

**APPENDIX A**

**REQUIRED DOCUMENTS**

# PROPOSAL TO LEASE SPACE TO THE PENNSYLVANIA GAMING CONTROL BOARD

## SECTION A (Proposer Information)

SFP NO. \_\_\_\_\_ PROPOSAL DUE DATE \_\_\_\_\_ DATE \_\_\_\_\_  
(MM/DD/YY) (MM/DD/YY)

Pennsylvania Gaming Control Board  
(AGENCY) (MUNICIPALITY) (COUNTY)

THIS PROPOSAL IS FOR  OFFICE SPACE  LEASE AMENDMENT  OTHER \_\_\_\_\_

PROPERTY ADDRESS \_\_\_\_\_  
(STREET) (SUITE/ROOM NO.) (CITY) (STATE) (ZIP)

PROPOSER:  
 FULL NAME(S) AND ADDRESSES OF PROPOSED LESSOR CONTACT INFORMATION FOR AUTHORIZED REPRESENTATIVE OF PROPOSER

NAME _____	NAME _____
ADDRESS _____	ADDRESS _____
PHONE _____	PHONE _____
EMAIL _____	EMAIL _____

## SECTION B (Property Information)

LOT SIZE \_\_\_\_\_ ACRES BUILDING AGE \_\_\_\_\_ YEARS WILL MEET ADA ACCESS REQUIREMENTS  YES  NO

PRESENT USE \_\_\_\_\_

OTHER TENANTS IN BUILDING  YES  NO ARE THERE SEPARATE METERS FOR TENANTS?  YES  NO (IF YES, EXPLAIN)

LIST TENANTS (ATTACH ADD'L SHEETS IF NECESSARY) \_\_\_\_\_

AGE/DESCRIPTION OF ROOF \_\_\_\_\_ YEARS \_\_\_\_\_  
 HEATING SYSTEM \_\_\_\_\_ YEARS \_\_\_\_\_  
 A/C SYSTEM \_\_\_\_\_ YEARS \_\_\_\_\_

DOES PROPOSER HAVE ANY KNOWLEDGE OF EXISTING ASBESTOS IN THE BUILDING  YES  NO

IF YES, EXPLAIN \_\_\_\_\_

WATER SOURCE  PUBLIC  PRIVATE SEWER  PUBLIC  PRIVATE PUBLIC TRANSPORTATION  YES  NO

NO. OF PARKING SPACES INCLUDED IN RENTAL RATE \_\_\_\_\_ LOCATION \_\_\_\_\_

NEARBY PARKING AVAILABILITY (EXPLAIN) \_\_\_\_\_ AVG. PARKING RATE/MONTH \$ \_\_\_\_\_

## SECTION C (Proposer Utilities, Services, Rental Rates)

LESSOR TO PROVIDE THE FOLLOWING UTILITIES AND SERVICES INCLUDED IN THE RENTAL RATE

ELECTRIC  HEAT  AIR CONDITIONING  WATER  SEWER  PEST CONTROL

LANDSCAPING/LAWN CARE  SNOW/ICE REMOVAL  JANITORIAL SERVICE/SUPPLIES  TRASH REMOVAL

OTHER \_\_\_\_\_

**THE UNDERSIGNED OFFERS TO LEASE TO THE PENNSYLVANIA GAMING CONTROL BOARD SPACE IN THE ABOVE DESCRIBED BUILDING AND AGREES TO CONSTRUCT AND/OR ALTER THE BUILDING AND TO COMPLETE THE LEASED SPACE OFFERED HEREIN IN ACCORDANCE WITH PLANS AND SPECIFICATIONS PROVIDED BY THE PENNSYLVANIA GAMING CONTROL BOARD UNDER THE FOLLOWING TERMS AND CONDITIONS:**

SQUARE FEET OFFERED \_\_\_\_\_ INITIAL LEASE TERM \_\_\_\_\_ YEARS OPTION TERMS \_\_\_\_\_ / \_\_\_\_\_ YEAR

1ST YEAR RENTAL BASE RENT \$ \_\_\_\_\_ / SQ. FT. 1ST OPTION TERM BASE \$ \_\_\_\_\_ 2ND OPTION TERM BASE \$ \_\_\_\_\_

OPERATING RENT \$ \_\_\_\_\_ / SQ. FT.

TOTAL \$ \_\_\_\_\_ / SQ. FT. FIRST YEAR ANNUAL RENT \$ \_\_\_\_\_ FIRST YEAR MONTHLY RENT \$ \_\_\_\_\_

APPROXIMATE TIME REQUIRED FROM LEASE EXECUTION TO COMPLETE RENOVATIONS OR NEW CONSTRUCTION IF APPLICABLE \_\_\_\_\_  DAYS  MONTHS

**SECTION D (Expense Worksheets)**

**CONSTRUCTION EXPENSE WORKSHEET**

(SEE ATTACHMENT A, SECTION III, PARAGRAPH 16 OF SAMPLE LEASE.)

SITE WORK	\$ _____
PERMITS	\$ _____
PROFESSIONAL FEES	\$ _____
FINANCING	\$ _____
BUILDING CONSTRUCTION	\$ _____
REAL ESTATE ACQUISITION (LAND)	\$ _____
OTHER (EXPLAIN)	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL</b>	\$ _____

**ANNUAL OPERATING EXPENSE WORKSHEET**

REAL ESTATE TAXES	\$ _____
INSURANCE	\$ _____
MAINTENANCE	\$ _____
UTILITIES	\$ _____
WATER	\$ _____
SEWER	\$ _____
LANDSCAPING/LAWN CARE	\$ _____
SNOW/ICE REMOVAL	\$ _____
JANITORIAL SERVICES/SUPPLIES	\$ _____
TRASH COLLECTION	\$ _____
OTHER (EXPLAIN)	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL</b>	\$ _____

**AN OFFICIAL, AUTHORIZED TO BIND THE PROPOSER TO ITS PROVISIONS, MUST SIGN THE PROPOSAL AND ALL REQUIRED FORMS. BY SIGNING BELOW, PROPOSER CERTIFIES THAT THE INFORMATION CONTAINED IN THIS PROPOSAL IS TRUE TO THE BEST OF ITS KNOWLEDGE.**

X \_\_\_\_\_

X \_\_\_\_\_

PRINT NAME

PRINT NAME

**LESSOR IDENTITY DISCLOSURE**

The following information must be filled out accurately and accompany your proposal

Date: \_\_\_\_\_

NAME OF LESSOR: \_\_\_\_\_

LESSOR FEDERAL I.D. #: \_\_\_\_\_

Please indicate the legal status of your company and complete the appropriate section(s):

\_\_\_\_\_ Corporation (Complete Section A) \_\_\_\_\_ Partnership (Complete Section B) \_\_\_\_\_ Sole Proprietor (Complete Section C)  
Or Limited Liability Co. Or Limited Liability Partnership

**A. CORPORATION or Limited Liability Co. (LLC): List all officers of the corporation below and percent of stock. Each officer's signature is required. Attach additional sheets if needed. If a LLC check box  and list members. Also list managers if Lessor is a manager managed LLC.**

Name: \_\_\_\_\_  
Title: President \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: Vice President \_\_\_\_\_  
Address: \_\_\_\_\_

Percentage of Stock: \_\_\_\_\_  
Signature: \_\_\_\_\_

Percentage of Stock: \_\_\_\_\_  
Signature: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: Secretary \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: Treasurer \_\_\_\_\_  
Address: \_\_\_\_\_

Percentage of Stock: \_\_\_\_\_  
Signature: \_\_\_\_\_

Percentage of Stock: \_\_\_\_\_  
Signature: \_\_\_\_\_

Date: \_\_\_\_\_

(Corporation Seal)

**B. PARTNERSHIP or Limited Liability Partnership (LLP): List all general, limited or special partners. Indicate any managing partner. If general or managing partner is a corporation, please complete Section A. If a LLP check box  and list partners.**

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
(General, Limited, Special)  
Address: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
(General, Limited, Special)  
Address: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
(General, Limited, Special)  
Address: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
(General, Limited, Special)  
Address: \_\_\_\_\_

**C. SOLE PROPRIETOR: If the Lessor is a sole proprietorship or co-owner doing business under any name or designation other than that of the individual owning the sole proprietorship or co-ownership.**

Business Name: \_\_\_\_\_  
Signature of Proprietor: \_\_\_\_\_  
Address: \_\_\_\_\_

**AGENCY AGREEMENT/LIMITED AGENT AUTHORITY**

(If an agent is involved in this Proposal, please complete the following)

Solicitation No. \_\_\_\_\_

Proposed Lessor \_\_\_\_\_

Lessor Address \_\_\_\_\_

Agent \_\_\_\_\_

Agent Address \_\_\_\_\_

- |   |     |                              |                             |
|---|-----|------------------------------|-----------------------------|
| 1. Does power of agent terminate on execution of lease?             | Yes | <input type="checkbox"/>     | <input type="checkbox"/> No |
| 2. Is agent authorized to sign lease agreement for proposed Lessor? | Yes | <input type="checkbox"/>     | <input type="checkbox"/> No |
| 3. Is agent to collect rent if lease is executed?                   |     | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4. Is agency to be binding during entire lease term?                |     | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
- (Note: If agency is terminated, notice must be forwarded to PGCB immediately)

5. If applicable, professional license number of agency \_\_\_\_\_

Further statement to clarify agent's authority \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Agent

Type Name of Agent \_\_\_\_\_

\_\_\_\_\_  
Witness                      Date

\_\_\_\_\_  
Signature of Proposed Lessor

Type Name of Proposed Lessor \_\_\_\_\_

\_\_\_\_\_  
Witness                      Date

\_\_\_\_\_  
Signature of Proposed Lessor

Type Name of Proposed Lessor \_\_\_\_\_

**CONTRACTOR RESPONSIBILITY CERTIFICATION  
PROPOSERS' REPRESENTATION AND AUTHORIZATION**

A. Each proposer by submitting a proposal represents that:

1. The proposer has read and understands that terms and conditions of the solicitation documents, and the proposal are made in accordance therewith.
2. The proposer understands and acknowledges that all information provided by, and representations made by, the proposer in the proposal are material and important and will be relied upon by the Pennsylvania Gaming Control Board in awarding the lease. Any misstatement shall be treated as fraudulent concealment from the Pennsylvania Gaming Control Board of the true facts relating to the submission of this proposal. A misrepresentation shall be punishable under Section 4904 of Title 18 P.C. S.A. Further, if it is later determined that the proposer knowingly rendered an erroneous certification, the Pennsylvania Gaming Control Board may find the proposer in default, terminate the lease and may debar/suspend the proposer.
3. The amount of this proposal has been arrived at independently and without consultation, communication or agreement with any other proposer or potential proposer.
4. Neither the amount of this proposal nor the approximate amount of this proposal have been disclosed to any other firm or person which is a proposer or potential proposer, and it will not be disclosed before the opening.
5. Proposer certifies that it is not currently under suspension or debarment by the Commonwealth, any other state, or the federal government, and if the proposer cannot so certify, then it agrees to submit along with the proposal a written explanation of why such certification cannot be made. If proposer enters into subcontracts or employs under this lease any subcontractors/individuals who are currently suspended or debarred by the Commonwealth or the federal government, or who become suspended or debarred by the Commonwealth or federal government during the term of this lease or any extensions or renewals thereof, the Pennsylvania Gaming Control Board shall have the right to require the proposer to terminate such subcontracts or employment. The proposer agrees to reimburse the Pennsylvania Gaming Control Board for the reasonable costs of investigation incurred by the Pennsylvania Gaming Control Board for investigations of the proposer's compliance with terms of this or any other agreement between the proposer and the Commonwealth which result in the suspension or debarment of the proposers. Such costs shall include, but not be limited to, salaries of investigators, including overtime; travel and lodging expenses; and expert witness and documentary fees. The proposer shall not be responsible for investigative costs for investigations which do not result in the proposer's suspension or debarment.
6. The proposer has no outstanding, delinquent liabilities to the Commonwealth including but not limited to any taxes and unemployment compensation payments except as disclosed by the proposer in its proposal.
7. The Contractor may obtain the current list of suspended and debarred proposers by contacting the:

Department of General Services  
Office of Chief Counsel  
603 North Office Building  
Harrisburg, PA 17125  
Telephone: (717) 783-6472  
Fax: (717) 787-9138

B. Each proposer by submitting its proposal authorizes the Pennsylvania Gaming Control Board to release to the Department of General Services information related to liabilities to the Commonwealth, including but not limited to any taxes or unemployment compensation payments except as disclosed by the proposer in its proposal. Be certain to include the names and social security numbers of all Principals (partnerships, individuals, corporations). Also, include the Federal I.D. Number of the Partnership or Corporation. If the Sole Proprietor has a Federal I.D. Number, also include on the Lessor Identity Disclosure Form.

The proposer has read, understands, and certifies that it is abiding by the provisions in the Contractor Responsibility Certification. The proposer further certifies that the information provided on the Lessor Identity Disclosure Form is true to the best of its knowledge. It further certifies that it is a responsible contractor in accordance with Management Directive 215.9 Amended.

It is further understood that if the proposer has any outstanding liabilities to the Commonwealth, including but not limited to taxes or unemployment compensation, it will resolve the outstanding liabilities within ten (10) business days from notification of such liability.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

## **SMALL DIVERSE BUSINESS AND SMALL BUSINESS PARTICIPATION**

This solicitation reflects material changes which have been made to the Commonwealth's lease solicitation process to encourage participation by small diverse businesses and small businesses in Commonwealth leasing.

The Commonwealth encourages participation in Commonwealth leases by Small Diverse Businesses and Small Businesses either directly as lessors, or through lessor contracts for services (such as design, construction, cleaning, repair, maintenance, snow removal or landscaping) or supplies related to the lease. Small Diverse Business and Small Business participation and commitments will be considered as a factor for selection for lease award.

A Small Business must meet each of the following requirements:

- The business must be a for-profit, United States business;
- The business must be independently owned;
- The business may not be dominant in its field of operation;
- The business may not employ more than 100 full-time or full-time equivalent employees;
- The business, by type, may not exceed \$38.5 million in gross annual revenues over the preceding three years.

For a proposer to receive credit for a commitment to a Small Business, the Small Business must complete the DGS/BDISBO self-certification process. Additional information on this process can be found at:  
<https://www.dgs.pa.gov/Small%20Business%20Contracting%20Program/Pages/default.aspx>

A Small Diverse Business is a DGS-verified minority-owned small business, woman-owned small business, veteran-owned small business, service-disabled veteran-owned small business, LGBT-owned small business, disability-owned small business, or other small businesses as approved by DGS, that are owned and controlled by a majority of persons, not limited to members of minority groups, who have been deprived of the opportunity to develop and maintain a competitive position in the economy because of social disadvantages.

For a proposer to receive credit for a commitment to a Small Diverse Business, the Small Diverse Business must complete the DGS verification process. Additional information on this process can be found at:  
<https://www.dgs.pa.gov/Small%20Diverse%20Business%20Program/Small-Diverse-Business-Verification/Pages/default.aspx>

The Department's directory of self-certified Small Businesses and DGS/BDISBO-verified Small Diverse Businesses can be accessed from: <http://www.dgs.internet.state.pa.us/suppliersearch>.

Questions regarding the Small Diverse Business and Small Business Programs, including questions about the self-certification and verification processes can be directed to:

Bureau of Diversity, Inclusion and Small Business Opportunities (BDISBO)  
Room 601, North Office Building  
Harrisburg, PA 17125  
Phone: (717) 783-3119  
Fax: (717) 787-7052  
Email: [RA-BDISBOVerification@pa.gov](mailto:RA-BDISBOVerification@pa.gov)  
Website: [www.dgs.pa.gov](http://www.dgs.pa.gov)

**NOTE: EQUAL EMPLOYMENT OPPORTUNITY AND CONTRACT COMPLIANCE STATEMENTS REFERRING TO COMPANY EQUAL EMPLOYMENT OPPORTUNITY POLICIES OR PAST CONTRACT/LEASE COMPLIANCE PRACTICES DO NOT CONSTITUTE PROOF OF SMALL DISADVANTAGED BUSINESS STATUS OR ENTITLE A PROPOSER TO RECEIVE CREDIT FOR SMALL DIVERSE BUSINESS UTILIZATION.**

## **SMALL DIVERSE BUSINESS AND SMALL BUSINESS PARTICIPATION SUBMITTAL**

Proposers that wish to receive consideration for making commitments to and/or that qualify as Small Diverse Business or Small Business are required to submit the Small Diverse Business and Small Business Participation Submittal Form (**Appendix B-part 1**) and related Letter(s) of Intent (**Appendix B-part 2**). The submittal must be provided on the Small Diverse Business and Small Business Participation Submittal form, with information as follows:

- A.** Proposers must indicate their status as a Small Diverse Business and as a Small Business through selection of the appropriate checkboxes.
- B.** Proposers must include a numerical percentage which represents the total percentage of the total proposed lease cost that the Proposer commits to paying to Small Diverse Businesses and Small Businesses as subcontractors.
- C.** Proposers must include a listing of and required information for each of the Small Diverse Businesses and/or Small Businesses with whom they will subcontract to achieve the participation percentages outlined on the Small Diverse Business and Small Business Participation Submittal.
- D.** Proposers must include a Letter of Intent (attached is a Letter of Intent template which may be used to satisfy these requirements) signed by both the Proposer and the Small Diverse Business or Small Business for each of the Small Diverse Businesses and Small Businesses identified in the Small Diverse Business and Small Business Participation Submittal form. At minimum, the Letter of Intent must include the following:
  - 1.** The fixed numerical percentage commitment and associated estimated dollar value of the commitment made to the Small Diverse Business or Small Business; and
  - 2.** A description of the services or supplies the Small Diverse Business or Small Business will provide; and
  - 3.** The timeframe during the initial lease term and any extensions, options and renewals when the Small Diverse Business or Small Business will perform or provide the services and/or supplies; and
  - 4.** The name and telephone number of the Proposer's point of contact for Small Diverse Business and Small Business participation; and
  - 5.** The name, address, and telephone number of the primary contact person for the Small Diverse Business or Small Business.
- E.** To receive consideration for Small Diverse Business or Small Business commitments (or consideration for the proposer's own status as a Small Diverse Business or Small Business), the Small Diverse Business or Small Business must be listed in the Department's directory of self-certified Small Businesses and verified Small Diverse Businesses as of the proposal due date and time.
- F.** Each Small Diverse Business and Small Business commitment which is credited by BDISBO along with the overall percentage of Small Diverse Business and Small Business commitments will become contractual obligations of the selected Proposer.



## **CONTRACT REQUIREMENTS – SMALL DIVERSE BUSINESS AND SMALL BUSINESS PARTICIPATION**

All leases containing Small Diverse Business and Small Business Participation must contain the following lease provisions to be maintained through the initial lease term and any subsequent options or renewals, which will be included as an Exhibit to the Lease Standard Terms and Conditions:

- A.** The selected lessor's Small Diverse Business and Small Business commitment will become contractual obligations of the selected lessor upon execution of its lease with the Commonwealth.
- B.** Subcontracting commitments to Small Diverse Businesses and Small Businesses made at the time of proposal submittal or during lease negotiations must be maintained throughout the term of the lease. This requirement also applies to any subsequent lessor who takes the lease by assignment. Any proposed change must be submitted to BDISBO, which will, along with the Pennsylvania Gaming Control Board, determine whether a proposed substitution or change in individual percentage commitments to Small Diverse Businesses or Small Businesses should be approved.
- C.** All Small Diverse Businesses and Small Businesses that contract with the lessor must perform at least 50% of the work subcontracted to them.
- D.** Subcontracting commitments to Small Diverse Business and Small Business must be maintained in the event the lease is assigned to another prime lessor.
- E.** The Selected lessor shall complete the Lessor's Quarterly Utilization Report and submit it to the Pennsylvania Gaming Control Board and BDISBO within ten (10) business days at the end of each calendar quarter the lease is in force. This information will be used to track and confirm the actual dollar amount paid to Small Diverse Businesses and Small Businesses as lessors or contractors with lessors. Also, it is a record of fulfillment of the commitment the lessor made and for which it received consideration for selection. If there was no activity during the quarter, the form must be completed by stating "No activity in this quarter." A late fee of \$100.00 per day may be assessed against the Selected lessor if the Utilization Report is not submitted in accordance with the schedule above.
- F.** The Selected lessor shall notify the Pennsylvania Gaming Control Board and BDISBO when circumstances arise that may negatively impact the Selected lessor's ability to comply with Small Diverse Business and/or Small Business commitments and to provide a corrective action plan. Disputes will be decided by the Pennsylvania Gaming Control Board and BDISBO.
- G.** If the Selected lessor fails to satisfy its Small Diverse Business and/or Small Business commitment(s), it may be subject to a range of sanctions BDISBO, in consultation with the Pennsylvania Gaming Control Board, deems appropriate. Such sanctions include, but are not limited to, one or more of the following: a determination that the Selected lessor is not responsible under the Contractor Responsibility Program; withholding of payments; suspension or termination of the lease consistent with the lease's default provisions, together with consequential damages; revocation of the Selected lessor's Small Diverse Business status and/or Small Business status; and/or suspension or debarment from future leasing opportunities with the Commonwealth.





**SMALL DIVERSE AND SMALL BUSINESS  
LETTER OF INTENT**

[DATE]

**[SDB/SB Contact Name  
Title  
SDB/SB Company Name  
Address  
City, State, Zip]**

Dear [SDB/SB Contact Name]:

This letter serves as confirmation of the intent of [Lessor] to utilize [Small Diverse Business (SDB) or Small Business (SB)] on SFP [SFP number and Title] issued by the [Commonwealth agency name].

If [Lessor] is the successful lessor, [SDB or SB] shall provide [identify the specific work, goods or services the SDB/SB will perform] during the initial term of the lease and during any extensions, options or renewal periods of the lease exercised by the Commonwealth, as more specifically set forth below: [identify the specific time periods during the initial contract term and any extensions, options and renewals when the component work, goods or services will be provided or performed.]

These services represent [identify fixed numerical percentage commitment] of the total proposed lease cost for the initial term of the lease. Dependent on final negotiated pricing, it is expected that [SDB or SB] will receive an estimated [identify associated estimated dollar value that the fixed percentage commitment represents] during the initial lease term.

[SDB/SB] represents that it meets the small or small diverse business requirements set forth in the RFP and all required documentation has been provided to [Lessor] for its SDB/SB submission.

We look forward to the opportunity to serve the [Commonwealth agency name] on this project. If you have any questions concerning our small business or small diverse business commitment, please feel free to contact me at the number below.

Sincerely,

Acknowledged,

Lessor Name  
Title  
Company  
Phone number

SDB or SB Name  
Title  
Company  
Phone number