

COUNTY OF ORANGE

Request for Applications for Port Jervis Healthy Orange Farmers Market Manager

INTRODUCTION

A. The County of Orange ("County"), by and through its Department of Health's Healthy Orange Program ("Healthy Orange"), is seeking applications from qualified, experienced organizations and/or individuals to manage the Healthy Orange Farmers Market held in Port Jervis, New York (hereinafter referred to as the "Market").

B. For consideration of a contract award under this Request for Applications ("RFA"), an application consisting of (1) an Application Cover Sheet (included in this RFA) **and** (2) a brief description of applicant's ability to complete all required tasks specified in this RFA must be submitted to the attention of Danielle Moser, Sr. Public Health Educator, with the subject line "**RFA for Port Jervis Healthy Orange Farmers Market Manager**" via email to dmoser@orangecountygov.com or via facsimile to (845) 360-9306 **by no later than 4:00 p.m., prevailing time, on March 13, 2020.**

GENERAL INFORMATION

A. Procurement Lobbying Law Restricted Period for Communications: Pursuant to New York State Finance Law §139-j and §139-k, this RFA includes and imposes certain restrictions on communications between the County and an applicant during the procurement process. An applicant is restricted from contacting other than designated staff from the earliest notice of intent to solicit applications through final award and approval of the procurement contract by the County Executive ("Restricted Period") unless it is a contact that is included among certain statutory exceptions set forth in New York State Finance Law §139-j(3)(a). County employees are required to obtain certain information when contacted during the restricted period. The designated staff contact is Danielle Moser, telephone no. (845) 360-6680. Applicants responding to this RFA must familiarize themselves with these New York State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the Application Cover Sheet included in this RFA.

B. Pay-to-Play Law: Please be advised that this RFA is subject to Orange County Local Law 13 of 2013, as amended, known as the "Pay-to-Play Law". Pay-to-Play Forms will be made available with this RFA. Form A must be included with all applications submitted in response to this RFA; Form B will be required only if an applicant is awarded a contract pursuant to this RFA. Applicants who fail to submit Form A will not have their applications considered. Form B is required for execution of a contract by the County.

C. Questions: Questions can be submitted in writing to Danielle Moser via email at dmoser@orangecountygov.com or by facsimile at (845) 360-9306 by no later than 4:00 p.m. on February 21, 2020.

D. Term of Contract: The County anticipates that the term of any contract awarded pursuant to this RFA will be for a period of approximately six (6) months, commencing on/about June 1, 2020 and ending on November 30, 2020, to coincide with the 2020 Market season. The County reserves the right to renew and extend such contract for up to two (2) additional periods of approximately six (6) months each to coincide with the 2021 and 2022 Market seasons, respectively, at its sole option and under the same terms and conditions as set forth in the contract.

E. Insurance Requirements: During the term of the contract resulting from this RFA, or longer if required, the successful applicant shall maintain, at its expense, Workers' Compensation, disability, and liability insurance policies of the types and minimum coverages specified in the contract form attached to this RFA. Certificates of insurance evidencing the successful applicant's compliance with these requirements will be required prior to execution of a contract by the County.

F. Form of Contract: The successful applicant agrees to execute a contract in substantially the same form included with this RFA in the timeframe, if any, indicated in this RFA. The terms and conditions of this RFA together with the application submitted by the successful applicant in response to this RFA will be incorporated into and made part of the contract.

G. Submission of Applications: The items checked below must accompany all applications submitted in response to this RFA:

- Application Cover Sheet from this RFA
- All items listed in Section L of this RFA entitled "Application Submission Requirements."
- Supplier Application Packet (required with application if applicant has not contracted with the County in the last twelve (12) months under its current business entity name and identification number). The Supplier Application Packet is not included in this RFA but is available at: http://www.orangecountygov.com/filestorage/124/1332/1392/Supplier_Application_Packet.pdf

H. Anticipated Timeline:

Request for Applications Circulated:	February 11, 2020
Questions Due:	February 21, 2020
Applications Due:	March 13, 2020
Applicant(s) Selected:	On/about the week of March 16, 2020

I. Specifications:

1. As manager of the Market, the successful applicant (hereinafter referred to as "Vendor") will have certain duties, and must perform tasks including the following:

- (a) Ensure proper set up of the Market as specified by County's Department of Health ("OCDOH") including, but not limited to, spacing of Market merchants,

appropriate display of items, and overall sanitary conditions, and compliance with the "Port Jervis Healthy Orange Farmers Market Information and Guidelines," a copy of which is attached hereto, made part hereof, and marked as **Exhibit A** to this RFA;

(b) Perform certain tasks, some of which may involve physical activity such as lifting signs and/or boxes or tent set up/take down;

(c) Maintain an on-site presence (Farmers Market Square at the corner of Pike and Hammond Streets) during Market hours every Saturday from on/about June 20, 2020 through October 10, 2020;

(d) Maintain records of merchants' (i.e. farmers and agents) applications and contact information;

(e) Supervise merchants by keeping attendance logs and ensuring that they are operating within Market guidelines and in accordance with the New York State Department of Agriculture;

(f) Ensure proper signage for promotion of the Market;

(g) Ensure that Market goods displayed by merchants are of good quality regarding freshness in accordance with the "Value and Quality Guidelines," a copy of which is attached hereto, made part hereof, and marked as **Exhibit B** to this RFA;

(h) Operate the "Electronic Benefit Transfer" (also referred to as "EBT") machines, and manage the token system and "Fresh Connect" coupons;

(i) Coordinate activities with the Market sponsor;

(j) Follow safety plan for unforeseen incidents, including notification of proper authorities in emergency situations and determining the need for closure of the Market in the event of extreme weather in accordance with the "Emergency Procedures for Port Jervis Healthy Orange Farmers Market," a copy of which is attached hereto, made part hereof, and marked as **Exhibit C** to this RFA;

(k) Implement special programs such as promotional and educational activities during Market hours;

(l) Promote Market through various means such as distribution of Market flyers on-site, taking of photographs, and social media;

(m) Ensure that the Market location is left clean and intact at the end of each Market day;

(n) Report on Market activities and Market usage, including the number of merchants, estimated number of shoppers, and available information on daily purchases using the "Weekly Report Form-Healthy Orange Farmers Market," a

copy of which is attached hereto, made part hereof, and marked as **Exhibit D** to this RFA. Vendor must submit such reports to OCDOH by August 31, 2020 and November 30, 2020, respectively; and

(o) Participate in evaluation of Market activities as determined by OCDOH if needed.

2. All Market activities must be approved by OCDOH and the Market sponsor (i.e. the City of Port Jervis).

3. If Vendor is also a merchant participating in the Market (hereinafter referred to as "Market Participant"), he/she must have an additional person at his/her table to handle all of the duties of a Market Participant so that Vendor can perform the required tasks and duties specified in this RFA. Such additional person may not perform, or assist Vendor in the performance of, any of the tasks and/or duties required of Vendor as specified in this RFA without first obtaining the written consent of County for such additional person to be a subcontractor of Vendor in accordance with the terms of the contract form attached to this RFA.

4. Vendor must attend the "Farm Market Federation Training" prior to Market start date.

J. Available Funds and Claim Process:

1. Funding in an amount up to Two Thousand and 00/100 (\$2,000.00) Dollars is available for the services sought in this RFA.

2. In exchange for the satisfactory performance of all the tasks and duties specified in this RFA, and submission of adequate invoices to OCDOH, Vendor will be entitled to receive compensation as follows:

(a) Five Hundred and 00/100 (\$500.00) Dollars for services performed in July 2020;

(b) Five Hundred and 00/100 (\$500.00) Dollars for services performed in August 2020;

(c) Five Hundred and 00/100 (\$500.00) Dollars for services performed in September 2020; and

(d) Five Hundred and 00/100 (\$500.00) Dollars for services performed in October 2020.

3. Vendor must submit all invoices by no later than November 30, 2020 to receive reimbursement under the contract awarded pursuant to this RFA.

4. Once the contract process has been completed, Vendor will receive a purchase order which must be submitted with all invoices to the attention of Danielle Moser,

Senior Public Health Educator, at OCDOH, 130 Broadway, Newburgh, New York 12550.

K. Eligible Applicants: Applicants responding to this RFA must have experience in working with members of the public and community and have reliable transportation to get to and from the Market. Previous farmers market management experience is preferred.

L. Application Submission Requirements:

1. Completed Application Cover Sheet from this RFA.
2. Applicant Narrative: Provide a brief description of applicant's ability to complete all required specifications listed in this RFA. Applicant must detail any prior farmers' market management experience or other pertinent managerial experience in the narrative.
3. Pay-to-Play Documentation: All applicants must submit a completed Pay-to-Play Form A (attached to this RFA). Government entities and school districts are exempt from the Pay-to-Play laws; therefore, applications from such entities do not require such Pay-to-Play form.
4. Disclosure of Prior Non-Responsibility Determinations: All applicants must submit a completed Disclosure of Prior Non-Responsibility Determinations form (attached to this RFA);
5. Iran Divestment Act Certification: All applicants must submit a completed Iran Divestment Act Certification form (attached to this RFA).

M. Selection Process: Applications submitted in response to this RFA will be reviewed by OCDOH. The award of any contract pursuant to this RFA may be made to the responsible, responsive applicant(s) whose application(s) is determined to be in the best interest of the County and in accordance with New York General Municipal Law §104-b, taking into consideration the following criteria, each of approximately equal weight:

1. Degree to which the applicant is available during the timeframe delineated in Section I of this RFA entitled "Specifications;"
2. Degree to which the applicant details previous marketing, networking, and/or event coordination experience;
3. Degree to which the applicant details previous experience in working on projects independently; and
4. Degree to which the applicant details previous experience as a farm market manager or agricultural educator.

APPLICATION COVER SHEET

**Request for Applications for Port Jervis
Healthy Orange Farmers Market Manager**

Individual/Legal Business Name:

Legal Individual/Business Address:

Mailing Address (if different from above):

Contact Person:

Name: _____ Phone: _____

Title: _____ Fax: _____

Email: _____

Does this business have a Minority/Women's Business Enterprise (M/WBE), disadvantaged or small business status?

Yes No

If yes, please list the designation(s) and the certifying entity (ties):

The undersigned proposes to furnish and deliver the services described in the **Request for Applications for Port Jervis Healthy Orange Farmers Market Manager** and the responding application to the County of Orange. The individual submitting this application on his/her own behalf or on behalf of the business entity noted above certifies by his/her signature below that:

- he/she understands and has complied with the requirements of New York State Finance Law Sections 139-j and 139-k and will continue to do so throughout the Restricted Period;
- he/she has read and understood the full Request for Applications cited above; and
- he/she is duly authorized to submit the application on behalf of the business entity noted above.

Additionally, by submission of this application, the individual signing on his/her own behalf or on behalf of the business entity noted above certifies, and in the case of a joint application each party thereto certifies as to its own organization, under penalty of perjury, that the individual or business entity submitting this application has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of New York Labor Law §201-g.

By: _____ Date: _____

Name: _____ Title: _____



COUNTY OF ORANGE / Department of General Services

STEVEN M. NEUHAUS
County Executive

22 WELLS FARM ROAD
GOSHEN, NEW YORK 10924
TEL: (845) 291-2792
FAX: (845) 360-7206

TO: Potential Contractors with Orange County, NY
FROM: James Burpoe, Commissioner of General Services
DATE: June 19, 2017
RE: Orange County, New York's Pay-to-Play Law.

Thank you for your interest in contracting with Orange County, NY.

Please know that Orange County has enacted Local Law No. 13 of 2013, as amended, and known as "Pay-to-Play", which prohibits the making of certain contracts with entities or persons which have made campaign contributions **on or after January 1, 2014** above a certain level to County Legislators, the County Executive, the Sheriff, the District Attorney, or the County Clerk, if that contract must be approved or voted on by such individual.

Exemptions from the Pay-to-Play law:

1. Contracts that do not fall under the definition of contracts under the Law (e.g. licenses).
2. Contracts with a political subdivision of the state of New York, school districts or state or federal governments.
3. Contracts which are issued as:
 - a. Project Labor Agreements;
 - b. Contracts required to be awarded to the lowest bidder under New York State law;
 - c. Early Intervention and/or Pre-School Special Education contracts required to be entered into pursuant to New York State law;
 - d. Contracts between parents/legal guardians/or their designees and the County for transporting children to an Early Intervention and/or Pre-School Special Education provider;
 - e. Procurements authorized by General Municipal Law §103(3) (purchase through another New York state county's contract);
 - f. Procurements authorized by General Municipal Law §104 (purchases through the New York State Office of General Services);
 - g. Procurements authorized by General Municipal Law §103(16) (piggyback contracts through other governmental entities);
 - h. Contracts awarded to Preferred Sources as authorized by State Finance Law §162;
 - i. Sole Source or Single Source provider contracts;
 - j. Contracts awarded to a contractor of another unit of government, which is passing through funds of that other unit of government or acting on behalf of the other unit of government; or
 - k. Emergency Contracts.
4. Any campaign donation made prior to January 1, 2014.

For those contracts Pay-to-Play applies to, prior to awarding a contract, the law requires the County to run various names associated with your "Professional Business Entity" (as defined in Section 2(d) of the law), through a campaign donor database to confirm that campaign contributions from the Professional Business Entity were not in excess of those permitted by Pay-to-Play. To accomplish this, you will need to supply particular information to the County relative to your Professional Business Entity.

Please return FORM A with your quote/bid/proposal/qualifications/application/etc.. This is the form which discloses information about your Professional Business Entity. Please know that if a disqualifying campaign contribution was made, that can be cured by requesting, and receiving, a return of the excess contribution within thirty (30) days of the date of the request.

If you are awarded a contract, please sign and return with your signed contract, **FORM B - a Campaign Contribution Statement.**

Should you desire a copy of the Pay-to-Play Local Law, please call the Department of General Services at (845) 291-2792 or visit <http://orangecountygov.com/content/124/1332/1392/default.aspx>.

FORM A

TO BE RETURNED WITH QUOTE/PROPOSAL/QUALIFICATIONS/APPLICATION/ETC.

The Orange County Pay-to-Play Law applies to Professional Business Entities who contract with Orange County, **except:**

1. Contracts that do not fall under the definition of contracts under the Law (e.g. licenses).
2. Contracts with a political subdivision of the state of New York, school districts or state or federal governments.
3. Contracts which are issued as:
 - a. Project Labor Agreements;
 - b. Contracts required to be awarded to the lowest bidder under New York State law;
 - c. Early Intervention and/or Pre-School Special Education contracts required to be entered into pursuant to New York State law;
 - d. Contracts between parents/legal guardians/or their designees and the County for transporting children to an Early Intervention and/or Pre-School Special Education provider;
 - e. Procurements authorized by General Municipal Law §103(3) (purchase through another New York state county's contract);
 - f. Procurements authorized by General Municipal Law §104 (purchases through the New York State Office of General Services);
 - g. Procurements authorized by General Municipal Law §103(16) (piggyback contracts through other governmental entities);
 - h. Contracts awarded to Preferred Sources as authorized by State Finance Law §162;
 - i. Sole Source or Single Source provider contracts;
 - j. Contracts awarded to a contractor of another unit of government, which is passing through funds of that other unit of government or acting on behalf of the other unit of government; or
 - k. Emergency Contracts.
4. Any campaign donation made prior to January 1, 2014.

The definition of Professional Business Entity under the law is: "an individual, person, firm, corporation, professional corporation, partnership, organization, union, or association in the rendering of any work contracted through the County. The definition of a Professional Business Entity includes all principals who own 10% or more of the equity in the corporation or business trust, partners, officers in the aggregate, as well as any subsidiaries directly controlled by the Professional Business Entity. The term Professional Business Entity does not include a political subdivision of the state of New York (i.e., municipalities), school districts, state and/or federal governments."

Please provide the following information AS APPLICABLE to your Professional Business Entity. Please attach additional pages as necessary and note the attachment in the response below:

1. The name and business address of your Professional Business Entity (if your business is a partnership, limited liability partnership or joint venture, please list all partners and Entity names and addresses):

2. If your entity is a Corporation or Business Trust, list the names and addresses of owners of 10% or more of the equity:

3. If your Entity is a Corporation, Professional Corporation, Limited Liability Company or Business Trust, list all officers' names and addresses (include for each Entity in a joint venture):

4. The name(s) and address(es) of any subsidiary directly controlled by your Professional Business Entity are:

Signature

Date

Print Name

Title

FORM B - CAMPAIGN CONTRIBUTIONS STATEMENT

MUST BE SUBMITTED PRIOR TO EXECUTION OF A CONTRACT BY THE COUNTY.

This sworn (or affirmed) statement is made under penalty of perjury.

_____ being duly sworn, deposes and says:
(Print Signatory's Name)

1. I am making this affidavit as part of the contractual obligation between the Professional Business Entity (as defined by Section 2(d) of the Orange County, New York "Pay-to-Play" local law) identified below, and the County of Orange New York ("County").
2. I acknowledge that I am signing this affidavit on behalf of the Professional Business Entity identified below.
3. I understand that this is an affidavit sworn to under penalty of perjury and, if false, may lead to criminal and/or civil action against me and/or the Professional Business Entity.
4. I am familiar with the County's Orange County, New York Pay-to-Play Local Law (the "Law"), which has been made available to me.
5. With the except of campaign contributions made prior to January 1, 2014, the Professional Business Entity identified herein has not knowingly made a campaign contribution in violation of the Law during the four (4) years preceding the date of execution of this statement, and has not made or solicited contributions through intermediaries, third parties, or immediate relatives for the purposes of concealing the source of the contribution during that same four (4) year period.
6. I am duly authorized to certify, under penalty of perjury, on behalf of the Professional Business Entity that the Professional Business Entity:
 - (i) has not knowingly made a contribution in violation of the Law during the four (4) years preceding the date of this certification (excluding contributions made prior to January 1, 2014 per the exemption in Section 4 of the Law); and,
 - (ii) has not made or solicited contributions through intermediaries, third parties, or immediate relatives for the purpose of concealing the source of the contribution during that same four (4) year time period (excluding contributions made prior to January 1, 2014 per the exemption in Section 4 of the Law).
7. I understand that any Professional Business Entity that submits a false Contribution Statement to the County will have its contract with the County declared null and void and will be disqualified from being awarded any contract with the County for a period of four (4) years from the date of filing of the false sworn Contributions Statement and the matter shall be referred to the District Attorney for prosecution.
8. I acknowledge and agree, on behalf of the Professional Business Entity submitting this Form, that the Professional Business Entity has a continuing duty to report any violation of the Law that may occur during the solicitation process, negotiation, or duration of a contract.

9. I understand that any Professional Business Entity which violates Section 3 of the Law shall be in material breach of the terms of the contract, that the contract may be terminated, and the County Attorney shall seek damages against the Professional Business Entity as provided for in the contract.

10. I understand that any Professional Business Entity who violates Section 3 of the Law shall be disqualified from eligibility for submission of proposals, bids, quotes or applications for future contracts for a period of four (4) calendar years from the date of such violation.

11. By executing this certification, the Professional Business Entity agrees that, per Section 10 of the Law, the "regulatory and penalty provisions" of the Law are incorporated by reference into its contract with the County.

Print Name of Professional Business Entity

Signature

Date

Print Name

Title

STATE OF _____

SS:

COUNTY OF _____

The undersigned issued an oath or affirmation to the above signed wherein the above signed solemnly swore that the contents of this affidavit subscribed by such person are true and correct or alternatively that such person solemnly, sincerely and truly declared and affirmed that the statements made by the above signed are true and correct.

Notary Public

My Commission Expires

Date

Instructions for Completing the Offeror Disclosure of Prior Non-Responsibility Determinations

Background:

New York State Finance Law §139-k(2) obligates a Governmental Entity to obtain specific information regarding prior non-responsibility determinations with respect to State Finance Law §139-j. This information must be collected in addition to the information that is separately obtained pursuant to State Finance Law §163(9). In accordance with State Finance Law §139-k, an Offeror must be asked to disclose whether there has been a finding of non-responsibility made within the previous four (4) years by any Governmental Entity due to: (a) a violation of State Finance Law §139-j or (b) the intentional provisions of false or incomplete information to a Governmental Entity. The terms "Offeror" and "Governmental Entity" are defined in State Finance Law §139-k(1). State Finance Law §139-j sets forth detailed requirements about the restrictions on Contacts during the procurement process. A violation of State Finance Law §139-j includes, but is not limited to, an impermissible Contact during the restricted period (for example, contacting a person or entity other than the designated contact person, when such contact does not fall within one of the exemptions).

As part of its responsibility determination, State Finance Law §139-k(3) mandates consideration of whether an Offeror fails to timely disclose accurate or complete information regarding the above non-responsibility determination. In accordance with law, no Procurement Contract shall be awarded to any Offeror that fails to timely disclose accurate or complete information under this section, unless a finding is made that the award of the Procurement Contract to the Offeror is necessary to protect public property or public health safety, and that the Offeror is the only source capable of supplying the required Article of Procurement within the necessary timeframe. See State Finance Law §§139-j(10)(b) and 139-k(3).

Instructions:

The County of Orange includes this disclosure request regarding prior non-responsibility determinations in accordance with State Finance Law §139-k in its solicitation of proposals or bid documents or specifications or contract documents, as applicable, for procurement contracts. The attached form is to be completed and submitted by the individual or entity seeking to enter into a Procurement Contract, Supplemental or Change Order. This document must accompany each Bid Form, Letter of Interest, or Proposal submitted by all Offerors.

DISCLOSURE OF PRIOR NON-RESPONSIBILITY DETERMINATIONS

See instructions on next page before completing this form.

Name of Individual or Entity Seeking to Enter into the Procurement Contract:

Address: _____

Name and Title of Person Submitting this Form: _____

1. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years? (Please circle): No Yes

If yes, please answer the next questions:

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j (Please circle): No Yes

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please circle): No Yes

4. If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below and attach additional pages as necessary.

Governmental Entity: _____

Date of Finding of Non-responsibility: _____

Basis of Finding of Non-responsibility: _____

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above names individual or entity due to the intentional provision of false or incomplete information? (Please circle): No Yes

6. If yes, please provide details below and attach additional pages as necessary.

Governmental Entity: _____

Date of Termination or Withholding of Contract: _____

Basis of Termination or Withholding: _____

Offeror certifies that all information provided to the Governmental Entity with respect to State Finance Law §139-k is complete, true and accurate.

By: _____ Date: _____
Signature

IRAN DIVESTMENT ACT CERTIFICATION

The Iran Divestment Act of 2012 ("Act"), Chapter 1 of the 2012 Laws of New York, added State Finance Law (SFL), §165-a and General Municipal Law §103-g, effective April 12, 2012. Under the Act, the Commissioner of the New York State Office of General Services ("OGS") developed a list ("Prohibited Entities List") of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). In accordance with SFL § 165-a(3), the Prohibited Entities List may be found on the OGS website at <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf>.

Pursuant to General Municipal Law §103-g, by signing below, Offeror certifies as true under the penalties of perjury that:

By submission of this proposal each Offeror and each person signing on behalf of any Offeror certifies, and in the case of a joint proposal each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each Offeror is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the State Finance Law.

A proposal shall not be considered for award nor shall any award be made where the certification has not been made, provided, however, that if in any case the Offeror cannot make the certification, the Offeror shall so state and shall furnish with the proposal a signed statement which sets forth in detail the reasons therefor. The County may award a contract to an Offeror who cannot make the required certification on a case-by-case basis if:

- 1) The investment activities in Iran were made before April 12, 2012, the investment activities in Iran have not been expanded or renewed after April 12, 2012, and the person has adopted, publicized, and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
- 2) The County makes a determination that the goods and services are necessary for the County to perform its functions and that, absent such an exemption, the political subdivision would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.

During the term of the Contract, should the County receive information that a person is in violation of the above-referenced certifications, the County will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the County shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the contractor in default.

The County reserves the right to reject any bid, proposal, contract or request for assignment for an entity that appears on the Prohibited Entities List prior to the award or execution of a contract or any renewal thereof, as applicable, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities List after contract award.

DATE

SIGNATURE

BUSINESS NAME

NAME

TITLE