



**CITY OF KYLE, TEXAS
REQUEST FOR PROPOSALS (RFP)**

**RFP NO. 2024-01-PM
INVESTMENT ADVISORY SERVICES**

**DUE DATE:
FEBRUARY 19, 2024 AT 10:00 A.M. (CST)**

**ISSUED BY:
FINANCIAL SERVICES DEPARTMENT**

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**NOTICE OF REQUEST FOR PROPOSALS
RFP NO. 2024-01-PM**

The City of Kyle is seeking proposals from qualified firms to provide Investment Advisory Services including non-discretionary portfolio management services in conformity with the Texas Public Investment Act and the City of Kyle Investment Policy.

The City of Kyle will accept sealed proposals from qualified firms to provide Investment Advisory Services **until 10:00 A.M., FEBRUARY 19, 2024**, in the City's Financial Services Department. **Proposals received after this time will not be considered.**

Please mark on the outside of the envelope and on any carrier's envelope: "RFP No. 2024-01-PM for Investment Advisory Services" and send to the attention of Mr. Perwez A. Moheet, CPA, Director of Finance, 100 W. Center Street, Kyle, Texas 78640 (physical location and mailing address).

The City of Kyle will not be responsible in the event that the U.S. Postal Service or any other courier system fails to deliver the sealed proposals to the City of Kyle by the given deadline above. Electronic transmission or facsimile of Proposals will not be acceptable.

The City of Kyle reserves the right to reject any or all responses and to accept any response deemed most advantageous to the City of Kyle.

Issued by: Perwez A. Moheet, CPA
Director of Finance
City of Kyle, Texas

Date Issued: February 2, 2024



ACKNOWLEDGEMENT FORM
(Complete & Submit Upon Receipt)

Request for Proposals for Investment Advisory Services.

Please send the completed acknowledgement form by email to Mr. Perwez A. Moheet, CPA, Director of Finance, City of Kyle at pmoheet@cityofkyle.com or by regular mail at 100 W. Center Street, Kyle, Texas 78640. If your firm is unable to submit a proposal in response to this RFP, kindly indicate your reason above, this will ensure your firm remains active on our business/vendor list.

Yes, our firm will be able to send a response based on the RFP obtained from the City of Kyle's website.

No, our firm will not be able to send a response to this RFP for the following reasons:

Date _____

Company: _____

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Fax: _____

Email: _____



ETHICS STATEMENT
(Complete and Return this Form with Response)

The undersigned firm, by signing and executing this RFP, certifies and represents to the City of Kyle that the firm has not offered, conferred or agreed to confer any pecuniary benefit, as defined by (1.07 (a) (6) of the Texas Penal Code, or any other thing of value as consideration for the receipt of information or any special treatment of advantage relating to this RFP; the firm also certifies and represents that the firm has not offered, conferred or agreed to confer any pecuniary benefit or other thing of value as consideration for the recipient's decision, opinion, recommendation, vote or other exercise of discretion concerning this RFP, the firm certifies and represents that firm has neither coerced nor attempted to influence the exercise of discretion by any officer, trustee, agent or employee of the City of Kyle concerning this RFP on the basis of any consideration not authorized by law; the firm also certifies and represents that firm has not received any information not available to other firms so as to give the undersigned a preferential advantage with respect to this RFP; the firm further certifies and represents that firm has not violated any state, federal, or local law, regulation or ordinance relating to bribery, improper influence, collusion or the like and that firm will not in the future offer, confer, or agree to confer any pecuniary benefit or other thing of value of any officer, trustee, agent or employee of the City of Kyle in return for the person having exercised their person's official discretion, power or duty with respect to this RFP; the firm certifies and represents that it has not now and will not in the future offer, confer, or agree to confer a pecuniary benefit or other thing of value to any officer, trustee, agent, or employee of the City of Kyle in connection with information regarding this RFP, the submission of this RFP, the award of this RFP or the performance, delivery or sale pursuant to this RFP.

THE FIRM SHALL DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY OF KYLE, ALL OF ITS OFFICERS, AGENTS AND EMPLOYEES FROM AND AGAINST ALL CLAIMS, ACTIONS, SUITS, DEMANDS, PROCEEDING, COSTS, DAMAGES AND LIABILITIES ARISING OUT OF, CONNECTED WITH, OR RESULTING FROM ANY ACTS OR OMISSIONS OF FIRM OR ANY AGENT OR EMPLOYEE OF FIRM IN THE EXECUTION OR PERFORMANCE OF THIS RFP.

I have read all of the specifications and general RFP requirements and do hereby certify that all items submitted meet specifications.

FIRM: _____

OFFICER NAME: _____

OFFICER SIGNATURE: _____

ADDRESS: _____

CITY: _____

STATE: _____ ZIP CODE: _____

TELEPHONE: _____ EMAIL: _____

FEDERAL ID#: _____ OR SOCIAL SECURITY #: _____

DEVIATIONS FROM SPECIFICATIONS IF ANY:



**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER
RESPONSIBILITY MATTERS
(Complete and Return this Form with Proposal)**

Name of Entity: _____

The prospective participant certifies to the best of their knowledge and belief that they, the principals in the firm, and the firm:

1. Are not presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from conducting any business and or financial transactions by any department or agency of Federal, State, and or local government.
2. Have not been convicted of, had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, Local) with commission of any of the offenses enumerated in item 3 above of the certification; and
4. Have not within a five year period preceding this RFP had one or more public transactions (Federal, State, Local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award.

Name and Title of Authorized Representative

Signature of Authorized Representative

Date

I am unable to certify to the above statements. My explanation is attached.



DESCRIPTION OF THE CITY

The City of Kyle is a political subdivision and municipal corporation of the State of Texas (the "State"), duly organized and existing under the laws of the State including the City's Home Rule Charter, initially adopted by the voters in the year 2000.

The City operates as a Home Rule City under a Council-Manager form of government with a City Council comprised of the Mayor and six Council Members. The City Manager is the chief executive officer for the City of Kyle. The City covers approximately 32.6 square miles and has an estimated population of 56,600 as of June 2023.

Kyle is a thriving community having easy access to major highway and roadways including Interstate Highway 35. Kyle is strategically located 8 miles north of San Marcos, 20 miles south of Austin, and 60 miles north of San Antonio. Kyle is the second largest city in Hays County and benefits from a south central location convenient to most major population and employment centers in Texas.

THE CITY COUNCIL

The governing body of the City, the City Council, is composed of a Mayor and six Council Members each elected for a term of three years. The Mayor and Council Members for Place 1, 3, and 5 are elected from the City at-large. Council Members for Place 2, 4, and 6 are elected from single member districts. The current members of the City Council are:

Mayor: Travis Mitchell

Mayor Pro Tem: Robert Rizo, Place/District 2

Council Members: Bear Heiser, Place/District 1
Miguel Zuniga, Ph.D., Place/District 3
Dr. Lauralee Harris, Place/District 4
Daniela Parsley, Place/District 5
Michael Tobias, Place/District 6

THE CITY OF KYLE ORGANIZATION

The City of Kyle provides all general municipal services within the City limits through the following City Departments:

1. Office of the City Manager
2. Administrative Services
3. Building Inspection & Permits
4. City Attorney
5. City Secretary
6. Communications (Public Information)
7. Economic Development
8. Engineering Services
9. Financial Services



- 10. Human Resources
- 11. Information Technology
- 12. Library Services
- 13. Parks & Recreation
- 14. Planning
- 15. Police
- 16. Public Works (Streets & Storm Drainage)
- 17. Water Utilities (Water & Wastewater)

The City’s fiscal year begins on October 1 and ends on September 30. The approved budget for Fiscal Year 2023-2024 totals \$251.3 million for all funds and includes 395.0 authorized full time equivalent positions. The City of Kyle's approved budget for Fiscal Year 2023-2024 and other financial reports are available on the City's website at:

<https://www.cityofkyle.com/finance>

BACKGROUND INVESTMENT INFORMATION

All investment of the City of Kyle’s funds is governed by the Texas Public Funds Investment Act, the City Charter, and the City’s Investment Policy. The City’s primary objective for all investment activities is the preservation of capital and the safety of the principal in the portfolio. Other investment objectives include maintenance of sufficient liquidity and a reasonable and competitive market rate of return.

Due to security reasons, this Request for Proposal intentionally provides limited information on the actual investments and balances. The majority of the City’s funds are held in local government investment pools (LGIPs). The investment advisory services requested under this solicitation will primarily involve funds that are not held in the City’s depository bank or in an LGIP.

In general, the City’s investments are allocated as follows:

- 1. MM Fund 1%
- 2. Commercial Paper 3%
- 3. US Government 2%
- 4. Agency 2%
- 5. Depository bank 2% (collateralized)
- 6. LGIP 90% (TexStar and TexPool)

INVESTMENT POLICY

In compliance with the Texas Public Investment Act, the City of Kyle has adopted an Investment Policy. The latest annual review of the City’s investment policy and associated strategies was completed and reaffirmed by the City Council on September 19, 2023.

The City’s Investment Policy applies to all of the investment activities of the City of Kyle, including but not limited to the investment of general funds, utility funds, reserve funds, interest and sinking funds, and bond funds. Employee retirement funds are not governed by the City’s Investment Policy.



The City's Investment Policy is available at:

https://www.cityofkyle.com/sites/default/files/fileattachments/finance/page/1176/investment_policy_09-19-2023.pdf

KEY DATES

DESCRIPTION OF EVENT

February 2, 2024	RFP posted on the City's website and distributed to prospective firms or firms that had made a request previously.
February 9, 2024	Deadline for written questions or clarification inquiries sent via email to: pmoheet@cityofkyle.com
February 13, 2024	Responses to questions provided, if substantive and appropriate, via addendum posted on the City's webpage.
February 19, 2024	Proposal Submission Deadline: Due by 10:00 A.M. in the Financial Services Department.
February 20-23, 2024	Proposal evaluations and reference confirmations.
February 27-28, 2024	Interview meetings and presentations by selected firms, if necessary.
March 19, 2024	City Council's selection of firm and award of contract. <u>(Tentative)</u>
March 20, 2024	Planned Contract Effective Date

The above scheduled dates are tentative. The City of Kyle retains the sole discretion to adjust/modify the above schedule or to add an event/step or cancel any key dates.

MINIMUM SERVICE REQUIREMENTS

The proposing Investment Advisory firm shall:

1. Be a registered Investment Advisor as defined and regulated by the Securities and Exchange Commission and be registered with the Texas State Securities Board.
2. Be either completely independent of any financial institution or securities brokerage firm; or fully and continuously disclose any relationships with such financial institution(s) and or securities brokerage firms(s), and further disclose any commissions or bonuses resulting from the firm's relationship with the City.
3. Take no possession of City monies or investment securities.
4. Comply with Texas state law and the ordinances and investment policies of the City of Kyle.
5. Review all current investment management procedures, practices, and documentation and recommend any improvements.



6. Assist in developing and implementing investment strategies that will enhance portfolio performance under current and anticipated changes in market conditions within the parameters of the City's Investment Policy and cash flow requirements.
7. Prepare and present to City Council, when necessary, changes to the investment strategies and policies.
8. Provide non-discretionary management of the City's investment portfolio by acting solely in an advisory and administrative capacity within guidelines of the City's Investment Policy.
9. Provide timely assessments of market conditions and recommendations for appropriate action by the City.
10. Execute securities purchases and sales upon written instructions from authorized City staff. After a trade is executed, the advisory firm must confirm to the City in writing by email and provide all details of the trade including the dealers contacted and prices received. An official trade confirmation must be sent to the City within two business days of the transaction.
11. Obtain and document competitive prices for securities transactions. Obtain a minimum of three offers/bids for each trade.
12. Work with authorized City staff to ensure coordination for availability of funds, investment trades, trade settlements, and delivery of securities for safekeeping.
13. Provide detailed monthly investment reports, in a format acceptable to the City, including information pertaining to par value, cost value, book value, market value, etc., for each security held by the City.
14. Meet with City staff on a quarterly basis to present investment performance reports to include current information regarding the creditworthiness of investments in the portfolio, total return comparisons of the City's portfolio to the established index for the quarter and since inception, market commentary, and outlook as it pertains to the City's portfolio.
15. The investment advisory firm will not provide security safekeeping services under this solicitation.

TERM OF CONTRACT

The City anticipates that the professional services contract for the investment advisory services will be for a 2-year initial term and thereafter will renew annually on the anniversary of contract term end date to continue in effect for another 1-year term unless terminated by either party upon 30-days prior written notice to the other party.

PROFESSIONAL FEES

The proposal should provide a maximum not-to-exceed flat fee on a quarterly basis to provide investment advisory services to the City of Kyle.



EVALUATION CRITERIA

The City staff's recommendation to the City Council will be based on the proposal determined to offer the best value to the City of Kyle. The evaluation of the proposals will be made based on, but not limited to, the following criteria, in no particular order of priority or rating. These factors will be applied to all eligible and responsive firms in comparing the proposals received and selecting the firm.

The City of Kyle reserves the right to require oral presentations by any or all firms. In the event of oral presentations, a second matrix will be developed based on the selection criteria. A contract award may be made without oral presentation and or discussion with firms after RFP responses are received by the City of Kyle. Therefore, RFP responses should be submitted on the most favorable terms.

All costs directly or indirectly related to preparation of a response or oral presentation, if any, required to supplement and/or clarify an item in the RFP shall be the sole responsibility of and shall be borne by the responding firm.

The City of Kyle will use the following criteria in selecting the best qualified firm:

1. Proposal responsiveness. (15 Points)
2. Firm's demonstrated capability in providing similar investment advisory services to municipalities and or public entities within Texas. (20 Points)
3. Professional qualifications and experience of assigned staff. (25 Points)
4. Recommended approach to management of the City's investment portfolio. (20 Points)
5. An all-inclusive not-to-exceed flat amount for professional fees per quarter/per year. (20 Points)

RIGHTS RESERVED BY THE CITY OF KYLE

1. If only one or no proposal is received by submission deadline, the City has the right to accept, reject, re-solicit, and or extend the RFP by up to an additional two (2) weeks from original submission date.
2. The right to reject any or all proposals and to make award as they may appear to be advantageous to the City of Kyle.
3. The right to hold proposals for up to 60 days from submission date without action.
4. The right to terminate all or any part of the unfinished portion of the work resulting from this solicitation within thirty (30) days written notice; upon default by the firm, for delay or non-performance by the firm, or if it is deemed in the best interest of the City of Kyle.
5. The City of Kyle reserves the right to request additional information or to meet with representatives from responding firms to discuss points in the RFP before and after submission, any and all of which may be used in forming a recommendation.



6. The City of Kyle reserves the right to reject any and all proposals received, and to accept the proposal it considers in its best interest based upon the requirements and descriptions outlined in this RFP.
7. Any interpretation, correction, or change to the RFP will be made by the City of Kyle in the form of an Addendum. All changes or corrections to this RFP will be issued by the City of Kyle's Financial Services Department and posted on the City's website.
8. It is the responsibility of the responding firms to determine whether all addendums have been reviewed and addressed in the proposal.

INFORMATION REQUESTED AND PROPOSAL FORMAT REQUIREMENTS

Any Firm interested in being considered for the City of Kyle's investment advisory services engagement is requested to submit on the firm's letterhead, a proposal which provides information on the following points, numbered, and with section headings as indicated below.

1. Organization:
 - a. Describe the organization, ownership of firm as well as any subsidiaries and affiliates relevant to the City of Kyle.
 - b. Describe the experience of the firm in serving as investment advisor for municipalities and other public entities.
 - c. Describe any SEC or regulatory censure or litigation involving institutional business your firm conducts with governmental investors within the past three years.
2. Personnel:
 - a. Identify the investment professionals, work experience, and their credentials who will be assigned to the City of Kyle account and who will be directly involved in providing services to the City.
 - b. Describe what efforts the firm makes in ensuring investment professionals are current on developments relevant to government investment managers.
 - c. Physical location of office from where the investment professionals will be assisting the City of Kyle for providing investment advisory services, coordination of investment transactions, and other related activities.
3. Investment Management Approach:
 - a. Outline the steps that would be taken to ensure the City's investment objectives of safety, liquidity, and yield.
 - b. Describe the firm's experience in developing investment policies and portfolio strategies for governmental operating funds.
 - c. Describe the types of investment research utilized for municipal investment clients and the methods utilized for making related investment decisions including maturity and selection.
 - d. Discuss primary strategies for adding value to investment portfolios municipal governments.



- e. Describe overall general procedures followed by the firm for investment portfolio review and client contact.
4. Reporting:
 - a. Describe and submit samples of the types of investment reports that would be provided and their frequency.
 5. Fees:
 - a. Describe and provide the all-inclusive not-to-exceed flat fee amount for professional services per quarter and year.
 6. References:
 - a. Provide a list of three (3) similar size public sector clients including contact name, title, name of entity, and email address for the contact person.
 7. Internal Revenue Service Form W-9
 - a. Complete and include Internal Revenue Service Form W-9, Request for Taxpayer Identification Number and Certification.
 8. Required Number of Copies of Proposal:
 - a. The City of Kyle is requesting three (3) copies of the proposal including any attachments. Proposals should be enclosed in an envelope and clearly marked on the outside of the envelope or any carrier's envelope: "RFP No. 2024-01-PM Request for Proposals", to be mailed, sent by overnight courier, or hand delivered to the attention of:

Perwez A. Moheet, CPA
Director of Finance
City of Kyle
100 W. Center Street, Kyle Texas 78640

PROPOSAL SUBMISSION DEADLINE

PROPOSALS WILL NOT BE ACCEPTED AFTER 10:00 A.M. FEBRUARY 19, 2024, THE SUBMISSION DEADLINE.

The City of Kyle is subject to the Texas Open Records Act. However, certain types of information may be exempt from disclosure under the Act. Firms submitting information which they deem confidential or proprietary must clearly mark and identify such information page by page. The City of Kyle will, to the extent allowed by applicable law, protect such information from disclosure. The final decision as to what information must be disclosed under the Open Records Act lies with the Texas Attorney General.

Questions or clarifications concerning the City of Kyle's RFP requirements should be sent by email only to:



Perwez A. Moheet, CPA
Director of Finance
City of Kyle
pmoheet@cityofkyle.com

Response to any questions, if appropriate, will be issued in the form of an Addendum and will be posted on the City's website at:

<http://www.cityofkyle.com/rfps>

INSTRUCTIONS TO PROSPECTIVE FIRMS

The City of Kyle, Texas is requesting proposals from qualified firms interested in providing investment advisory services. Firms with relevant experience and qualifications are encouraged to submit their proposal and qualifications. Preparation of submittals will be at the expense of the Firm.

The following instructions should be followed by all firms responding to this RFP:

1. Please respond specifically to all information requested in this Request for Proposals.
2. Limit response to relevant material; additional information may be submitted in the form of an attachment or appendix.
3. Identify the item being responded to in the introduction to each response.
4. Respondents or their representatives are prohibited from communicating with any City of Kyle officials to include City Council members regarding the RFP from the time the RFP is released until it has been acted upon by the City Council.
5. Respondents or their representatives are prohibited from communicating with City of Kyle employees regarding the RFP, until the contract is awarded. Violation of this provision by the respondent or their agent will lead to disqualification of the respondent's proposal from consideration.
6. If there are any clarification questions regarding the scope of work and or any other requirements of this RFP, respondents or their representatives should submit written questions and forward those to the City staff named as the contact person for this solicitation. All responses by the City will be provided in the form of an Addendum and will be posted on the City's website.



APPENDIX

1. Authorization to Release Request for Proposals (RFP)
2. Form W-9, Request for Taxpayer Identification Number and Certification





City of Kyle, Texas

AUTHORIZATION TO RELEASE REQUEST FOR PROPOSALS (RFP)

Date Requested: January 30, 2024
Requesting Department: Financial Services Department
Type of RFP: Professional Services
RFP Description: Investment Advisory Services
Solicitation Number: RFP No. 2024-01-PM

Purpose & Summary Description:

The purpose of this Request for Proposals (RFP) is to seek proposals from qualified firms experienced in providing investment advisory services to municipal governments in compliance with the Texas Public Investment Act.

It is anticipated that City staff will complete their evaluation of all qualified proposals received and make a recommendation for the selection of a firm to the City Council at their regularly scheduled meeting on March 19, 2024.

Recommended by:

Approved for Release:


Perwez A. Moheet, CPA - Date
Director of Finance

Approved by Email Dated 2/1/2024

Bryan Langley - Date
City Manager

Employee's Withholding Certificate

**Complete Form W-4 so that your employer can withhold the correct federal income tax from your pay.
Give Form W-4 to your employer.
Your withholding is subject to review by the IRS.**

Step 1: Enter Personal Information	(a) First name and middle initial _____	Last name _____	(b) Social security number _____
	Address _____		Does your name match the name on your social security card? If not, to ensure you get credit for your earnings, contact SSA at 800-772-1213 or go to www.ssa.gov.
	City or town, state, and ZIP code _____		
	(c) <input type="checkbox"/> Single or Married filing separately <input type="checkbox"/> Married filing jointly or Qualifying surviving spouse <input type="checkbox"/> Head of household (Check only if you're unmarried and pay more than half the costs of keeping up a home for yourself and a qualifying individual.)		

Complete Steps 2–4 ONLY if they apply to you; otherwise, skip to Step 5. See page 2 for more information on each step, who can claim exemption from withholding, and when to use the estimator at www.irs.gov/W4App.

**Step 2:
Multiple Jobs
or Spouse
Works**

Complete this step if you (1) hold more than one job at a time, or (2) are married filing jointly and your spouse also works. The correct amount of withholding depends on income earned from all of these jobs. Do **only one** of the following.

(a) Use the estimator at www.irs.gov/W4App for most accurate withholding for this step (and Steps 3–4). If you or your spouse have self-employment income, use this option; **or**

(b) Use the Multiple Jobs Worksheet on page 3 and enter the result in Step 4(c) below; **or**

(c) If there are only two jobs total, you may check this box. Do the same on Form W-4 for the other job. This option is generally more accurate than (b) if pay at the lower paying job is more than half of the pay at the higher paying job. Otherwise, (b) is more accurate

Complete Steps 3–4(b) on Form W-4 for only ONE of these jobs. Leave those steps blank for the other jobs. (Your withholding will be most accurate if you complete Steps 3–4(b) on the Form W-4 for the highest paying job.)

Step 3: Claim Dependent and Other Credits	If your total income will be \$200,000 or less (\$400,000 or less if married filing jointly): Multiply the number of qualifying children under age 17 by \$2,000 \$ _____ Multiply the number of other dependents by \$500 \$ _____ Add the amounts above for qualifying children and other dependents. You may add to this the amount of any other credits. Enter the total here	3	\$
Step 4 (optional): Other Adjustments	(a) Other income (not from jobs). If you want tax withheld for other income you expect this year that won't have withholding, enter the amount of other income here. This may include interest, dividends, and retirement income	4(a)	\$
	(b) Deductions. If you expect to claim deductions other than the standard deduction and want to reduce your withholding, use the Deductions Worksheet on page 3 and enter the result here	4(b)	\$
	(c) Extra withholding. Enter any additional tax you want withheld each pay period	4(c)	\$

**Step 5:
Sign
Here**

Under penalties of perjury, I declare that this certificate, to the best of my knowledge and belief, is true, correct, and complete.

Employee's signature (This form is not valid unless you sign it.)

Date

Employers Only	Employer's name and address _____	First date of employment _____	Employer identification number (EIN) _____
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