



Alabama State Port Authority
Requisition and Proposal

Project Name Replacement of boat engines on Harbormaster / Port Police Boat

Project # 10947 **Task #** 1

To: Prospective Bidders

Date: November 2021

Please procure, install and deliver the following:

<p><u>Delivery of Proposal:</u> Alabama State Port Authority 1400 ASD Boulevard Suite 200 Mobile, AL 36602</p>	<p><u>Delivery of Purchase or Performance of Work:</u> TBD</p>
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Description of Work

The Alabama State Port Authority (ASPA) is issuing this Request for Proposal to solicit responses from qualified contractors for the purchase and installation of two (2) Suzuki 300 HP DF300APX marine engines including dual fly-by-wire controls. All parts must be original Suzuki parts. Work will be in accordance with the requirements stated herein and applicable State of Alabama Laws.

It should be noted that the Alabama State Port Authority (ASPA) reserves the right to withdraw this RFP, reject any and all proposals, to advertise for new proposals, or to proceed to accomplish the work by other means determined by the Authority, in its sole discretion, to be in the best interest of the Authority. The Authority may waive minor or technical irregularities in any proposal. A proposal, which is determined by the Authority, in its sole discretion, to be non-responsive in any material respect, may be disqualified from consideration. However, the Authority may request additional information from any Contractor in order to make a proposal responsive to this request, or to otherwise obtain clarification or additional information deemed by the Authority, in its sole discretion, necessary to analyze and compare the proposals. All Contractors submitting bids are to carefully examine the site of the proposed work and thoroughly review the contract requirements prior to submission of a bid proposal. Each Bidder shall satisfy oneself as to the character, quality, and quantities of work to be performed, and as to the requirements of the proposed contract. The submission of a proposal shall be proof that the bidding Contractor has made such examination and is satisfied as to the conditions to be encountered in performing the work and as to the requirements of the proposed Contract.

The work performed under their Contract shall not commence until the Contractor has submitted an acceptable Certificate of Insurance pursuant to the requirements contained herein.

IMPORTANT NOTICE TO BIDDERS REGARDING FEDERAL GRANT REQUIREMENTS:

This project is funded by a federal grant from the U.S. Department of Homeland Security (DHS). ASPA, as a grantee receiving funds from DHS is required to comply with the following laws and regulations. Specifically, the grantee is required to provide assurances as a condition for receipt of Federal funds from DHS that its programs and activities comply with these laws and regulations. In order to meet these requirements, ASPA requires that the Contractor perform the following duties as a condition of the Contract. In the event of a conflict between this section and other provisions contained in this Agreement, all requirements in this section shall be deemed to control.



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Recovered Materials - The contractor must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

Whistleblower Protection Act – The contractor must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C Section 2409, 41 U.S.C. 4712, and 10 U.S.C. Section 2324, 41 U.S.C. Sections 4304 and 4310.

Use of DHS Seal, Logo and Flags – The contractor must obtain permission from their DHS FAO, prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

USA Patriot Act of 2001 – The contractor must comply with requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. Sections 175-175c.

Rehabilitation Act of 1973 – The contractor must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. Section 794), as amended, which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Trafficking Victims Protection Act of 2000 – The contractor must comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000, (TVPA) as amended by 22 U.S.C. Section 7104. The award term is located at 2 C.F.R. Section 175.15, the full text of which is incorporated here by reference.

Terrorist Financing – The contractor must comply with E.O. 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Contractors are legally responsible to ensure compliance with the Order and laws.

Debarment and Suspension – The contractor is subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, and 2 C.F.R. Part 180. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Copyright – The contractor must affix the applicable copyright notices of 17 U.S.C. Sections 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.



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Civil Rights Act of 1964 - Title VI – The contractor must comply with the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

Americans with Disabilities Act of 1990 – The contractor must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities. (42 U.S.C. Sections 12101- 12213).

Age Discrimination Act of 1975 - The contractor must comply with the requirements of the *Age Discrimination Act of 1975* (Title 42 U.S. Code, Section 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

DHS Specific Acknowledgements and Assurances -

1. The contractor must cooperate with any compliance reviews or compliance investigations conducted by DHS.
2. The contractor must give ASPA and DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. The contractor must submit timely, complete, and accurate reports to the appropriate ASPA official and maintain appropriate backup documentation to support the reports.
4. The contractor must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

Lobbying Prohibitions – The contractor must comply with 31 U.S.C. Section 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

Fly America Act of 1974 – The Contractor must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. Section 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the *International Air Transportation Fair Competitive Practices Act of 1974* (49 U.S.C. Section 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981 amendment to Comptroller General Decision B-138942.



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Federal Leadership on Reducing Text Messaging while Driving - Contractors are encouraged to adopt and enforce policies that ban text messaging while driving as described in [E.O. 13513](#), including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.

Energy Policy and Conservation Act – The contractor must comply with the requirements of The Energy Policy and Conservation Act (42 U.S.C. Section 6201) which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX – The contractor must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. Section 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at [6 C.F.R. Part 17](#) and [44 C.F.R. Part 19](#).

Drug-Free Workplace Regulations – The contractor must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of [2 CFR part 3001](#), which adopts the Government-wide implementation ([2 CFR part 182](#)) of sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 8101).

Civil Rights Act of 1968 – The contractor must comply with [Title VIII of the Civil Rights Act of 1968](#), which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (See 42 U.S.C. Section 3601 et seq.), as implemented by the Department of Housing and Urban Development at [24 C.F.R. Part 100](#). The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units- i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)-be designed and constructed with certain accessible features. (See [24 C.F.R. Section 100.201](#).)

IMPORTANT NOTICE TO BIDDERS REGARDING ACCESS TO ASPA RESTRICTED FACILITIES:

The following applies to work performed in a secure area of the Alabama State Port Authority (ASPA).

All construction vehicles, employees, and supplier delivery trucks working on their project will be required to obtain port access credentials. Their will consist of vehicle decals and personnel identification badges (Transportation Worker Identification Credentials and ASPA identification badge). Supplier delivery trucks are not required to have the vehicle decal but the driver and passengers are required to have TWIC and the ASPA Identification Badge. The vehicle decal cost is \$25.00. In order to obtain the ASPA Identification Badge, the person must have in possession a TWIC card and will also be



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required to attend security awareness training. The non-refundable fee for ASPA Identification Badge is \$25.00 to cover the costs of the background check, training, and processing. The procedure and cost for obtaining TWIC are separate and information can be obtained at www.tsa.gov/twic.

IMPORTANT NOTICE TO BIDDERS REGARDING EMPLOYMENT PRACTICES:

Effective October 1, 2011, the Beason-Hammon Alabama Taxpayer and Citizen Protection Act ("the Act") requires that any business entity contracting with or approving any grant or incentives to the state, including the Alabama State Port Authority, certify compliance with the Act. Alabama's new law requires business entities conducting business with the state to register with E-Verify on or before January 1, 2012.

E-Verify is an Internet-based system that allows an employer to determine the eligibility of that employee to work in the United States. The E-Verify system is operated by the Department of Homeland Security in partnership with the Social Security Administration. E-Verify is available in Spanish. For more information about this system, please log on to

http://www.dhs.gov/files/programs/gc_1185221678150.shtm All Prospective Bidders must certify such compliance by executing and notarizing the enclosed Affidavit and include it in with the sealed competitive Bid Proposal. Additionally, the attached State of Alabama Disclosure Statement must be completed in its entirety, notarized, and included with the sealed competitive Bid Proposal.

Instructions to Bidders

The instructions below are provided as a guide to facilitate the bid process and highlight important points for consideration by bidders. Each bidder is responsible for fully reading and complying with the instructions of Alabama State Port Authority bid form. **These instructions are to be used as a guide only.**

1. Sealed, notarized Bid Proposal packets will be received via courier to the Alabama State Port Authority, Attn: Megan Amacker, 1400 ASD Boulevard, Suite 200, Mobile, AL 36602 by 9:00 AM on Monday, November 23, 2020. Sealed Bid Proposals can also be hand delivered from 9:00 AM to 10:00 AM on Monday, November 23, 2020 to 1400 ASD Boulevard, Suite 200, Mobile, AL 36602. *Bids will be publicly opened at 1400 ASD Boulevard, Suite 107, Mobile, AL 36602 at 11:00 a.m. CDT. No faxed or electronic Bids will be accepted.*
2. No consideration will be given to bids unless presented on the Alabama State Port Authority's "Requisition and Proposal" form with suitable attachments as deemed necessary by the bidder. Alternate bid proposals may be rendered with proper support.
3. If your company is not prepared to submit a bid, so state and sign to avoid being deleted from the prospective bidder's list.
4. The Alabama State Port Authority reserves the right to reject any and all bids if deemed in the Alabama State Port Authority's interest.
5. No allowance will be made for error, either omission or commission.
6. Unit price governs in Errors relating to extension of prices. **Bidder must also respond to any attached Required Specifications.**



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7. Alabama State Port Authority policy has changed. Bids will not be accepted via FAX. All bids must be sealed and sent via mail or hand delivered to the Bid Coordinator's office before the specified date and time.
8. The Alabama State Port Authority accepts no responsibility for facilitating the receipt of bids.
9. Bids over \$7,500.00 must be notarized.
10. Bids received after specified opening time will be returned to the bidder unopened. Bidders are requested to show a return address on the bid envelope.
11. Bid proposals must be filled out completely, including the name, address, telephone number, fax number (if possible), email address and signature of responsible person.
12. Questions may be directed to the ASPA Grants Administrator Megan Amacker at mamacker@asdd.com
13. All hand delivered bids must be tendered to Alabama State Port Authority Bid Coordinator's Office at or before the specified time.
14. Please specify the Project number on the envelope.
15. Equipment must be new, not used refurbished.
16. Regular mailed Bids must be sent to the following postal address:
Alabama State Port Authority
Attn: Terry Gilbreath
P.O. Box 1588
Mobile, AL 36633
17. Overnight Bids must be sent to the following street address:
Alabama State Port Authority
Attn: Megan Amacker
1400 ASD Boulevard
Suite 200
Mobile, AL 36602

Please note all overnight bids must be FIRST PRIORITY!

09:00 A.M. CDT NEXT MORNING



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Contractor's Proposal

Part Number	Description and Purpose of Equipment	Qty	Unit Price	Total Price
Suzuki DF300APX	300 hp Suzuki outboard engine for replacement of engine on ASPA boat	2		
990C0-00810-185 Suzuki Stainless Steel Propellers	3x16x18 Stainless Steel Propeller for engines. Left and Right	2		
67000-98JG6 Suzuki Precision Control Twin Engine Kit	Suzuki Precision Control, computer-based electronic "Fly by wire" system	1		
36620-98J41 Suzuki Precision Control main wiring harness	31 feet Main wiring harness	1		
990C0-96L73-KIT Suzuki Outboard SMG4 Multi-function LCD Gauge Display	Multi-function gauge display kit to monitor and input real time graphics and digital data	1		
990C0-20010 Thru-hull hose kit	Provide thru hull hose connections	2		
SUZ 99105-20005-ASY Water separator/Fuel Filter	Removes water and other contaminants from the fuel before they reach the engine	2		
Labor	Labor for installation			
Total bid price				

Notes:

- The Alabama State Port Authority is accepting sealed bids until 10:00 a.m. CDT on Monday November 23, 2020**
- Bid price to:**
Alabama State Port Authority
Attn: Megan Amacker
1400 Alabama State Docks Blvd
Suite 200
Mobile, AL 36602
- Attached documents must be completed, notarized and returned with your bid.**
- Bids must be marked, "Sealed Bid, Do Not Open until Monday, November 23, 2020 at 11am CDT."**
- Bids will be publicly opened at 1400 Alabama State Docks Blvd, Suite 107, Mobile, AL 36602 at 11:00 a.m. CDT.**



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SIGNATURES

Receipt of following addendums is acknowledged:

Addendum No(s): _____, _____, _____, _____

Contractor's Signature:

Contractor Company

Print Name

Print Title

Date

STATE of (_____)

COUNTY of (_____)

I, the undersigned Notary Public, in and for said county, and in said state, hereby certify that

_____ (name of officer or agent), _____ (title of officer

or agent) of _____ (name of corporation),

a _____ (state or place of incorporation) corporation, on behalf of the corporation, who is known to me, acknowledged before me on their day that being informed of the contents of the instrument, he/she executed the same voluntarily as an authorized representative of the corporation.

Given under my hand and official seal their _____ day of _____, 20_.

(Notary Public)

My commission expires: _____



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AFFIDAVIT AND CERTIFICATE OF COMPLIANCE

FORM FOR SECTIONS 9 (a) and (b) BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT; CODE OF ALABAMA, SECTIONS 31-13-9 (a) and (b)

AFFIDAVIT FOR BUSINESS ENTITY/EMPLOYER /CONTRACTOR

(To be completed as a condition for the award of any contract, grant, or incentive by the State of Alabama, any political subdivision thereof, or any state-funded entity to a business entity or employer that employs one or more employees)

State of _____

County of _____

Before me, a notary public, personally appeared _____ (print name) who, being duly sworn, says as follows:

As a condition for the award of any contract, grant, or incentive by the State of Alabama, any political subdivision thereof, or any state-funded entity to a business entity or employer that employs one or more employees, I hereby attest that in my capacity as _____ (state position) for _____ (state business entity/employer/contractor name) that said business entity/employer/contractor shall not knowingly employ, hire for employment, or continue to employ an unauthorized alien.

I further attest that said business entity/employer/contractor is enrolled in the E-Verify program. (ATTACH DOCUMENTATION ESTABLISHING THAT BUSINESS ENTITY/EMPLOYER/CONTRACTOR IS ENROLLED IN THE E-VERIFY PROGRAM)

Signature of Affiant

Sworn to and subscribed before me this _____ day of _____, 2____.

I certify that the affiant is known (or made known) to me to be the identical party he or she claims to be.

Signature and Seal of Notary Public



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INDEMNIFICATION AND INSURANCE REQUIREMENTS

INDEMNIFICATION

The Contractor shall assume all liability for and shall indemnify and save harmless the State of Alabama and the Alabama State Port Authority, doing business as Alabama State Docks (ASD), and its officers and employees from all damages and liability for injury to any person or persons, and injury to or destruction of property, including the loss of use thereof, by reason of an accident or occurrence arising from operations under the contract, whether such operations are performed by himself or by any subcontractor or by anyone directly or indirectly employed by either of them occurring on or about the premises, or the ways and means adjacent during the term of the contract, or any extension thereof, and shall also assume the liability for injury and/or damages to adjacent or neighboring property by reason of work done under the contract.

INSURANCE REQUIREMENTS

The Contractor shall not commence work under the contract until he has obtained all insurance required under the following paragraphs and until such insurance has been approved by ASD, nor shall the Contractor allow any subcontractor to commence work until all similar applicable insurance has been obtained by the subcontractor or the Contractor has provided coverage for the subcontractor. The Contractor shall provide, at his expense, insurance in accordance with the following:

General Requirements (applicable to all policies) (Required for this project if contractor is on property)

All policies of insurance must be written with companies acceptable to ASD. The Contractor shall furnish to ASD certificates of insurance, signed by the licensed agent evidencing required coverages. ASD reserves the right to require certified copies of any and all policies. Each policy of insurance shall provide, either in body of the policy or by endorsement, that such policy cannot be substantially altered or cancelled without thirty (30) days' written notice to ASD and to the insured. *Except for Workers Compensation, said policies will identify Alabama State Port Authority, its officers, officials, agents, servants and employees as Primary and Non-contributory Additional Insureds in connection with work performed for, on behalf of, or on the property of ASD, including a waiver of all rights of subrogation.*

General Liability (Required for this project if on property)

The Contractor shall take out and maintain during the life of the contract Commercial General Liability insurance, including Blanket Contractual and Completed Operations coverages, in an amount not less than \$500,000 for any one occurrence for bodily injury, including death, and property damage liability.

Automobile Liability (Required for this project if on property)

The Contractor shall take out and maintain during the life of the contract Business Automobile Liability insurance covering any auto in an amount not less than \$500,000 for any one occurrence for bodily injury, including death, and property damage liability.

Workers Compensation (Required for this project if on the property)

The Contractor shall take out and maintain during the life of the contract Workers Compensation and Employers Liability insurance providing coverage under the Alabama Workers Compensation Act in an amount not less than that required by Alabama law.

Where applicable, Contractor shall take out and maintain during the life of the contract insurance providing coverage as required by Federal statute, including but not limited to U.S. Longshoremen and Harborworkers' Compensation Act (USL&H), Jones Act, and Railroad Federal Employers Liability Act (FELA).



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INDEMNIFICATION AGREEMENT

_____ does hereby assume all liability for and shall indemnify and hold harmless the State of Alabama and the Alabama State Port Authority and its officers and employees from all damages and liability for injury to any persons and injury to or destruction of property, by reason of any accident or occurrence arising during, or resulting from the viewing of Alabama State Port Authority property located at the ASPA, as it relates to bid for Replacement of boat engines on Harbormaster / Port Police Boat. Bid to be held on 11/23/2020.

By: _____
(Its Authorized Representative)

Date: _____

Receipt Acknowledged by: _____
(Alabama State Port Authority Representative)



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State of Alabama
Disclosure Statement

(Required by Act 2001-955)

ENTITY COMPLETING FORM

ADDRESS

CITY, STATE, ZIP TELEPHONE NUMBER
()

STATE AGENCY/DEPARTMENT THAT WILL RECEIVE GOODS, SERVICES, OR IS RESPONSIBLE FOR GRANT AWARD

ADDRESS

CITY, STATE, ZIP TELEPHONE NUMBER
()

This form is provided with:

- Contract Proposal Request for Proposal Invitation to Bid Grant Proposal

Have you or any of your partners, divisions, or any related business units previously performed work or provided goods to any State Agency/Department in the current or last fiscal year?

- Yes No

If yes, identify below the State Agency/Department that received the goods or services, the type(s) of goods or services previously provided, and the amount received for the provision of such goods or services.

STATE AGENCY/DEPARTMENT	TYPE OF GOODS/SERVICES	AMOUNT RECEIVED

Have you or any of your partners, divisions, or any related business units previously applied and received any grants from any State Agency/Department in the current or last fiscal year?

- Yes No

If yes, identify the State Agency/Department that awarded the grant, the date such grant was awarded, and the amount of the grant.

STATE AGENCY/DEPARTMENT	DATE GRANT AWARDED	AMOUNT OF GRANT

1. List below the name(s) and address(es) of all public officials/public employees with whom you, members of your immediate family, or any of your employees have a family relationship and who may directly personally benefit financially from the proposed transaction. Identify the State Department/Agency for which the public officials/public employees work. (Attach additional sheets if necessary.)

NAME OF PUBLIC OFFICIAL/EMPLOYEE	ADDRESS	STATE DEPARTMENT/AGENCY

OVER



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2. List below the name(s) and address(es) of all family members of public officials/public employees with whom you, members of your immediate family, or any of your employees have a family relationship and who may directly personally benefit financially from the proposed transaction. Identify the public officials/public employees and State Department/Agency for which the public officials/public employees work. (Attach additional sheets if necessary.)

NAME OF FAMILY MEMBER	ADDRESS	NAME OF PUBLIC OFFICIAL/ PUBLIC EMPLOYEE	STATE DEPARTMENT/ AGENCY WHERE EMPLOYED

If you identified individuals in items one and/or two above, describe in detail below the direct financial benefit to be gained by the public officials, public employees, and/or their family members as the result of the contract, proposal, request for proposal, invitation to bid, or grant proposal. (Attach additional sheets if necessary.)

Describe in detail below any indirect financial benefits to be gained by any public official, public employee, and/or family members of the public official or public employee as the result of the contract, proposal, request for proposal, invitation to bid, or grant proposal. (Attach additional sheets if necessary.)

List below the name(s) and address(es) of all paid consultants and/or lobbyists utilized to obtain the contract, proposal, request for proposal, invitation to bid, or grant proposal:

NAME OF PAID CONSULTANT/LOBBYIST	ADDRESS

By signing below, I certify under oath and penalty of perjury that all statements on or attached to this form are true and correct to the best of my knowledge. I further understand that a civil penalty of ten percent (10%) of the amount of the transaction, not to exceed \$10,000.00, is applied for knowingly providing incorrect or misleading information.

Signature Date

Notary's Signature Date Date Notary Expires

Act 2001-955 requires the disclosure statement to be completed and filed with all proposals, bids, contracts, or grant proposals to the State of Alabama in excess of \$5,000.