

ATTACHMENT J.6

Debarment and Suspension Requirement

Certification Regarding Debarments, Suspension, and other Responsibility Matters Lower Tier Covered Transaction (Third Party Contracts over \$100,000)

Instruction for Certification:

1. By signing and submitting this bid or proposal, the prospective lower tier participant is providing the signed certification set out below.
2. The certification in this clause is a representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, (Recipient) may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to (Recipient) if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms “covered transaction,” “debarred,” “suspended,” “ineligible,” “lower tier covered transaction,” “participant,” “person,” “lower tier covered transaction,” “principal,” and “voluntarily excluded,” as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12459 [49 CFR Part 29]. You may contact (Recipient) for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covers transaction, unless authority in writing by (Recipient).
6. **The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled “Certification Regarding Debarment, suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction, in all lower tier covered transaction and in all solicitations for lower tier covered transactions.**
7. A participant in a covered transaction may rely upon certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it know that the certification is erroneous. A participant may decide the method and frequency by

Which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List issued by U.S. General Services Administration.

8. Nothing contained in the foregoing shall be construed to require establishment of systems records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to all remedies available to the Federal Government, (Recipient) may pursue a available remedies including suspension and/or debarment.

“Certification Regarding Debarment, suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction”

- (1) The prospective lower tier participant certified, by submission of this bid or proposal, that neither it nor its “principals” [as defined at 49 C.F.R 29.105(p)] is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) When the prospective lower tier participant is unable to certify to the statement in this certification, such prospective participant shall attach an explanation to this proposal.

ATTACHMENT J.8

Buy American Certification

**DISTRICT OF COLUMBIA
DEPARTMENT OF PUBLIC WORKS**

“BUY-AMERICA CERTIFICATE”

As a condition of responsiveness, the bidder or offeror must submit with his bid a completed Certificate of compliance with 49 U.S.C. section 5323(j) or a Certificate of Non-Compliance with 49 U.S.C. section 5323(j), the Federal Transit Act, as amended.

Vehicles and Related Equipment

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

The bidder hereby certifies that he will compliance with the requirements of 49 U.S.C. Section 5323(j) of the “Federal Transit Act,” as amended, and applicable regulations at 49 CFR part 661.

Date _____

Bidder Name _____

Signature _____

Title _____

OR

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

The bidder hereby certifies that he/she cannot comply with the requirements of 49 U.S.C., Section 5323(j) of the “Federal Transit Act,” as amended, but may qualify for an exception to the requirement pursuant to 49 U.S.C., Section 5323(j) of the “Federal Transit Act,” as amended and regulation as 49 U.S.C. Part 661.

Date _____

Bidder Name _____

Signature _____

Title _____

ATTACHMENT J.9

Certification Regarding Lobbying

CERTIFICATE REGARDING LOBBYING
Certification for Contracts, Grants, Loans, and Cooperative Agreement
(To be submitted with each bid or offer exceeding \$100,000)

The undersign (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 undersign, to any person for influencing or attempting to influence an officer or 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 contracts 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 (1/19/96). 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 U.S.C. 1601, et seq.)]
- (3) The undersign 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 materiel representation of facts 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, U.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 U.S.C. Section 1352(c)(1)-(2)(A), any person who make a prohibited expenditure or fails to file 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 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 agree that the provisions of 31 U.S.C. section 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