

**REQUEST FOR PROPOSALS  
FOR  
Small Cap Growth Equity**

**Alabama Trust Fund**

**Issue Date: June 11, 2018**

**Due Date: July 9, 2018**

**Alabama Trust Fund  
Board of Trustees  
Alabama State Capitol  
600 Dexter Avenue  
Montgomery, Alabama 36104**

**BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT  
COMPLIANCE**

**The Beason-Hammon Alabama Taxpayer and Citizen Protection Act (§§31-13-1 et seq, Code of Alabama, 1975 as amended by Act 2012-491) regulates illegal immigration in the State of Alabama. All contracts with the State or a political subdivision thereof must comply with that law.**

**For the purposes of this RFP and any responding Proposal, the following sections of that law impose specific requirements:** Section 9 (a) of the Act provides “As a condition for the award of any contract, grant, or incentive by the state, any political subdivision thereof, or a state-funded entity to a business entity or employer that employs one or more employees, the business entity or employer shall not knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama.”

Section 9(b) of the Act requires “As a condition for the award of any contract, grant, or incentive by the state, any political subdivision thereof, or a state-funded entity to a business entity or employer that employs one or more employees within the State of Alabama, the business entity or employer shall provide documentation establishing that the business entity or employer is enrolled in the E-Verify program.”

As provided in the Act a “business entity” is *any person or group of persons performing or engaging in any activity, enterprise, profession, or occupation for gain, benefit, advantage, or livelihood, whether for profit or not for profit* and an “employer” is defined as *any person, firm, corporation, partnership, joint stock association, agent, manager, representative, foreman, or other person having control or custody of any employment, place of employment, or of any employee, including any person or entity employing any person for hire within the State of Alabama, including a public employer. This term shall not include the occupant of a household contracting with another person to perform casual domestic labor within the household.*

A Proposal must include a statement that the Proposer has knowledge of this law and is in compliance with Section 9(a). Before a contract is signed, the Contractor awarded the contract must submit a Certificate of Compliance using the form provided with this RFP, Exhibit D, and documentation establishing enrollment in the E-Verify Program operated by the United State Department of Homeland Security in the form of the Memorandum of Understanding which USHLS issues upon enrollment. E-Verify enrollment can be accomplished at the website of the United States Department of Homeland Security at <http://www.uscis.gov>.

See Section 10 for additional language required by Section 9(k) of the Act to be included in the contract.

Section I  
**GENERAL INFORMATION**

**1. Overview**

This Request for Proposal (“RFP”) has been issued by the Board of Trustees of the Alabama Trust Fund (“Board”). The Board solicits proposals from qualified professional firms interested in providing small cap growth equity investment management services (“the Manager”) to the Alabama Trust Fund.

**Candidate firms should have expertise in actively managing portfolios in small cap growth equity style. The goal is to identify managers who have shown the ability to add value over the performance of the Russell 2000 Growth Index over the long-term.**

This Request for Proposals (hereinafter “RFP”) is issued in accordance with the requirements of Section 41-16-72(4), Code of Alabama (1975). This RFP is not an offer to contract but seeks the submission of proposals from qualified, professional firms that may form the basis for negotiation of an Investment Management Agreement with one or more Investment Managers. *The Board reserves the right to reject any or all proposals and to solicit additional proposals if that is determined to be in the best interest of the Alabama Trust Fund.*

The Board’s Investment consultant, Callan Associates (“Consultant”), will be receiving and analyzing all responses from this manager search. To expedite the review process, all candidates firms must have proposed strategy and organizational data updated through March 31, 2018 in the Callan manager database. There is no charge associated with this process. Please contact Kyle Fekete at fekete@callan.com to receive information about this process.

**2. History of the Alabama Trust Fund**

The Alabama Trust Fund (“ATF”) was created by Amendment 450 to the Alabama Constitution and ratified in 1985. The ATF was established as an investment vehicle for the management of oil and gas capital payments generated from drilling activity in Alabama’s offshore waters. The ATF is under the management and control of a nine member board. The board consists of the Governor, Finance Director, State Treasurer and six appointed members.

The ATF strives to provide an annual total return greater than the annual amount to be distributed under the spending policy, currently 5%. As of April 30, 2018, ATF invested assets totaled approximately \$3.2 billion. The portfolio is managed by twenty-four professional managers investing the assets among the classes of fixed-income domestic equities, international equities and real estate. Additional asset classes may be considered in the future.

Information about the ATF, including the current Investment Policy and Manager Guidelines, is available at the Treasurer’s website [www.treasury.alabama.gov](http://www.treasury.alabama.gov).

**3. Minimum Qualifications**

In order to be considered for selection as a Manager, the Proposer must provide Exhibit C as documented proof that the following minimum qualifications listed below are met. The Respondent has a continuing obligation to disclose information throughout the RFP process

should any qualifications or situations change that might render the Respondent as an unqualified candidate.

- Company is duly registered with the Securities & Exchange Commission pursuant to the Investment Advisors Act of 1940, as amended, and the registration is current.
- Company will comply with all state regulations to conduct business in the State of Alabama, and will register with the Secretary of State if applicable. For more information, visit the Secretary of State website at [www.sos.state.al.us/](http://www.sos.state.al.us/) and click Business Services/Corporations.
- The portfolio manager assigned to the account has managed small cap growth equity portfolios for at least five (5) years, as of March 31, 2018.
- Company has managed small cap growth equity portfolios for at least three (3) years, as of March 31, 2018.
- Company does manage at least \$300,000,000 in small cap growth equity portfolios as of March 31, 2018.
- Company does manage at least \$1,000,000,000 in total assets under management as of March 31, 2018.
- Company and its personnel have all authorizations, permits, licenses, and certifications as may be required under federal, state or local law to perform the services specified in this RFP at the time it submits a response to the RFP.
- Company will carry errors and omissions insurance or comparable instrument to cover negligent acts or omissions.
- Company maintains sufficient procedures and capabilities to ensure the timely and accurate backup and full recovery for all computers and other data storage systems related to the ATF account.
- Company has a company policy and practice of equal employment opportunity and non-discrimination based on race, creed or gender.
- Company will comply with *The Beason-Hammon Alabama Taxpayer and Citizen Protection Act*.

#### **4. Scope of Services**

- a. The Manager shall invest the assets in a separately managed account. It is expected that the initial funding will be approximately \$80 million. The Board shall establish the portion of assets to be managed and may, from time-to-time, change such portions.
- b. The Manager shall have independent discretionary authority with respect to the investment of that portion of the assets managed by the Manager, subject to the Code of Alabama, Investment Guidelines and such other written limitations as the Board may impose upon the Manager. A copy of the Investment Guidelines is available at [www.treasury.alabama.gov](http://www.treasury.alabama.gov) . If the respondent opposes any language in the guidelines, this should be addressed in the proposal.
- c. The Manager shall provide reporting, to include monthly valuation, monthly performance reports, and significant changes in corporate structure, and other data to the Consultant.

- d. The Manager shall document all investment transactions with the Custodian in accord with usual and customary standards of practice, and confirm all executed transactions for custodial account records. Currently, the Custodian is BNY Mellon.

## 5. **Fees**

Managers shall be entitled to receive quarterly compensation. Fees shall be payable based upon the fair market value on the last business day of each quarter as reported by the Alabama Trust Fund's Custodian. The proposal must state the fees charged for this service assuming an \$80 million mandate. Please show breakpoints in fee schedule.

Any charge for services not addressed in the Statement of Fees in your proposal will not be allowed during the course of the contract. Fees will not increase during the term of the contract.

## 6. **Proposal Required Information**

Proposals should be as thorough and detailed as possible so that your capabilities to provide the required services can be properly evaluated.

Responses to this RFP must include:

- (1) a brief transmittal letter which must include a statement that the Proposer has read this RFP and accepts the terms and conditions set out herein and that the Proposer is aware of the requirements of the Beason-Hammon Alabama Taxpayer and Citizen Protection Act and will comply with that law.
- (2) Exhibit A, RFP Response;
- (3) Exhibit B, Statement of Fees;
- (4) Exhibit C, Minimum Qualifications;
- (5) Exhibit D, Certificate of Compliance;
- (6) Other documents:
  - A sample of contracts and all other standardized forms which you propose to be used for this transaction, and
  - List of third-party service providers with whom ATF would be required to contract in order to fully utilize the services you represent to be available under your contract; and
  - List of software licenses or agreements that ATF would be required to procure in order to fully utilize your services.
- (7) Disclosure Statement. All proposals submitted in response to this RFP must include one original Disclosure Statement as required by Section 41-16-82, et seq., Code of Alabama (1975). Copies of the Disclosure Statement, and information, may be downloaded from the State of Alabama Attorney General's web site at [www.ago.alabama.gov/Page-Vendor-Disclosure-Statement-Information-and-Instructions](http://www.ago.alabama.gov/Page-Vendor-Disclosure-Statement-Information-and-Instructions)

## **7. Submission of Proposals**

Proposals must be received at the following email address **no later than the close of business on July 9, 2018**. Provide only an electronic version of your full response. If your response includes confidential trade secrets or proprietary information, also send an electronic version with those sections redacted in the event a public information request for your response is received (see Section 11 for additional information).

Attention: Annoesjka West  
Callan Associates  
[alabamatrust@callan.com](mailto:alabamatrust@callan.com)

**Submission Deadline:** It is the responsibility of the Respondent to ensure that its proposal is timely delivered and received by Callan at the email address stated above on or before 5:00 p.m. EST on **July 9, 2018**. Callan will not consider proposals received after the date and time specified herein.

**Questions and Inquiries:** The sole point of contact for purposes of this RFP is Annoesjka West.  
Phone: 908-522-3880  
Email: west@callan.com

Any questions or inquiries should be directed to her. Any oral communications shall be considered unofficial and nonbinding on the State.

**Rejection of all Proposals:** The Board reserves the right to reject any or all proposals and/or to solicit additional proposals if that is determined to be fiscally advantageous to the State or otherwise in its best interests.

## **8. Efforts to Influence Selection Process Prohibited**

The integrity of the RFP process is of primary importance and will not be compromised. Any written or oral communications beyond the RFP response made by Managers, or others on their behalf, whether paid or unpaid, to influence the selection process, from the time the RFP is issued through its conclusion, made directly or indirectly to the Board or staff will be grounds for immediate elimination from the selection process.

## **9. Evaluation and Selection**

All proposals timely received will be reviewed and evaluated by the Investment Consultant. The Consultant will recommend proposals to the Investment Committee that most closely meet the requirements of the RFP.

After the review and evaluation of the proposals, the Board may conduct interviews. Finalists chosen for interviews, if necessary, will be notified. The Board reserves the right to request a best and final offer for fees from finalists.

The Board will select the Manager(s) the Board determines, in their sole discretion, to be fully qualified and best suited among those submitting proposals on the basis of the evaluation factors, including fees, to best meet the needs of the Alabama Trust Fund. *All proposals received in response to this RFP may be rejected and the Board may solicit additional proposals.*

Upon identification of the selected Manager, if any, the Board may initiate negotiations for contract terms and conditions. The contract will incorporate reference to the requirements of the RFP and the Manager's proposal as negotiated.

## **10. Agreement**

All duties of the Manager shall be set forth in a contract agreement between the Manager and the Board. The contract will incorporate reference to the requirements of the RFP and the Manager's proposal as negotiated.

In compliance with the Beason-Hammon Alabama Taxpayer and Citizen Protection Act (§31-13-9(k), Code of Alabama, 1975, as amended), the contract will include the following language:

*"By signing this contract, the contracting parties affirm, for the duration of the agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom."*

In compliance with Act 2016-312 (attached), the contract will include the following language:

*"By signing this Agreement (VENDOR) affirms and represents to the Secretary of State that (VENDOR) is not currently engaged in, and that it shall not engage in, the boycott of a person or an entity based in or doing business with a jurisdiction with which the State of Alabama can enjoy open trade."*

You are charged with knowledge that there are certain terms standard to most commercial contracts in private sector use which the ATF is prevented by law and policy from accepting. These include (1) indemnification and hold harmless of the vendor or third parties, (2) consent to choice of law and venue other than the State of Alabama, (3) methods of dispute resolution other than negotiation and non-binding mediation, (4) waivers of subrogation and other rights against third parties and (5) some provisions limiting damages to the cost of goods or services;

## **11. Public Information**

All responses received will be subject to the Alabama Open Records Act, §36-12-40, Code of Alabama and may be subject to public disclosure upon request. The Open Records Act is remedial and should therefore be liberally constructed in favor of the public. The Alabama Trade Secrets Act is §8-27-1 through §8-27-6, Code of Alabama. Responders are cautioned to be familiar with these statutes. The burden is on the one asserting the trade secret to show that the information sought to be protected meets the definition of a Trade Secret as defined by the Act.

Any RFP response submitted that contains confidential trade secrets or proprietary commercial information must be conspicuously marked on the outside as containing confidential information, and each page upon which confidential information appears must be conspicuously marked as such. Identification of the entire bid proposal as confidential is not acceptable unless the Firm enumerates the specific grounds or applicable laws which support treatment of the entire material as protected from disclosure according to the foregoing statutes or other applicable Alabama law.

The owner of the confidential information shall indemnify and hold the State of Alabama, the Alabama Trust Fund staff and Board members harmless from all costs or expenses, including but not limited to attorney fees and expenses related to litigation concerning disclosure of said information and documents.



**Exhibit A**  
**PROPOSAL**

**2.1 CORPORATE INFORMATION**

**A. Corporate Information**

Provide an overview of your firm, including the following:

Corporate profile, including the financial condition of the firm, overall business objectives, strategic plans for growth, and ownership. Are there any changes pending in this profile?

1. Information on all “related” or “affiliated” firms.
2. List all office locations and the functions performed at each location.
3. List all investment management services offered by the firm (i.e. Domestic Equity, International Equity, Global Equity, Domestic Fixed Income, etc.). Does the firm provide any other product or service other than portfolio management? Please list.
4. Provide details of any past (last five years) or pending litigation relating to your firm, individual personnel, or to the management of client assets.
5. Do you anticipate any near term change in your company’s ownership or other significant change in your company? If yes, please explain.
6. Discuss any material changes to your organization over the last three years.
7. Provide details of any SEC, state regulatory, self-regulatory organization, or professional organization action taken against your firm or any of its owners, principals, or personnel for the past 5 years.
8. Provide details of all SEC fidelity bonds, errors and omissions coverage, and any other fiduciary insurance, which your firm carries.
9. Describe all arrangements or understandings (written or oral) between your firm and any advisor, broker, law firm, or other individual or entity in connection with the solicitation or referral of clients between the firms. As well as any engagement of third party marketers and/or placement agents.

**B. Personnel**

1. Attach an organizational chart and biographies of key personnel assigned to this account, including length of experience and expected retention. Key personnel includes: executive management, investment officers, portfolio managers, and analysts.
2. Complete the following chart:

	Firm Total	Domestic Equity
Total Full-time Employees	_____	_____
Portfolio Managers	_____	_____
Research Analysts	_____	_____
Market Strategists/Economists	_____	_____
Other Research	_____	_____
Customer Service	_____	_____
Marketing/Sales	_____	_____
Trading	_____	_____
Account Supervision/Performance	_____	_____
Administration/Office Management	_____	_____
Other _____	_____	_____
TOTAL	_____	_____

3. Provide the number of key employees added/lost over the last 5 fiscal years and explain any departures.

	#Added	#Lost	#Domestic Equity Employees (added/lost)
3/31/2018	_____	_____	/
3/31/2017	_____	_____	/
3/31/2016	_____	_____	/
3/31/2015	_____	_____	/
3/31/2014	_____	_____	/

**C. Clients**

1. Provide the organization name, address, contact name and phone number of at least three clients for whom similar services as described in this RFP are provided.
2. Provide a representative list of small cap growth equity clients.

**2.2 INVESTMENT MANAGEMENT.**

**A. Investment Philosophy and Style**

1. Describe the guidelines measures employed relative to your benchmark. Include your benchmark.

2. Describe your firm's philosophy and approach to risk management. How does your firm define risk for this strategy?
3. What is the maximum position size an individual security can represent in the portfolio?
4. What decision factors add growth in the performance of your portfolio? Provide attribution analysis for 1 and 3 year periods ending March 31, 2018.
5. Describe your investment philosophy and style. Include a discussion of the following:
  - a. Universe of securities considered (including market capitalization range).
  - b. Diversification/number of securities held in each portfolio.
  - c. Investment time horizon/portfolio turnover policy.
  - d. Relative importance of sector selection and security selection.
  - e. Potential exposure to securities not included in the benchmark.
6. How much discretion is given to the portfolio manager(s) to buy/sell securities or to construct a portfolio?
7. Describe any quantitative/qualitative factors used in a buy decision. In a sell decision.
8. What is the main source of research used in the portfolio management process? If applicable, describe your reliance on in-house research in the context of personnel skills and experience.

**B. Assets and Account Management**

1. Will the Alabama Trust Fund account be managed by an individual or a team of portfolio managers? Please describe the portfolio decision making process.
2. Provide the minimum, maximum, and average number of accounts managed by Small Cap Growth Equity. What is the capacity for your firm's Small Cap Growth Equity strategy? How is this calculated?
3. Account Size
 

Largest Small Cap Growth Separate Account	\$ _____
Smallest Small Cap Growth Separate Account	\$ _____
Average Small Cap Growth Separate Account	\$ _____

Please provide the client name, account size and inception date of the 5 largest accounts and indicate the vehicle type.

4. What is the minimum account size for a separate account?      \$ \_\_\_\_\_
5. Total Firm Assets Under Management as of March 30, 2018.

	\$ Equity	\$ Other	\$ Fixed	\$ Total
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Public				
Corporate				
Endow/Found				
Taft-Hartley				
Other				
TOTAL				

6. Small Cap Growth Assets Under Management as of March 31, 2018.

	Tax- Exempt	Taxable	Other
TOTAL			

7. Total Small Cap Growth Assets Under Management as of:

March 31, 2018	\$ _____
March 31, 2017	\$ _____
March 31, 2016	\$ _____
March 31, 2015	\$ _____
March 31, 2014	\$ _____

8. Provide a breakdown of Small Cap Growth Separate Accounts and/or pooled funds by asset size as of March 31, 2018.

Size of Account	\$ Total Assets	# Accounts
Under \$10 million		
\$10 to \$50 million		
\$50 to \$100 million		
Over \$100 million		

9. Provide the following information regarding Client Gains (separate accounts).

Fiscal Year	\$ Total Assets	# Accounts	\$ Small Cap Growth	# Small Cap Growth Accounts
2018				
2017				
2016				

10. Provide the following information regarding Client Departures (separate accounts).

Fiscal Year	\$ Total Assets	# Accounts	\$ Small Cap Growth	# Small Cap Growth Accounts
2018				
2017				
2016				

**C. Performance.**

All performance data presented should be GIPS compliant. Performance will be evaluated using the Russell 2000 Growth Index.

1. Provide performance data for your Small Cap Growth Equity Composite.

	% 12MO	% 1Q	% 2Q	% 3Q	% 4Q	# Accts	Assets	Dispersion (Standard Deviation)
YTD 2018								
2017								
2016								
2015								
2014								

2. Provide trailing performance data for your Small Cap Growth Equity Composite for the periods 1-year, 3-years, 5-years and 10-years ending March 31, 2018.
3. Describe the composite used to compute performance results reported in answering #1, and #2 above.
4. Discuss turnover in the portfolios you currently manage and your tolerance for volatility.

#### **D. Trading and Compliance**

1. Describe your trading process and system.
2. How are trades allocated amongst accounts?
3. How do you manage accounts with restrictions?
4. Describe your compliance structure and program. What systems are used to monitor compliance?
5. When was your last SEC audit? Any deficiencies? If so, how were they managed?
6. Do you hire an independent third party to periodically audit your firm? If so, any deficiencies and how were they managed?
7. Do you maintain a code of ethics? If yes, please provide.
8. Describe your disaster recovery program.
9. Have you ever violated a client guideline? If yes, how was it managed and what steps have you taken to mitigate such risks going forward?
10. Describe the use of controls around derivatives including futures, forwards, swaps, and options.
11. Describe the use of controls around cash and non-US equity securities.

12. If you currently manage multiple vehicles for this strategy, please describe any differences between the mutual fund, commingled fund, or separate accounts.

**EXHIBIT B****STATEMENT OF FEES**

Please provide a fee structure for the proposed strategy. Are there any “favorite nations” clauses in the fund’s documents? Please list any additional fees on top of the quoted fee structure.

**EXHIBIT C  
MINIMUM QUALIFICATIONS**

1. My Company is duly registered with the Securities & Exchange Commission pursuant to the Investment Advisors Act of 1940, as amended, and the registration is current.

Yes                      No

2. If applicable, my Company shall qualify with the Secretary of State to conduct business in the State of Alabama if selected.

Yes                      No

3. The portfolio manager assigned to the Alabama Trust Fund account has managed small cap growth equity portfolios for at least five (5) years, as of March 31, 2018.

Yes                      No

4. My Company has managed small cap growth equity portfolios for at least three (3) years, as of March 31, 2018.

Yes                      No

5. My Company has at least \$300 million in small cap growth assets under management as of March 31, 2018.

Yes                      No

6. My Company does manage at least \$1 billion in total assets as of March 31, 2018.

Yes                      No

7. My Company and its personnel have all authorizations, permits, licenses, and certifications as may be required under federal, state or local law to perform the services specified in this RFP at the time it submits a response to the RFP.

Yes                      No

8. My Company will carry errors and omissions insurance or comparable instrument to cover negligent acts or omissions.

Yes                      No

9. My Company maintains sufficient procedures and capabilities to ensure the timely and accurate backup and full recovery for all computers and other data storage systems related to the Alabama Trust Fund account.

Yes                      No



10. My Company has a company policy and practice of equal employment opportunity and non-discrimination based on race, creed or gender.

Yes                      No

11. My Company will comply with the Beason-Hammon Alabama Taxpayer and Citizen Protection Act.

Yes                      No

**EXHIBIT D**

**CERTIFICATE OF COMPLIANCE WITH THE BEASON-HAMMON ALABAMA  
TAXPAYER AND CITIZEN PROTECTION ACT (ACT 2011-535, as amended by Act  
2012-491)**

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**RE Contract/Grant/Incentive (*describe by number or subject*):** \_\_\_\_\_ **by and**  
**between** \_\_\_\_\_  
**(Contractor/Grantee) and** \_\_\_\_\_ **(State Agency or**  
**Department or other Public Entity)**

The undersigned hereby certifies to the State of Alabama as follows:

1. The undersigned holds the position of \_\_\_\_\_ with the Contractor/Grantee named above, is authorized to provide the representations that are set out in this Certificate as the official and binding act of that entity, and has knowledge of the provisions of THE BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT (ACT 2011-535 of the Alabama Legislature, as amended by Act 2012-491) which is described herein as "the Act".
2. Applying the following definitions from the Section 3 of the Act, the Contractor/Grantee business structure is as indicated by my initials.

**BUSINESS ENTITY.** Any person or group of persons employing one or more persons performing or engaging in any activity, enterprise, profession, or occupation for gain, benefit, advantage, or livelihood, whether for profit or not for profit. "Business entity" shall include, but not be limited to the following:

- a. Self-employed individuals, business entities filing articles of incorporation, partnerships, limited partnerships, limited liability companies, foreign corporations, foreign limited partnerships, foreign limited liability companies authorized to transact business in this state, business trusts, and any business entity that registers with the Secretary of State.
- b. Any business entity that possesses a business license, permit, certificate, approval, registration, charter, or similar form of authorization issued by the state, any business entity that is exempt by law from obtaining such a business license, and any business entity that is operating unlawfully without a business license.

**EMPLOYER.** Any person, firm, corporation, partnership, joint stock association, agent, manager, representative, foreman, or other person having control or custody of any employment, place of employment, or of any employee, including any including any person or entity employing any person for hire within the State of Alabama, including a public employer. This term shall not include the occupant of a household contracting with another person to perform casual domestic labor within the household.

- \_\_\_\_\_ a. The Contractor/Grantee is a business entity or employer as those terms are defined in Section 3 of the Act.
  - \_\_\_\_\_ b. The Contractor/Grantee is not a business entity or employer as those terms are defined in Section 3 of the Act.
3. As of the date of this Certificate, Contractor/Grantee does not knowingly employ an unauthorized alien, as that term is defined in Section 3 of the Act, within the State of Alabama and hereafter it will not knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama.

*{Alien is any person who is not a citizen or national of the United States, as described in 8 U.S.C. § 1101, et seq., and any amendments thereto.}*

*{Unauthorized Alien is an alien who is not authorized to work in the United States as defined in 8 U.S.C. § 1324a(h)(3).}*

4. Contractor/Grantee is enrolled in E-Verify unless *{initial the following selections which apply}*:

\_\_\_\_\_ (a) it is not eligible to enroll because of the rules of that program or other factors beyond its control.

\_\_\_\_\_ (b) it is excused from the requirement of enrollment in E-Verify because it does not have an employee in the State of Alabama.

Certified this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Name of Contractor/Grantee/Recipient

By: \_\_\_\_\_

Its \_\_\_\_\_

The above Certification was signed in my presence by the person whose name appears above, on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

WITNESS \_\_\_\_\_

\_\_\_\_\_  
Print Name of Witness