“MBE”), Female Business Enterprises (“FBE”), and Small Business Enterprises (“SBE”) to compete for business as subcontractors and/or suppliers.

However, nothing herein should indicate that an MBE, FBE, or SBE may not apply and be selected independently, as MBEs, FBEs, and SBEs that meet the qualifications of this ITB are encouraged to submit their qualifications for consideration. For an MBE, FBE, or SBE to participate on the contract, said MBE, FBE, or SBE must be certified as an MBE or FBE and be registered with the City's Office of Contract Compliance M/FBE Register. SBEs must be registered with the City and are defined as businesses not 2.5 million in gross sales during the recent calendar or fiscal year.

- **City of Atlanta – Office of Contract Compliance (MBE/FBE):**
Jason Ingram
68 Mitchell St. SW, Suite 5100, Atlanta, Georgia 30303
Tel: 404.330.6010
Fax: 404.658.7359
email: jingram@AtlantaGa.Gov
- **Small Disadvantaged Business (SDB)** certification by the U.S. Small Business Administration provided they reflect certification because of minority or women-owned status.

If joint responses are permitted within this RFQC, a firm selected by the Respondent to jointly respond to this RFQC can only satisfy one of three categories. The same firm may not, for example, be listed for participation as an MBE organization and a SBE organization even if the level of participation exceeds each category's goal. All firms must be registered or certified prior to the submittal of the Response. A Respondent is at risk in that there may be an issue of time to certify or register if it intends to use a firm that is not certified or registered at the time the Response is submitted. Invest Atlanta is an Equal Opportunity Employer.

SECTION IV COST REQUIREMENTS

REMOVED

SECTION V EVALUATION CRITERIA AND SELECTION PROCESS

SELECTION CRITERIA

The Selection Committee comprised of Invest Atlanta staff will review qualifications in accordance with

the evaluation criteria set forth herein and IA overall objectives and policies. Quotes that are submitted in a timely manner and comply with the mandatory requirements of the RFQC will be evaluated in accordance with the terms of the RFQC. Any contract/purchase order resulting from this RFQC will not necessarily be awarded to the vendor with the lowest price. Instead, a contract/purchase order shall be awarded/issued to the vendor whose proposal best fits the needs and objectives of Invest Atlanta.

Evaluation Process	Weight of Eval. Process	Evaluation Criteria	Weights of Eval. Criteria
Technical	100 pts	<i>Company and Team Qualifications</i>	20 pts
		<i>Relevant Experience</i>	30 pts
		<i>Proposed Approach & Methodology</i>	30 pts
		<i>Financial Qualifications and Capacity</i>	20 pts

When evaluating proposals, IA reserves the right to:

- (1) Waive technicalities or irregularities in Responses at its discretion;
- (2) Accept or reject any or all Responses received as a result of this RFQC;
- (3) Obtain information concerning any and all Respondents from any source;
- (4) Schedule an oral interview before the Review Committee from any or all Respondents or Respondents identified within a Competitive Range;
- (5) Select for contract negotiation or award, a Response other than that with the highest score if, in the judgment of IA, it shall serve the public's best interests; and
- (6) Negotiate with the successful Respondent with respect to any additional terms and conditions of the contract.

IA may rely on all representations therein for 120 days from the date established for receipt of proposals.

TECHNICAL EVALUATION

As specified with each requirement listed in Section 4: Technical Requirements- Mandatory Requirements, the Respondent must answer all questions in this section in the affirmative (with a "Yes") to pass and must be submitted as a part of your response. To be considered responsive and eligible for an award, all mandatory requirements identified must be met.

Additionally, all requirements described within Mandatory Scored Requirements must be met and completed. The responses to the Mandatory Scored Requirements require a narrative description to be completed. The responses will be evaluated by a team, designated by Invest Atlanta, in accordance with the scoring rubric above. Specifically, the responses provided to the Mandatory Scored Requirements serve as the basis for the technical evaluation and score.

COST EVALUATION AND SCORE

REMOVED

OVERALL COMBINED SCORE

The Respondent's Overall Combined Score consists of the summation of the average technical scores per technical criteria by the selection/evaluation committee. Respondents will be ranked based on their Overall Combined Score. A Competitive Range may be determined by identifying any natural groupings or breaks within the pool of Respondents.

After evaluating all proposals in accordance with this section, IA may determine that the number of most highly rated proposals that might otherwise be included in the competitive range exceeds the number at which an efficient competition can be conducted. Therefore, IA may limit the number of proposals in the competitive range to the greatest number that will permit efficient competition among the most highly rated proposals.

SECTION VI
GENERAL TERMS AND CONDITIONS

All qualifications and supporting materials as well as correspondence relating to this RFQC become property of Invest Atlanta when received. Any proprietary information contained in the Response should be so indicated. However, a general indication that the entire contents, or a major portion, of the proposal is proprietary will not be honored.

- A. All applicable State of Georgia and Federal laws, City and County ordinances, licenses and regulations of all agencies having jurisdiction shall apply to the Respondent(s) and the scope of services. The engagement letter with the Respondent(s), and all questions concerning the execution, validity or invalidity, capability of the parties, and the performance of the services, shall be interpreted in all respects in accordance with the laws of the State of Georgia.
- B. Professionals requiring special licenses must be licensed in the State of Georgia and shall be responsible for those portions of the work as may be required by law.
- C. No Response shall be accepted from, and no contract will be awarded to, any person, firm, or corporation that (i) is in arrears to Invest Atlanta or the City with respect to any debt, (ii) is in default with respect to any obligation to Invest Atlanta or the City, or (iii) is deemed irresponsible or unreliable by Invest Atlanta. If requested, the Respondent shall be required to submit satisfactory evidence that they have the necessary financial resources to provide the proposed services.
- D. From the date Invest Atlanta receives a Respondent's proposal through the date a contract is awarded to a Respondent, no Respondent may make substitutions, deletions, additions, or other changes in the configuration of Respondent's proposal or members of Respondent's team.