

OFFICE OF THE STATE TREASURER



REQUEST FOR PROPOSALS

RFP NO. 2024-08

UNDERWRITING SERVICES

August 8, 2024

**Mike Pellicciotti
Washington State Treasurer**

**STATE OF WASHINGTON
OFFICE OF THE STATE TREASURER**

**REQUEST FOR PROPOSALS No. 2024-08
UNDERWRITING SERVICES**

All amendments to this RFP prior to the deadline for submitting proposals will be published on the Washington's Electronic Business Solution (WEBS) site at <https://fortress.wa.gov/ga/webs/home.html>.

It is the Bidder's responsibility to access the RFP, all attachments, amendments, questions and answers, and any other related documents on WEBS.

RFP TITLE:
Underwriting Services

DEADLINE FOR SUBMITTING A RESPONSE:
August 26, 2024, 4:00 p.m. Pacific Daylight Time

NOTE:
This is a "selective" opportunity, open only to bidders in the State's underwriter pool, established pursuant to Request for Qualifications (RFQ) 2024-01.

AMERICANS WITH DISABILITIES ACT:
OST complies with the Americans with Disabilities Act (ADA). Bidders may contact the OST RFP Coordinator to receive this document in an alternative format.

OST RFP COORDINATOR:
Jilene Siegel
Telephone: (360) 902-8907
Email: Contracts@tre.wa.gov

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1 OVERVIEW

1.1 PURPOSE

The State of Washington (the "State"), acting through the Office of the State Treasurer ("OST"), is soliciting responses to this request for proposals ("RFP") from members of the State's underwriting pool, which was established in 2024, to provide underwriting services in connection with a potential refunding of certain series of outstanding Various Purpose General Obligation Bonds and Motor Vehicle Fuel Tax General Obligation Bonds meeting the State Finance Committee's refundings savings thresholds.

The refunding bonds are expected to be issued in November of 2024.

1.2 SCOPE OF SERVICES

It is expected that through this RFP, OST will select a single firm from the State's underwriting pool to act as senior manager. The senior manager will manage a syndicate of co-senior and co-managing underwriters also selected from the State's underwriting pool. The size of the syndicate has yet to be determined. The State will determine the size and composition of the underwriting syndicate based on the size of the refunding transaction and other considerations that may be in the best interest of the State.

The underwriter selected to serve as senior manager for this financing will be expected to participate in the structuring of the transaction; review all bond and disclosure documents; assist with the preparation of rating agency and investor presentation material, as necessary; create and execute a marketing plan; and manage the pricing of the bonds.

No contractual relationship will exist between the State and the firm(s) selected through this RFP process. A contractual relationship will only occur upon the negotiated sale of bonds and will take the form of the Bond Purchase Agreement. Despite selection of one or more firms under this RFP, the State may elect to sell all of the bonds through competitive sale; consequently, negotiated underwriting services may not be used even if firms are selected pursuant to this RFP. All costs incurred by firms responding to the RFP will be borne by the respondents.

1.3 MINIMUM QUALIFICATIONS

As of the proposal due date, Bidders must meet the following minimum qualifications:

1.3.1 Appointment to the State's Underwriting Pool

The firm must be a member of the State's current underwriting pool, established in 2024 pursuant to Request for Qualifications (RFQ) 2024-01. Proposals received from firms that are not members of the current underwriting pool will not be accepted.

1.3.2 Licenses and Registrations

The firm must hold and always maintain all applicable licenses and registrations required for businesses offering municipal underwriting or investment banking services. All licenses and registrations must be current and in good standing with each of the following:

- a) U.S. Securities and Exchange Commission (SEC);
- b) Financial Industry Regulatory Authority (FINRA);
- c) Municipal Securities Rulemaking Board (MSRB)

2 PROCESS

2.1 RFP COORDINATOR

The OST RFP Coordinator is the sole point of contact at OST for this RFP. All communication between the Bidder and the State upon release of this RFP shall be with the OST RFP Coordinator, as follows:

Name	Jilene Siegel
Phone Number	360-902-8907
Email Address	Contracts@tre.wa.gov

Any other communication will be considered unofficial and non-binding on OST. Bidders are to rely on written statements issued by the OST RFP Coordinator. Communications concerning this RFP directed to other state employees, RFP evaluators, contractors or officials other than the OST RFP Coordinator may result in disqualification of the Bidder.

2.2 ESTIMATED SCHEDULE OF ACTIVITIES*

Issue Request for Proposals	August 8, 2024
Questions due	August 14, 2024
Answers provided	August 16, 2024
Last day to submit a preproposal complaint	August 19, 2024
Proposals due	August 26, 2024, 4:00 PM Pacific Time
Announce Apparent Successful Bidder(s)	On or before August 30, 2024
Last day to request debriefing conference	Three business days after ASB announcement
Protest period ends	Five business days after debrief

*** OST reserves the right to revise the above schedule.**

2.3 REVISIONS TO THE RFP

In the event it becomes necessary to revise any part of this RFP, amendments and/or addenda will be published on WEBS.

OST also reserves the right to cancel or to reissue the RFP in whole or in part, prior to execution of a Bond Purchase Agreement.

2.4 QUESTIONS

Specific questions regarding this RFP must be submitted via email to the OST RFP Coordinator by the date shown in Section 2.2 above. Firms shall not approach any other OST employee or financial advisor of OST regarding this RFP. Nothing herein precludes firms from contacting any OST employee or financial advisor on matters not related to this RFP.

OST shall be bound only by written answers to questions. An oral response to any question is to be considered unofficial. Written responses will be distributed to all firms in the Underwriter Pool. This RFP and any subsequent written announcements will be posted on [WEBS](#) and the Office of the State Treasurer website (<https://www.tre.wa.gov/about-us/doing-business/>).

2.5 COMPLAINT PROCEDURE

A potential Bidder may file a complaint regarding the proposal process. Grounds for a complaint may include:

- The solicitation unnecessarily restricts competition.
- The solicitation evaluation or scoring process is unfair or flawed.
- The solicitation requirements are inadequate or insufficient to prepare a response.

Interested Bidders should note that, if they choose not to file a complaint, they waive their right to file a protest based on the proposal process that could have been raised in a pre-proposal complaint.

The complaint must be submitted in writing to the OST RFP Coordinator no later than August 19, 2024, as shown in Section 2.2 above.

The complaint must include:

- The complainant's name, mailing address, telephone number, and email address.
- A clear and specific statement articulating the basis for the complaint.
- A proposed remedy.

OST reserves the right to extend the due date for proposals, to allow for adequate consideration and response to a complaint.

OST will send a written response to the complainant before the deadline for bid submissions. The response will explain OST's decision and any steps it will take in response to the complaint. The complaint and the response, including any changes to the solicitation that may result, will be posted on [WEBS](#).

2.6 RESPONSIVENESS REVIEW

All proposals will be reviewed by the OST RFP Coordinator to determine compliance with administrative requirements and instructions specified in this RFP, as well as to ensure minimum qualifications are met. The Bidder is specifically notified that failure to comply with any part of the RFP may result in rejection of the proposal as non-responsive.

OST reserves the right, at its sole discretion, to waive minor administrative irregularities.

2.7 REJECTION OF PROPOSALS

OST reserves the right, at its sole discretion, to reject any and all responses without penalty as a result of this RFP.

2.8 CLARIFICATION OF PROPOSAL

The OST RFP Coordinator may contact the Bidder for clarification of any portion of the Bidder's proposal.

2.9 EVALUATION PROCEDURE

Responsive proposals will be evaluated strictly in accordance with the requirements stated in the solicitation and any addenda issued. An evaluation team, designated by OST, will determine the ranking of the proposals.

2.10 EVALUATION WEIGHTING AND SCORING

Firms will be evaluated on a 100-point scale as follows:

- Team and relevant firm experience 10%
- Refinancing strategy 25%
- Marketing plan 25%
- Experience with and support of Washington State bonds 30%
- Fees, expenses and syndicate composition 10%
- Underwriter's counsel (evaluated but not scored)
- Disclosure (evaluated but not scored)

To promote participation from small and emerging underwriter firms serving as co-managers, 10 preference points will be awarded to the highest ranked bidder with Uncommitted Excess Net Capital less than \$150 million. Preference points will not be considered for the selection of the senior manager or co-senior manager.

2.11 NOTIFICATION TO BIDDERS

The OST RFP Coordinator will attempt to notify the Apparent Successful Bidder(s) by telephone prior to posting the notice on WEBS. If telephone contact is unsuccessful, an email sent to the Bidder's Primary Contact will satisfy this notification requirement. Bidders whose proposals have not been selected will also be notified by telephone or email.

2.12 DEBRIEFING CONFERENCE

After OST has published the Notice of Intent to Award, an unsuccessful Bidder may request a debriefing conference. The OST RFP Coordinator must receive the request no later than three business days after notification of the Apparent Successful Bidder(s).

OST will hold the debriefing conference within five business days of the request, unless it extends that time period and explains to the requester the reason(s) for the time extension. The debriefing conference will be conducted remotely, and will be scheduled for a maximum of 30 minutes.

The purpose of the debriefing conference is to give the Bidder insight into how its proposal might have been stronger, and might have better met the RFP requirements. The scope of the debriefing conference will be limited to the Bidder's proposal, and how that proposal might be improved in any future RFP process. The debriefing conference will not include a comparison to other Bidders' proposals, scores or evaluations.

Protest provisions allowed under this RFP are only available to those Bidders who have timely requested and participated in a debriefing conference. A Bidder who fails to do so waives its right to protest.

2.13 PROTEST PROCEDURE

No protest may be submitted until after OST has announced the Apparent Successful Bidder(s). After that announcement, an unsuccessful Bidder who timely requested and participated in a debriefing conference may file a protest.

OST reserves the right to reject, without consideration, any protest that does not comply with any requirement in this section.

The protest must be emailed to the OST RFP Coordinator within five business days after the completion of the protester's debriefing conference.

OST will only consider a protest that is factually and unambiguously based on one or more of the following grounds:

- Errors in the scoring of the protester's bid.
- Failure to follow RFP procedures.
- Failure to follow applicable law or rule.

- Bias, discrimination, or conflict of interest negatively affecting the protester’s evaluation or interests.

The protest must be signed by a person authorized to bind the protester to a contractual relationship.

The protest must contain:

- The name, mailing address, telephone number, and email address of the person responsible for submitting the protest.
- A clear and factually specific statement of the ground(s) for the protest.
- A complete and specific statement of the relief or corrective action requested.

Protest resolution process:

- A. The State Treasurer will appoint a protest officer who was not involved in the solicitation process to objectively review the information submitted by the protester, as well as other relevant facts known to OST.
- B. If a protest directly affects another Bidder’s interests, that Bidder will be given an opportunity to submit its views and any relevant information to the protest officer.
- C. OST will resolve the protest by making appropriate findings and deciding on an appropriate course of action. OST may find, for example, that:
 - The protest lacks merit, and the RFP process will be upheld.
 - Only technical or harmless errors occurred, which had no significant effect on the fairness or legality of the RFP process, and the RFP process will be upheld.
 - The protest has merit, and OST will take corrective action, such as (but not limited to) reevaluating all bids, cancelling or reissuing the RFP.
- D. OST will send its written response to the protester within ten business days after receiving the protest, unless it extends that time period and explains the reason(s) for that extension to the protester.

3 PROPOSALS

3.1 SUBMISSION OF PROPOSALS

Proposals that do not comply with any of the requirements in this section may be rejected as non-responsive. OST reserves the right, however, at its sole discretion, to waive minor administrative irregularities.

Proposals must be submitted as an attachment to an email sent to the OST RFP Coordinator, with the following filename convention:

- RFP 2024-08 Underwriter - [Bidder Name]

The document(s) must be printable on eight and one-half by eleven inch (8.5" by 11") paper and single spaced, with font sizes no smaller than size 11, and margins of at least 0.75 inches. The Bidder's name must be clearly stated at the top or bottom (header or footer) of each page of the response.

Responses to questions 1 through 8 must be clear and concise, and limited to no more than five pages.

Submission of the RFP will be accepted by email only. No paper submittals will be accepted. The email with the entire proposal attached must arrive and be date/time stamped by OST's email network no later than 4:00 PM Pacific Daylight Time on August 26, 2024. Late submissions will not be accepted and will be automatically disqualified from further consideration. Allow sufficient time to ensure receipt by the deadline. The OST RFP Coordinator will confirm receipt upon request. OST assumes no responsibility for technical delays caused by email failures. However, OST reserves the option to extend the deadline for receipt of proposals, with or without notice, in the event of broad network issues that impact multiple bidders.

OST may cancel or reissue this RFP, including rejecting any submitted responses, at its discretion at any time in the process. By submitting a response to this RFP, the firm agrees to be bound by the requirements outlined in this RFP.

All proposals and accompanying documentation become the property of OST. Bidders must be aware that all proposals will be deemed to be public records as defined in [Chapter 42.56 RCW](#), "Public Records Act," following announcement of the Apparent Successful Bidder(s). See *Section 4.4 PUBLIC DISCLOSURE – PROPRIETARY INFORMATION* before submitting a proposal in response to this RFP.

3.2 PROPOSAL CONTENTS

Proposals must provide information in the same order as presented in this document, with the same headings. This will not only be helpful to the RFP evaluators, but should also assist the Bidder in preparing a thorough response.

Provide a cover page that includes the following information:

- A. Company name
- B. RFP Title: RFP 2024-08 – Underwriting Services
- C. Primary contact for this proposal, including name, title, telephone and email

Provide a Table of Contents.

The major sections of the proposal are to be submitted in the following order:

Section 1: Introduction

Section 2: RFP Questions

Section 3: Bidder’s Information, Declarations and Certifications (Attachment A)

3.3 SECTION 1: INTRODUCTION

3.3.1 Table of Contents

3.3.2 Cover letter / Executive Summary

Include a cover letter and/or executive summary that is not more than one page, focusing on key highlights in your proposal that demonstrate your ability to perform the services described in this RFP.

3.4 SECTION 2: RFP QUESTIONS

PAGE LIMIT: Responses to questions 1 through 8 of this RFP must be limited to no more than five pages. (This limit does not include the cover page, cover letter, table of contents, or “Bidder’s Information, Declarations and Certifications.”) Additionally, up to ten pages of appendices may be included with each bidder’s response.

1. Team and Relevant Firm Experience

Please list the members of the financing team that will be assigned to this engagement. Provide a recent example of transactions similar to the State’s proposed refinancing for which they participated and their role on the underwriting syndicate.

2. Refinancing Strategy

The State is interested in potentially refunding the series of bonds identified in the table below. Assuming a sale during the fall of 2024, please describe your firm’s recommended structure for the State’s refinancing. Based on your firm’s strategy, please show the estimated interest rate scale with a table showing the spread to MMD as of July 31, 2024. As part of this analysis, please show the estimated savings.

Various Purpose (VP) GO Bonds
VP GO Bonds, Series 2015A-2
VP GO Bonds, Series 2015B
VP GO Refunding Bonds, Series R-2015C
VP GO Refunding Bonds, Series R-2015E
VP GO Refunding Bonds, Series R-2015G

Motor Vehicle Fuel (MVFT) Tax GO Bonds
MVFT GO Bonds, Series 2013B-2
MVFT GO Bonds, Series 2015C
MVFT GO Refunding Bonds, Series R-2015B
MVFT GO Refunding Bonds, Series R-2015D
MVFT GO Refunding Bonds, Series R-2015F
MVFT GO Refunding Bonds, Series R-2015H

3. Marketing Plan

Provide an overview of your firm’s recommended marketing plan. Please address the following: i) What types of buyers do you expect to be most interested in the bonds? Describe your expectations for retail participation. ii) Discuss your firm’s suggested approach to investor outreach, including your recommendations on investor presentations and investor calls. iii) Provide your recommendations regarding holding a retail order period, including your recommendations on the definition of retail and priorities of orders. iv) Of particular interest, please describe how marketing the bonds may vary if the market experiences volatility leading up to the pricing date.

4. Experience with and Support of Washington State Bonds

List the firm’s participation in bidding (either as a primary underwriter or as a participant in a syndicate) for the state of Washington’s bonds and COPs in competitive sales since January 2021.

5. Fees, expenses, and Syndicate Composition

Based upon your refunding strategy in question 2, provide your firm’s proposed underwriting fees and expenses. Please detail each of the following elements: i) takedown by maturity; ii) expenses itemized, including underwriter’s counsel fee; iii) marketing expenses (itemized by category); iv) any other fees; and v) total average takedown, based upon your refinancing strategy described in question 2.

Describe your firm’s recommended syndicate composition and suggested approach to compensation (“group net” or “net designated”).

6. Underwriter’s Counsel

List three law firms and their respective counsel that you recommend for the role of underwriter’s counsel. Please describe the law firm’s operations and/or ownership in Washington State.

7. Excess Net Capital Position

Please describe your firm’s most recently stated excess net capital position.

8. Engagement Disclosure

Please disclose:

- a) names of any persons or firms, including but not limited to, attorneys, lobbyists, and public relations firms that your firm engaged to promote your firm's selection by the State;
- b) names of any persons or firms from whom your firm received or may receive, directly or indirectly, any remuneration arising out of or relating in any way to your firm's relationship with the State, including but not limited to remuneration for promoting such persons or firms for selection by the State; and
- c) the existence and nature of any agreements by and between your firm and any other professionals that relate to a particular State financing or to the State's financing programs in general.

3.5 SECTION 3: CERTIFICATIONS AND DECLARATIONS (Required)

Complete, sign and insert *Attachment A – Bidder's Information, Declarations and Certifications*. Indicate True or False for each statement in Section 2. Complete Section 3. Be sure to indicate one (and only one) response for each of the Attachment A Sections 3.3 and 3.4.

The Bidder's Information, Declarations and Certifications form (provided as Attachment A to this RFP) must be signed by a person authorized to legally bind the Bidder to a contractual relationship.

Failure to properly complete, sign and include the Bidder's Information, Declarations and Certifications form, *especially Sections 3.3 Wage Theft Prevention and 3.4 Statutory Antidiscrimination Clauses for State Contracts*, may result in your entire proposal being deemed non-responsive.

4 IMPORTANT INFORMATION FOR BIDDERS

4.1 BIDDER'S UNDERSTANDING OF THE RFP

In responding to this RFP, the Bidder fully accepts the responsibility to understand the RFP in its entirety, and in detail, including submitting questions necessary to gain such understanding. OST reserves the right to disqualify any Bidder who demonstrates less than such understanding. Further, OST reserves the right to determine, at its sole discretion, whether the Bidder has demonstrated such understanding. That right extends to cancellation of award if award has been made. Such disqualification and/or cancellation shall be at no fault, cost, or liability whatsoever to OST.

4.2 GOOD FAITH STATEMENT

All information provided by OST in this RFP is offered in good faith. Individual items are subject to change at any time.

4.3 GENERAL TERMS AND CONDITIONS

No contractual relationship will exist between the State and firms selected through this RFP process. A contractual relationship will occur only upon the negotiated sale of the refunding bonds, and will take place through a Bond Purchase Contract, at the time of the sale, the form and content of which is subject to approval by the state. Costs incurred by firms responding to this RFP will be borne by the respondents.

4.4 PUBLIC DISCLOSURE – PROPRIETARY INFORMATION

Materials submitted in response to this RFP shall become the property of OST. Following announcement of the ASB, the proposals shall be deemed public records as defined in [Chapter 42.56 RCW](#), "Public Records Act."

Any information in the proposal that the Bidder desires to claim as exempt from disclosure under the provisions of [Chapter 42.56 RCW](#) must be clearly designated, with a citation to the specific statutory exemption being claimed. Each page containing content that is marked as exempt from disclosure must be clearly identified by the word "Confidential" on the lower right corner of the page. The Fee proposal will not be exempt from disclosure, even if it is marked as such. Marking the entire proposal exempt from disclosure will not be honored.

In the event of a Public Records Request for the proposal, OST will consider a Bidder's request for exemption from disclosure; however, OST will not make a determination or defend a bidder's request for exemption that may be subject to interpretation (e.g. proprietary information, trade secret). If any portion of the proposal is marked as exempt on these grounds, such information will not be disclosed until the affected Bidder has been given an opportunity to seek a court injunction against the requested disclosure, as described in [RCW 42.56.540](#).

4.5 AMERICANS WITH DISABILITIES ACT

OST complies with the Americans with Disabilities Act (ADA). Bidders may contact the OST RFP Coordinator to receive this Request for Proposals in an alternate format.

4.6 COSTS TO PROPOSE

OST will not be liable for any costs incurred by the Bidder in preparation of a proposal submitted in response to this RFP, in conduct of a presentation, or in any other activities related to responding to this RFP.

4.7 NO OBLIGATION TO CONTRACT

This RFP does not obligate the state of Washington or OST to sell any bonds specified herein.

5 RFP ATTACHMENTS AND EXHIBITS

Attachment A – Bidder’s Information, Declarations and Certifications

**RFP ATTACHMENT A
BIDDER'S INFORMATION, DECLARATIONS AND CERTIFICATIONS**

1 BIDDER'S INFORMATION

Provide the following required information:

- 1.1 Name and Address: Name, address, principal place of business and telephone number of legal entity with whom any subsequent contract or agreement will be written

Business Name: _____
Mailing Address: _____
City, State, ZIP: _____
Telephone Number(s): () _____
Website: _____

- 1.2 Physical Address (if Different)

Address: _____
City, State, ZIP: _____

- 1.3 RFP Contact: Name, title, address, email and telephone number(s) for Bidder's RFP Contact

Name/Title of Bidder's
Primary Contact: _____
Business Name _____
Address: _____
City, State, ZIP: _____
Telephone Number(s): () _____
Email: _____

**RFP ATTACHMENT A
 BIDDER'S INFORMATION, DECLARATIONS AND CERTIFICATIONS**

2 CERTIFICATIONS AND ASSURANCES

The Bidder makes the following certifications and assurances as a required element of the proposal to which it is attached, understanding that the truthfulness of the facts affirmed here and the continuing compliance with these requirements are conditions precedent to the award or continuation of the related contract(s) or agreement(s):

As of the date of the proposal:	True/False	Initial
1. The Bidder declares that all answers and statements made in the proposal are true and correct.		
2. The prices and/or cost data have been determined independently, without consultation, communication or agreement with others for the purpose of restricting competition.		
3. The attached proposal is a firm offer for a period of 90 days following receipt, and it may be accepted by OST with further negotiation at the time of a bond sale, if any.		
4. In preparing this proposal, the Bidder has not been assisted by any current or former employee of the State of Washington whose duties relate (or did relate) to this proposal or a prospective bond purchase agreement, and who was assisting in other than his or her official, public capacity. (Any exceptions to these assurances are described in full detail on a separate page and attached to this document.)		
5. The Bidder will not be reimbursed for any costs incurred in the preparation of this proposal. All proposals become the property of OST, and the Bidder will claim no proprietary right to the ideas, writings, items or samples, unless so stated in this proposal.		
6. Unless otherwise required by law, the prices and/or cost data that have been submitted have not been knowingly disclosed by the Bidder and will not knowingly be disclosed, directly or indirectly, to any other Bidder or to any competitor prior to the deadline for submitting proposals.		
7. No attempt has been made or will be made by the Bidder to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition.		
8. The Bidder holds all applicable licenses and registrations for businesses offering municipal underwriting or investment banking services, including: a) U.S. Securities and Exchange Commission (SEC) b) Financial Industry Regulatory Authority (FINRA) c) Municipal Securities Rulemaking Board (MSRB)		

**RFP ATTACHMENT A
BIDDER'S INFORMATION, DECLARATIONS AND CERTIFICATIONS**

3 COMPANY DECLARATIONS

The Bidder declares, as a required element of the proposal to which it is attached, understanding that the truthfulness of the facts affirmed here and the continuing compliance with these requirements are conditions precedent to the award or continuation of any related contract(s) or agreement(s):

3.1 TERMINATION FOR DEFAULT

Have you had a contract terminated for default in the last five years? For purposes of this declaration, termination for default is defined as notice from your customer to stop performance due to your non-performance or poor performance, and the issue of performance was either not litigated due to inaction on the part of the customer, was settled by the parties, or it was litigated and determined that the Bidder was in default.

Yes No

If you had a contract terminated for default in this five-year period, submit full details in a separate document included with your proposal. Include the other party's name, address and phone number. Present your position on the matter. OST will evaluate the facts, and may, at its sole discretion, reject the proposal on the basis of the prior default.

3.2 CONFLICT OF INTEREST

a. Are you, or do you employ or have as a principal officer or member of your governing board, a current employee of the State of Washington?

Yes No

b. Are you, or is any individual who will provide services to OST as a result of the prospective contract, receiving retirement benefits from a Washington state public retirement system?

Yes No

c. Are you, or do you employ or have as a principal officer or member of your governing board, a former employee of the State of Washington who worked for the state as an employee within the last two years?

Yes No

d. In the preparation of this Proposal, did you receive assistance from any current or former employee of the State of Washington whose duties relate (or did relate) to this proposal or the prospective contract, in any way other than his or her official, public capacity?

Yes No

RFP ATTACHMENT A
BIDDER'S INFORMATION, DECLARATIONS AND CERTIFICATIONS

If you answered yes to any question in Section 3.2, provide the following information in a separate document included with your proposal:

- Current or former state employee's name
- The individual's position with your company
- Current or former state agency where the individual is/was employed
- Date the individual left state employment if applicable
- Name and contact information for an official at the employing state agency

OST will evaluate the facts and circumstances. [Chapter 42.52 RCW](#) may prohibit the person from performing work related to the prospective contract. You may contact the OST RFP Coordinator for more information.

3.3 WAGE THEFT PREVENTION – RESPONSIBLE BIDDER CRITERIA

Prior to awarding a contract, agencies are required to determine that a bidder is a "responsible bidder." Pursuant to [RCW 39.26.160](#) (2) and (4), the responsible bidder criteria require certification that the contractor has not willfully violated Washington's wage laws.

Note: Failure to check one (and only one) of the responses below will result in the proposal being deemed non-responsive.

NO WAGE VIOLATIONS

This Bidder has NOT been determined by a final and binding citation and notice of assessment issued by the Washington Department of Labor & Industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in [RCW 49.48.082](#), any provision of RCW chapters [49.46](#), [49.48](#) or [49.52](#) within three years prior to the date of this Request for Proposals.

OR

VIOLATIONS OF WAGE LAWS

This Bidder has been determined by a final and binding citation and notice of assessment issued by the Washington Department of Labor & Industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in [RCW 49.48.082](#), a provision of RCW chapters [49.46](#), [49.48](#) or [49.52](#) within three years prior to the date of this RFP.

**RFP ATTACHMENT A
BIDDER'S INFORMATION, DECLARATIONS AND CERTIFICATIONS**

3.4 STATUTORY NONDISCRIMINATION CLAUSES FOR STATE CONTRACTS

Bidder certifies as follows (*must check one*):

COMPLIANCE WITH STATUTORY NONDISCRIMINATION CLAUSES FOR STATE CONTRACTS

During the term of an awarded Contract, Bidder, including any subcontractor, shall not discriminate on the bases enumerated at [RCW 49.60.530\(3\)](#). Bidder, including any subcontractor, also shall give written notice of this nondiscrimination requirement to any labor organizations with which Bidder, or subcontractor, has a collective bargaining or other agreement. In addition, Bidder, including any subcontractor, shall cooperate with any Washington state agency investigation regarding any allegation that Bidder, including any subcontractor, engaged in prohibited discrimination set forth in [RCW 49.60.530\(3\)](#).

OR

NON-COMPLIANCE WITH STATUTORY NONDISCRIMINATION CLAUSES FOR STATE CONTRACTS.

Bidder does not comply with [RCW 49.60.530](#).

4 CERTIFICATION

I hereby certify, under penalty of perjury under the laws of the State of Washington, that the declarations, certifications and assurances herein are true and correct and that I am authorized to make these certifications on behalf of the Bidder listed herein.

COMPANY NAME	
SIGNATURE	
PRINT NAME AND TITLE OF PERSON SIGNING ABOVE	
DATE SIGNED	PLACE SIGNED