

**ATTACHMENT J.1.3**  
**PRE-AWARD & POST DELIVERY AUDIT**  
**REQUIREMENTS**

**Buy America Certificate of Compliance with FTA Requirements for Buses, Other Rolling Stock, or Associated Equipment**

(To be submitted with a bid or offer exceeding the small purchase threshold for Federal assistance programs, currently sat at \$100,000.)

**Certificate of Compliance**

The bidder hereby certifies that he will comply with the requirements of 49 U.S.C. Section 5323(j) (2)(c), Section 165 (b)(3) of the Surface Transportation Assistance Act of 1982, as amended, and the regulation of 49 C.F.R. 661.11:

**Date** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Company Name** \_\_\_\_\_

**Title** \_\_\_\_\_

**Certificate of Non-Compliance**

The bidder hereby certifies that it cannot comply with the requirements of 49 U.S.C., Section 5323(j) (2)(c) of the Surface Transportation Assistance Act of 1982, as amended, but may qualify for an exceptions to the requirements consistent with 49 U.S.C. Sections 5323(j)(2)(b) or (j)(2)(d), Sections 165(b)(2) or (b)(4) of the Surface Transportation Assistance Act, as amended, and regulations in 49 C.F.R. 661.7.

**Date** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Company Name** \_\_\_\_\_

**Title** \_\_\_\_\_

**ATTACHMENT J.2.1**

**BUY AMERICAN**

**Certification Requirement for Procurement of Steel, Iron, or  
Manufactured Products.**

Certificate of Compliance with 49 U.S.C. Sections 5323(j) (1)

The bidder hereby certifies that he will compliance with the requirements of 49 U.S.C. Section 5323(j) (1) and the applicable regulations at 49 CFR part 661.5.

**Date** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Company Name** \_\_\_\_\_

**Title** \_\_\_\_\_

**OR**

**Certificate of Non-Compliance with 49 U.S.C., Section 5323(j) (1)**

The bidder or offeror hereby certifies that it cannot comply with the requirements of 49 U.S.C., Section 5323(j) (1) but it may qualify for an exception pursuant to 49 U.S.C. Section 5323(j) (2) (A) or 5323(j)(2)(D), and 49 U.S.C. Part 661.7.

**Date** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Company Name** \_\_\_\_\_

**Title** \_\_\_\_\_

**Certification Requirement for Procurement of Buses, Other Rolling  
Stock and Associated Equipment**

Certificate of Compliance with 49 U.S.C. Sections 5323(j) (2) (C)

The bidder or offeror hereby certifies that he will compliance with the requirements of 49 U.S.C. Section 5323(j) (2) (C) and the regulation 49 CFR part 661.11.

**Date** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Company Name** \_\_\_\_\_

**Title** \_\_\_\_\_

**Certificate of Non-Compliance with 49 U.S.C., Section 5323(j) (2) (C)**

The bidder or offeror hereby certifies that it cannot comply with the requirements of 49 U.S.C., Section 5323(j) (2) (C) but it may qualify for an exception pursuant to 49 U.S.C. Section 5323(j) (2) (A) (B) or 5323(j)(2)(D), and 49 U.S.C. Part 661.7.

**Date** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Company Name** \_\_\_\_\_

**Title** \_\_\_\_\_

**ATTACHMENT J.2.2**

**BUS TESTING REQUIREMENTS**

## **Certification of Compliance with FTA's Bus Testing Requirement**

The undersigned (Contractor/Manufacturer) certifies that the vehicle offered in this procurement complies with 49 U.S.C. A 5323 (c) and FTA's implementing regulation at 49 CFR part 665.

The undersigned understands that misrepresenting the testing status of a vehicle acquired with Federal financial assistance may subject the undersigned to civil penalties as outlined in the Department of Transportation's regulation on Program Fraud civil Remedies, 49 CFR part 31. In addition, the undersigned understands that FTA may suspend or debar a manufacturer under the procedures in 49 CFR Part 29.

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

Signature: \_\_\_\_\_

Company Name: \_\_\_\_\_

Title: \_\_\_\_\_

**ATTACHMENT J.2.4**  
**CERTIFICATION REGARDING LOBBYING**

## CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements *(To be submitted with each bid or offer exceeding \$100,000)*

The undersigned [Contractor] certifies, to the best of his or her knowledge and belief, that:

1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions [as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 0/19/96). Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at 2 D.S.C. 1601, *et seq.*)]

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, D.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

[Note: Pursuant to 31 D.S.C. § 1352(c)(I)-(2)(A), any person who makes a prohibited expenditure or fails to file or amend a required certification or disclosure form shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure or failure.]

The Contractor, \_\_\_\_\_, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 D.S.C. A 3801, *et seq.*, apply to this certification and disclosure, if any.

\_\_\_\_\_ Signature of Contractor's Authorized Official

Name and Title of Contractor's Authorized Official \_\_\_\_\_

Date \_\_\_\_\_