



Oregon Business Development Department
Commercialization Gap Fund Manager
Request for Proposal (RFP)

Closing Date and Time: Monday, November 8, 2021, 8:00 AM PST

Single Point of Contact (SPC):	Devon Thorson, Contracts Officer
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[ATTACHMENT A - PROPOSER INFORMATION AND CERTIFICATION SHEET](#)
[ATTACHMENT B - REFERENCES CHECK FORM](#)

SECTION 1: GENERAL INFORMATION

1.1 INTRODUCTION

The State of Oregon, acting by and through the Oregon Business Development Department (“Agency” or “Business Oregon”), is issuing this Request for Proposals (“RFP”) on behalf of the Oregon Innovation Council (“Oregon InC”), seeking a fund manager to invest funds to support commercialization of early-stage technologies in Oregon (the “Commercialization Gap Fund”). For the 2021-2023 biennium, \$4.5 million will be available in the Commercialization Gap Fund.

Oregon InC is a public-private partnership that supports commercialization of disruptive early-stage technologies coming from science and research, often in conjunction with university partners. Due in part to the long-term nature of return expectations (8-12 years), there are very few sources of capital and/or gap funding in Oregon for entrepreneurs at the earliest stages of commercialization. The Oregon InC Commercialization Gap Fund is focused on filling this gap.

This program will provide \$4.5 million to a fund manager to manage a commercialization gap program utilizing equity investing, with the state serving as a Limited Partner. Additional resources may be added to the Fund if they become available. Oregon InC expects the Fund’s investment period to conclude by the end of the current state fiscal biennium (June 30, 2023).

The Agency anticipates the award of one contract from this RFP but reserves the right to award more than one. The Agency also reserves the right to negotiate and extend this award to the extent allowed by law with additional funds that may be appropriated for the Commercialization Gap Fund.

SCHEDULE

The table below represents a tentative schedule of events. All times are listed in Pacific Time. All dates listed are subject to change.

Event	Date
Open Office Hours for RFP Questions	Friday, October 8 th , 10:00-12:00 Monday, October 11 th , 3:00-5:00 Wednesday, October 13 th , 2:00-4:00
Questions / Requests for Clarification Due	No later than Monday, November 1 st , 5:00 PM
RFP Protest Period Ends	Monday November 1 st , 5:00 PM
Answers to Questions & Requests for Clarification Issued (approx.)	Wednesday, November 3 rd , 5:00 PM
Closing (Proposal Due)	Monday, November 8 th , 8:00 AM
Presentations or Interviews (if needed)	December 6 th – 10 th
Issuance of Notice of Intent to Award (approx.)	January 5, 2022
Award Protest Period Ends	7 calendar days after Notice of Intent to Award

1.2 SINGLE POINT OF CONTACT (SPC)

The SPC for this RFP is identified on the Cover Page, along with the SPC’s contact information. Aside from Open Office Hours to ask questions, as described in section 5.2, Proposer shall direct all communications related to any provision of the RFP only to the SPC, whether about the technical requirements of the RFP, program requirements, the RFP process, or any other provision.

SECTION 2: AUTHORITY, OVERVIEW, AND SCOPE

2.1 AUTHORITY AND METHOD

Agency is issuing this RFP on behalf of the Oregon Innovation Council. Agency’s contract is authorized by ORS 284.742 and is not subject to the Public Contracting Code pursuant to ORS 279A.025(3)(i). However, Agency, at its own discretion, is following select parts of the procedures for competitive sealed proposals as described

in ORS 279B.060 and reserves the right to conduct further selection stages as Agency, in its sole discretion, deems necessary.

2.2 OVERVIEW AND PURPOSE

2.2.1 Project Overview and Background

The Oregon Innovation Council (Oregon InC) was created by the Governor and Legislature in 2005 to invest public resources in emerging industries. Oregon InC is a public-private partnership that supports innovators to get new technologies from an idea to market, diversify Oregon’s economy, attract research dollars and follow-on investment capital to the state, and ultimately create new high-wage jobs.

Oregon InC provides capital to support commercialization of disruptive early-stage technologies coming from science and research, often in conjunction with university partners. Oregon InC targets support for key industry sectors, including: digital health, bioscience, clean tech, advanced materials, active lifestyle, advanced manufacturing, and natural resources. Due in part to the long-term nature of return expectations (8-12 years,) there are very few sources of capital and/or gap funding in Oregon for entrepreneurs at the earliest stages of commercialization in these specific target industries. The Oregon InC Commercialization Gap Fund is focused on filling this critical gap before private investment is more generally available.

[Oregon’s 10-Year Innovation Plan](#), completed February 2021, recommends Oregon InC continue to leverage and expand sources of capital to catalyze the commercialization of new innovations. To execute this strategy, Oregon InC seeks a fund manager for the 2021-2023 biennium¹ to manage the \$4.5 million Commercialization Gap Fund. The Fund will invest in early-stage businesses as they develop their product for market, providing a key investment during the commercialization gap, with the expectation the investment will “unlock” additional private seed investment in the business.

Project Goals

- Use Oregon InC funds to provide catalytic investment dollars towards commercialization for businesses developing technology coming from original science and research, and meeting an Oregon InC target industry sector focus area. The primary goal of this fund is to fill a critical funding gap that will drive economic development in Oregon.
- Align the investment strategy with other state-supported activities, such as the Signature Research Centers (SRCs), University initiatives, the Oregon Capital Scan, and Oregon Growth Board’s work of filling critical funding gaps.
- Create and manage a sustainable operating model that utilizes limited public resources to drive long-term high wage job creation. Leveraging other sources of funding and having key partnerships will be critical to support a fund this size with these goals.
- Generate a Return on Investment for the Fund over a realistic long-term horizon.

2.2.2 Investment Parameters

Investment Parameters include:

Commercialization Gap – Investments can be made from early stage product validation to farther along in a company’s lifecycle, just before a company is attractive to private investors. Funds should be invested to bridge the gap between proof of concept and commercialization to support businesses before the private sector has fully invested. The Gap Fund investment during the so-called “valley of death” should enable more promising businesses to achieve their full market potential.

Oregon Focus – All investments must be in businesses with a significant Oregon presence (i.e. more than fifty percent of employees are Oregon-based) and a documented commitment to grow jobs in Oregon.

¹ July 1, 2021 – June 30, 2023

Key Partner Alignment – Relationships to the key local partners, including Signature Research Centers and universities, are a priority, as they will continue to serve as critical pipelines of prospective investments and are strong technical service providers. As such, Proposers for this RFP should incorporate key partners into your work plans – specifically in relation to deal sourcing and technical support.

Type of Business– Investments should be limited to businesses that align with Oregon InC’s traded-sector target industries, which currently include: digital health, bioscience, clean tech, advanced materials, active lifestyle, advanced manufacturing, and natural resources. Businesses must be startups that are less than 5 years old and have less than \$1M in total net revenue.

Sustainable Operating Model – Oregon InC welcomes diverse and creative proposals. The economics of such a fund with such broad goals are challenging, and responses should propose operating models that make the key goals feasible. Strong partnerships and matched or leveraged funding will provide a more compelling proposal.

Deal Terms – The businesses targeted by this program are early in their commercialization efforts. In many cases, this will represent their first investment outside of friends and family. As a result, this is high-risk capital, meant to catalyze future private investments and business growth. Deal terms and return expectations must be appropriate for the early-stage nature of the businesses, and the cutting edge science and research they are evaluating.

Match – In order to enhance the Commercialization Gap Fund and leverage private sector investments, Oregon InC desires a fund manager who is able to secure a 1:1 match of state investments into the Fund. Though Fund matching is not a requirement for selection, it will provide an additional competitive advantage to Proposers who are able to indicate they have the willingness and ability to do so.

2.3 FUND MANAGEMENT REQUIREMENTS

The awarded Fund manager must manage and administer the Fund and provide quarterly written reports to the Agency, as well as report quarterly to the Oregon Innovation Council on progress and pre-determined metrics agreed to during contract negotiations. Recommended metrics must be included in your proposal and may include number of businesses vetted, job growth, other funding leveraged, follow-on funding rounds, return on investment, business-specific commercialization milestones, or other suggested metrics.

SECTION 3: PROPOSAL REQUIREMENTS

3.1 MINIMUM QUALIFICATIONS

To be considered for evaluation, the proposal must demonstrate that the Proposer operates an Oregon-based investment vehicle or has a significant Oregon presence. The proposal must also detail Proposer’s Securities Exchange Commission compliance.

3.2 SUBMISSION REQUIREMENTS

3.2.1 Proposal Submissions

To be considered for evaluation, proposal must contain each of the following elements (further detailed in Substance of Proposal section below):

- Executive Summary and Main Proposal
- Key Persons and Resumes – limit to two pages each
- A signed Proposer Information and Certification Sheet (Attachment A)
- References Check Form (Attachment B)

3.2.2 Proposal Page Limits

Proposal is limited to twelve pages with at least 11-point font and 1” margins. Any pages exceeding this limit will not be provided to the Evaluation Committee or considered in the evaluation. The following items do not count toward the page limit:

- Key Person Resumes
- Proposer Information and Certification Sheet (Attachment A)
- References Check Form (Attachment B)

3.2.3 Proposal Format

The proposal must be formatted in one of the following formats: Adobe (pdf), Microsoft Word (doc or docx), or Microsoft Excel (xls orxlsx).

SECTION 4: SUBSTANCE OF PROPOSAL (WITH EVALUATION POINTS)

4.1.1 Executive Summary – Please provide a brief executive summary.

4.1.2 Main Proposal

4.1.2.1 Proposer’s Experience (35 points maximum) Please describe the following:

- Team overview
- Track record from similar investment strategies, including
 - Business formation
 - Follow-on funding/leverage
 - Internal Rate of Return (IRR) and Return Multiples (DPI, TVPI)
 - Jobs created/job growth
 - Fundraising experience (if applicable to approach)
 - Total invested capital – breakout by grants, equity investments, lending, etc.
 - Metrics reported on
- Experience working with early stage science and research based businesses, commercialization and mentoring
- Experience working with partners including Business Oregon, SRCs, university tech transfer offices, and other technical assistance providers to advance startups to a funding decision
- Experience incorporating diversity and inclusion into your work, including with diverse investors, investment decision team, partners, and businesses
- Experience and sophistication in reporting to government agencies and institutional Limited Partners

Please also name the specific key persons to be assigned to this project, a description of their roles and authority, and include a current resume (not to exceed 2 pages each) for each individual that demonstrates qualifications and experience for the work described. Resumes will be considered along with the other material when scoring Experience. As mentioned in 3.2.2, resumes do not count toward the proposal page limit.

4.1.2.1 Strategy and Operating Model (65 points maximum)—Please describe the following:

- Proposed investment strategy including:
 - Types of investment tools to be utilized, and why they are appropriate for the commercialization gap (please include a narrative explanation)
 - Number of early-stage investments proposed
 - Proposed investment size ranges
 - The maximum allocation to individual businesses
 - Approach to syndication and follow-on investments
 - Proposed pace of investment over the biennium
 - Criteria to be used to identify commercialization gaps and guide investment
 - Strategy to generate deal-flow/applications, and how you will ensure businesses from diverse geographies, industry sectors, and demographics will be considered. Please include proposed relationship with Business Oregon, universities, SRCs and other key partners
 - Investment decision-making structure – note the diversity and involvement of your investment decision-maker(s) by geography, industry sector, and demographics
 - Returns reinvestment policy

- Long-term sustainability plan for continued management of investments
- Other sources of operating or investment capital, if applicable
- Strategy to raise matching funds, if applicable
- Legal structure, with Business Oregon serving as a Limited Partner, including a description of all applicable: management fees, investment units/classes, other manager compensation, involvement of counsel and auditors and accounting (if applicable)
- Plan for management compensation if not covered entirely in the legal structure above
- Line item budget with justification and anticipated FTE required to manage the Fund
- Investment philosophy and guiding metrics (metrics may include the below and additional metrics may be proposed)
 - Target IRR/Multiple on Invested Capital
 - Number of businesses assisted
 - Amount of leverage achieved (matched funding)
 - Grant funds raised by businesses
 - Capital raised by businesses
 - Demographic and geographic tracking
- Approach to maintaining accredited investor threshold/SEC compliance

4.1.3 Proposer Information and Certification Sheet (Cover Sheet)

Proposer must complete and submit a signed Proposer Information and Certification Sheet (Attachment A, Cover Sheet). The Cover Sheet must be signed by a duly Authorized Representative of the Proposer empowered to bind the Proposer.

4.1.4 References

Proposer must provide five references for similar projects performed within the last six years. If possible, use references that align with Oregon InC priority industry sectors. References must be able to verify the quality of previous, related work. Ensure at least one reference is an investor in an investment vehicle you managed; one received investment from an investment vehicle you managed; and one can speak to your impact on economic development.

References will not be scored; they will be used as part of Agency’s due diligence responsibility determination. Agency may determine if provided references support Proposer’s ability to successfully perform the intended contract. Agency may use references to obtain additional information, or verify any information needed. Agency may contact any reference (submitted or not) to verify Proposer’s ability to perform.

SECTION 5: SOLICITATION PROCESS

5.1 PUBLIC NOTICE

The RFP and attachments are published in the OregonBuys eProcurement System at www.oregonbuys.gov/bs0 and on Agency’s website. In addition, the Agency may provide the RFP and attachments directly to potential firm Proposers.

Modifications, if any, to this RFP will be made by written Addenda and published in OregonBuys and on Agency’s website. Department may, but is not responsible for sending addenda to any solicited firms. Prospective Proposers are solely responsible for checking OregonBuys or Agency’s website to determine whether or not any Addenda have been issued. Addenda are incorporated into the RFP by this reference.

5.2 OPEN OFFICE HOURS TO ASK QUESTIONS OR CLARIFICATIONS

Open office hours to answer questions will be held:

Friday, October 8th, 10:00-12:00
Monday, October 11th, 3:00-5:00
Wednesday, October 13th, 2:00-4:00

Email the SPC to receive a Microsoft Teams link to join the open office hours. Please note that office hours are designated to provide clarification on the language of the funding announcement or on type of information to be submitted. Specific feedback on a proposal will not be provided. Questions and answers from both submitted emails, as well as the designated office hours, will be captured and shared with all Proposers via Business Oregon's website. Responses to questions will be posted by 5:00 PM, Wednesday, November 3rd.

5.3 WRITTEN QUESTIONS OR REQUESTS FOR CLARIFICATIONS

All inquiries, whether relating to the RFP process, administration, deadline or method of award, or to the intent or technical aspects of the RFP other than those during an appointment as described in section 5.2 must be sent in writing by email to the SPC and:

- Reference the RFP number
- Identify Proposer's name and contact information
- Refer to the specific area of the RFP being questioned (i.e. page, section and paragraph number); and
- Be received by the due date and time for Questions/Requests for Clarification identified in the Schedule

5.4 RFP PROTESTS

5.4.1 Suggestions and Protests to RFP

A Proposer may submit a written protest of anything contained in this RFP, and is encouraged to make suggestions for revisions to the RFP that would make it better, clearer or more competitive. This is Proposer's only opportunity to protest the provisions of the RFP, except that Proposer may protest addenda as provided below.

5.4.2 Protests to Addenda

A Proposer may submit a written protest of anything contained in an addendum. Protests to addenda, if issued, must be submitted by 5 p.m. Pacific Time of the second Business Day after the addendum was issued or the date/time specified in the respective addendum, or they will not be considered. Protests of matters not added or modified by an addendum will not be considered.

5.4.3 All Protests must:

- Be delivered to the SPC via email
- Reference the RFP number
- Identify Proposer's name and contact information
- Be sent by an authorized representative
- State the reason for the protest, including:
 - the grounds that demonstrate how the RFP is contrary to law, unnecessarily restrictive, or legally flawed, and
 - evidence or documentation that supports the grounds on which the protest is based
- State the proposed changes to the RFP provisions or other relief sought
- Protests to the RFP must be received by the due date and time identified in the Schedule
- Protests to addenda must be received by the due date specified above

5.5 PROPOSAL DELIVERY OPTIONS

Proposer is solely responsible for ensuring its proposal is received by the SPC in accordance with the RFP requirements before the closing date. Agency is not responsible for any delays due to transmission errors or delays or mistaken delivery. Proposal submitted by any means not authorized will be rejected.

5.5.1 Submission through E-mail only

Proposal must be submitted through e-mail to the SPC. The RFP number should be in the subject line to ensure correct handling. The size limit for any single e-mail is 14MB. Proposers may submit a proposal in more than one part if necessary to comply with the size limit.

5.6 PROPOSAL DUE

A proposal (including all required submittal items) must be received by the SPC on or before closing. All proposal modifications or withdrawals must be received prior to the closing date.

A proposal received after the closing date is considered late and will not be accepted for evaluation. A late proposal will be deleted. **Please do not wait until the last minute – it will be too late to correct any problems.**

5.7 PROPOSAL REJECTION

Agency may reject a proposal for any of the following reasons:

- Proposer fails to substantially comply with all prescribed RFP procedures and requirements, including but not limited to the requirement that Proposer's authorized representative sign the required Cover Sheet by the closing date
- Proposer makes any contact regarding this RFP with State representatives such as State employees or officials other than the SPC or those the SPC authorizes.
- Proposer attempts to influence a member of the Evaluation Committee.
- Proposer or project fails to meet program eligibility requirements.
- Proposer fails to provide requested information in writing by the date required by the Department.
- Proposal contains false or misleading information.
- Proposal is conditioned on Agency's acceptance of any proposed contract terms and conditions.
- Agency rejects any or all Proposals if it is in the best interest of the Agency. Agency is not liable for any costs a Proposer incurs while preparing or presenting its Proposal or during further evaluation stages.
- Agency cancels the RFP if it is in the best interest of the Agency (and either provides notice that the RFP may be resolicited or that Agency intends to take no further action with respect to the RFP).

5.8 EVALUATION PROCESS

5.8.1 Responsiveness Determination

A proposal received prior to the closing date will be reviewed to determine if it is responsive to all RFP requirements including compliance with Sections 3 and 4. If the proposal is unclear, the SPC may request clarification from Proposer. However, clarifications may not be used to rehabilitate a non-responsive proposal. If the SPC finds the proposal non-responsive, the proposal may be rejected; however, Agency may waive mistakes deemed inconsequential.

5.8.2 Scoring Evaluation

Each proposal meeting all responsiveness requirements will be independently evaluated by members of an Evaluation Committee. Evaluation Committee members may change and the Agency may have additional or fewer evaluators for optional rounds of competition. Evaluators will assign a score for each evaluation criterion listed up to the maximum points listed in section 4.

SPC may request further clarification to assist the Evaluation Committee in gaining additional understanding of proposal. If Agency receives only one proposal, Agency may dispense with the evaluation scoring and intent to award protest period and proceed with negotiations and award.

5.9 NEXT STEP DETERMINATION

At the conclusion of a round of competition, Agency may choose to conduct additional round(s) of competition if in the best interest of the State. Additional rounds of competition may consist of, but will not be limited to:

- Interviews
- Presentations/Demonstrations/Additional Submittal Items
- Serial or simultaneous negotiations
- Revision of specifications and submittal of Best and Final Offers proposals

5.9.1 Competitive Range Determination

If Agency, in its sole discretion, determines that one or more additional rounds of competition is necessary, it will select a competitive range to indicate the Proposers that will be invited to participate in a subsequent round. The competitive range may include all, or at Agency's sole discretion, some (based primarily on a natural break in the distribution of scores) of the Proposers from a previous round. Agency will notify all Proposers by email of its Competitive Range Determination and provide details about the process and schedule for the subsequent round. Proposers excluded from participation in any subsequent evaluation step will be notified and given a right to protest that exclusion.

SECTION 6: AWARD AND NEGOTIATION

6.1 INTENT TO AWARD NOTICE

Agency will notify all Proposers remaining in the last competitive round, by email, of the selected Proposer(s) that Oregon InC intends to award the funds to, subject to successful negotiation of an Agreement with the selected Proposer(s).

6.2 INTENT TO AWARD PROTEST

An affected offeror will have 7 calendar days from the date of the intent to award notice to file a written protest. A Proposer is an affected offeror only if the Proposer would be eligible for an award in the event the protest was successful and is protesting for one or more of the following reasons:

- All higher ranked proposals are non-responsive.
- Agency has failed to conduct an evaluation of proposals in accordance with the criteria or process described in the RFP.
- Agency abused its discretion in rejecting the protestor's proposal as non-responsive.

6.2.1.1 Protests must:

- Be delivered to the SPC via email
- Reference the RFP number
- Identify Proposer's name and contact information
- Be signed by an authorized representative
- Specify the grounds for the protest
- Be received within 7 calendar days of the intent to award notice

6.2.2 Response to Protest

Agency will address all timely submitted protests within a reasonable time and will issue a written decision to the respective Proposer. Protests that do not include the required information may not be considered by Agency.

6.3 APPARENT SUCCESSFUL PROPOSER SUBMISSION REQUIREMENTS

Proposer(s) who is selected for an award under this RFP will be required to submit additional information and comply with the following:

6.3.1 Taxpayer Identification Number

The apparent successful Proposer shall provide its Taxpayer Identification Number (TIN) and backup withholding status on a completed W-9 form when requested by Agency or when the backup withholding

status or any other relevant information of Proposer has changed since the last submitted W-9 form, if any.

6.3.2 Business Registry

If selected for award, Proposer must be duly authorized by the State of Oregon to transact business in the State of Oregon before executing the Agreement. Information about these requirements may be found at <https://sos.oregon.gov/business/pages/register.aspx>.

6.4 NEGOTIATION

After issuance of its notice of intent to award the fund to the selected Proposer, Agency will enter into negotiations with the selected Proposer to determine the final requirements of the award and the terms of the contract. Agency in its sole discretion reserves the right to negotiate any term or condition of the negotiated contract. If negotiations are not successful, Agency may terminate negotiations with the top ranked Proposer and may begin negotiations with the next highest ranked Proposer.

SECTION 7: MISCELLANEOUS REQUIREMENTS

7.1 CONTRACT REQUIREMENTS

Per ORS 284.742(2), a contract entered into by the Oregon Innovation Council and approved by Business Oregon may be:

- (A) A partnership agreement under which the Council is the limited partner and the management company is the general partner; or
- (B) Another form of payment or profit-sharing arrangement under which the Council may receive payment or another form of return in exchange for the Council's investment.

The contract must require any management company managing investments pursuant to this subsection to:

- (A) Manage the investments subject to the policies and procedures and investment directives and strategies of the Council or, if requested by the Council, the Oregon Growth Board, with the care, skill and diligence that a prudent investor acting in a similar capacity and familiar with such investments would use in managing the investments; and
- (B) Invest in Oregon an amount that is at least equal to the amount of the principal transferred from the Oregon Innovation Fund to the management company for investment.

7.2 RECYCLED PRODCUTS

Contractors shall use recyclable products to the maximum extent economically feasible in the performance of the contract work set forth in this document.

SECTION 8: ADDITIONAL INFORMATION

8.1 CERTIFIED FIRM PARTICIPATION; NONDISCRIMINATION

Pursuant to Oregon Revised Statute (ORS) Chapter 200, Agency encourages the participation of small businesses, certified by the Oregon Certification Office for Business Inclusion and Diversity ("COBID") in all opportunities.

The State of Oregon promotes equal opportunity for all individuals without regard to age, color, disability, marital status, national origin, race, religion or creed, sex or gender, sexual orientation, or veteran status.

8.2 PUBLIC RECORDS

This RFP, and one copy of every proposal accepted in response to it, will be kept by Agency and made a part of its records. All accepted proposals will become part of the public file without obligation to Agency. If a proposal contains any information that may be exempt from disclosure under the Oregon Public Records Law, ORS 192.410 through 192.505, the Proposer must clearly designate that portion of its proposal it considers to be exempt, along with a justification and citation to the authority relied upon. Application of the Uniform Trade Secrets Act (UTSA), ORS 646.461 and 646.475, and the Oregon Public Records Law will determine

whether any information is actually exempt from disclosure. Identifying an entire proposal as exempt from disclosure is not acceptable and will not be effective to exempt the proposal or any part of it from disclosure. Failure to identify the portion of the proposal claimed as exempt from disclosure, and to specify a justification and the authority relied upon, will be deemed a waiver of any future claim based on disclosure of that information.

8.3 COST OF SUBMITTING A PROPOSAL

Proposer shall pay all the costs in submitting its proposal, including, but not limited to, the costs to prepare and submit the proposal, costs of samples and other supporting materials, costs to participate in demonstrations, or costs associated with protests.

8.4 CHECKLIST DISCLAIMER

Any checklists that may be contained in this RFP are provided only as a courtesy to Proposer. Agency makes no representation as to the completeness or accuracy of any Checklist. Proposer is solely responsible for reviewing and understanding the RFP and complying with all the requirements of this RFP, whether listed in a checklist or not. Neither the State nor Agency is liable for any claims, or subject to any defenses, asserted by Proposer based upon, resulting from, or related to, Proposer's failure to comprehend all requirements of this RFP.

**C2021551 COMMERCIALIZATION GAP FUND RFP
ATTACHMENT A – PROPOSER INFORMATION AND CERTIFICATION SHEET
(COVER SHEET)**

_____ (Legal Name of Proposer) acknowledges receipt of any and all addenda to this RFP, and accepts all the terms and conditions contained in this RFP.

Mailing Address _____

Professional Corporation Partnership Limited Partnership
 Ltd. Liability Company Ltd. Liability Partnership Sole Proprietorship Other _____
Originally registered in which state? _____ Resident Bidder per ORS 279A.120? Y N

Primary Contact/Authorized Representative email address _____
Telephone _____ Other _____
Type name of person(s) authorized to sign Contract _____

Affirmative Action, Nondiscrimination: Department is an equal-employment-opportunity employer and values diversity in its work force. It also requires Proposers to have an operating policy as an equal employment opportunity employer, and to follow good faith diversity efforts when subcontracting.

We certify that we have a formal statement of nondiscrimination in employment policy and have an affirmative action program if over 50 employees. (Firms of 50 people or less do not need a formal program, but must have a policy). Does your firm have 50 or more employees? Yes No

We also certify that we have not and will not discriminate against a subcontractor in the awarding of a subcontract because the subcontractor is a minority, women or emerging small business enterprise certified under ORS 200.055, and will follow good faith efforts in ORS 200.045 during any subcontracting.

Responsibility Certifications

Has your company ever been declared in breach of any contract to provide services for unperformed or defective work?

Yes No

If "yes," explain. _____

Has any employee or agent of your company been convicted under state or federal law of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property or any other offense indicating a lack of business integrity or business honesty?

Yes No

If "yes," explain. _____

Has your company or any employee or agent of your company been indicted under state or federal false claims or antitrust laws, or charged with any other criminal offense arising out of obtaining, attempting to obtain, or performing a public or private contract or subcontract? Yes

No

If "yes," explain. _____

During the last ten years, has your firm changed majority ownership or been the debtor in a bankruptcy case? Yes No

If "yes," explain. _____

Does your firm have any outstanding judgments pending against it? Yes No

If "yes," explain. _____

During the last ten years, has your firm been a party to litigation, arbitration or mediation where the amount in dispute exceeded \$10,000? Yes No

If "yes," explain. (Include court, and party names.) _____

Conflicts of Interest: Please select (only) one of the following three options:

Our firm has no current, known actual, potential, or reasonably perceived, financial or other interest in the outcome of the services described in this RFP.

Our firm has a potential or reasonably perceived financial or other interest in the outcome of the services described in this RFP as described here: _____. Our firm proposes to mitigate the potential or perceived conflict according to the following plan:

_____.

Our firm has an actual financial or other interest in the outcome of the services described in this RFP as described here: _____.

What does "financial interest" mean?

If your firm, or employee of your firm working on the project (or a member of the employee's household), will/may or may be perceived to receive or lose private income depending on government business choices based on your firm's services, findings or recommendations, this must be listed as a financial interest. An example would be ownership in physical assets affected by government business choices related to these services. The possibility of contracting for further consulting services is not included in this definition and is not prohibited.

What does "other interest" mean?

If your firm, or employee of your firm working on the project (or a member of the employee's household), will/may or may be perceived to have political, legal or any other interests that will affect what goes into your firm's services, findings or recommendations, or will be/may be, or may be perceived to be, affected by government business choices related to these services, this must be listed as an other interest.

Tax Information and Tax Compliance: Any individual signing on behalf of Contractor hereby certifies under penalty of perjury: (a) Contractor's correct taxpayer identification number is [_____]; (b) Contractor is not subject to backup withholding because (i) Contractor is exempt from backup withholding, (ii) Contractor has not been notified by the IRS that Contractor is subject to backup withholding as a result of a failure to report all interest or dividends, or (iii) the IRS has notified Contractor that Contractor is no longer subject to backup withholding; (c) s/he is authorized to act on behalf of Contractor, s/he has authority and knowledge regarding Contractor's payment of taxes, and to the best of her/his knowledge, for a period of no fewer than six calendar years preceding the Effective Date of this Contract, Contractor has faithfully has complied with and is not in violation of: (i) all tax laws of this state, including but not limited to those included in: ORS 320.005 to 320.150 and 403.200 to 403.250 and ORS chapters 118, 314, 316, 317, 318, 321 and 323 and local taxes administered by the Department of Revenue; (ii) any tax provisions imposed by a political subdivision of this state that applied to Contractor, to Contractor's property, operations, receipts, or income, or to Contractor's performance of or compensation for any work performed by Contractor; (iii) any tax provisions imposed by a political subdivision of this state that applied to Contractor, or to goods, services, or property, whether tangible or intangible, provided by Contractor; and (iv) any rules, regulations, charter provisions, or ordinances that implemented or

enforced any of the foregoing tax laws or provisions; and(d) Contractor is an independent contractor as defined in ORS 670.600; (e) if required by 40CFR1506.5(c), Contractor has no financial or other interest in the outcome of the project; and (f) in the event that Contractor is a general partnership or joint venture, that Contractor signature(s) on this Contract constitute certifications to the above statements pertaining to the partnership or joint venture, as well as certifications of the above statements as to any general partner or joint venturer signing this Contract.

Signature of Authorized Representative certifying the truth of all statements:

[signature]
[Type name] _____ Date

ATTACHMENT B – REFERENCES CHECK FORM

Reference Entity: _____ Reference Contact Name: _____
Contact Telephone Number: _____ Contact Email Address: _____
Description of work done for Reference:

Reference Entity: _____ Reference Contact Name: _____
Contact Telephone Number: _____ Contact Email Address: _____
Description of work done for Reference:

Reference Entity: _____ Reference Contact Name: _____
Contact Telephone Number: _____ Contact Email Address: _____
Description of work done for Reference:

Reference Entity: _____ Reference Contact Name: _____
Contact Telephone Number: _____ Contact Email Address: _____
Description of work done for Reference:

Reference Entity: _____ Reference Contact Name: _____
Contact Telephone Number: _____ Contact Email Address: _____
Description of work done for Reference: