



Attachment 2

Proposer Information and Certifications

Proposer:

Name of person submitting proposal: _____ Email: _____

By: _____ Title: _____

Dated this _____ day of _____, 20____

1. ACCEPTANCE OF TERMS AND CONDITIONS

By signing below, Proposer agrees to enter into an agreement with the City to provide the services specified in the attached *Draft Contract (Attachment 4)* according to the terms and conditions of the attached *Draft Contract (Attachment 4)*. The City reserves the right to modify the terms and conditions prior to sending the agreement to the Contractor for signature.

2. NON-COLLUSION DECLARATION

The Proposer declares, by signing below that his or her proposal is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the proposal is genuine and not collusive or sham; that the Proposer has not directly or indirectly induced or solicited any other Proposer to put in a false or sham proposal, and has not directly or indirectly colluded, conspired, connived, or agreed with any Proposer or anyone else to put in a sham proposal, or that anyone shall refrain from submitting a proposal; that the Proposer has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the proposal price of the Proposer or any other Proposer, or to fix any overhead, profit, or cost element of the proposal price, or of that of any other Proposer, or to secure any advantage against the public body awarding the agreement of anyone interested in the proposed agreement; that all statements contained in the proposal are true; and, further, that the Proposer has not, directly or indirectly, submitted his or her proposal price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company, association, organization, or to any member or agent thereof to effectuate a collusive or sham proposal.

Any person executing this declaration on behalf of a Proposer that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the Proposer.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on _____, at _____, _____.

3. WORKERS COMPENSATION INSURANCE CERTIFICATION

By submitting its proposal, the Proposer certifies as follows:

I am aware of the provisions of California Labor Code Section 3700, which require every employer to be insured against liability for workmen’s compensation or to undertake self-insurance in accordance with the provisions of the Labor Code, and I will comply with such provisions before commencing performance of the work of this Contract.



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4. DEBARMENT CERTIFICATION

By submitting its proposal, the Proposer certifies in accordance with California Public Contract Code Section 6109 that neither the Proposer nor any subcontractor included on the list of proposed subcontractors submitted with the proposal is ineligible to perform work on public works projects pursuant to California Labor Code Sections 1777.1 or 1777.7. In accordance with California Public Contract Code Section 6109, contractors and subcontractors who are ineligible to perform work on public works projects pursuant to California Labor Code Sections 1777.1 or 1777.7 may neither bid on, be awarded or perform as a subcontractor on public works projects.

I have read, understand and agree to comply with the Indemnity and Insurance requirements supplied with this notice to Proposers.

5. PUBLIC CONTRACT CODE SECTION 10285.1 STATEMENT

In accordance with Public Contract Code Section 10285.1 (Chapter 376, Stats, 1986), the Proposer hereby declares under penalty of perjury under the laws of the State of California, that the Proposer has ____, has not ____ been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in Public Contract Code Section 1100, including the Regents of the University of California or the Trustees of the California State University. The term "Proposer" is understood to include any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

Note: The Proposer must place a check mark after "has" or "has not" in one of the blank spaces provided.

The above Statement is part of the Proposal. Signing the Contractor's Proposal on the signature portion thereof shall also constitute signature of this Statement.

Proposers are cautioned that making false certification may subject the certifier to criminal prosecution.

6. PUBLIC CONTRACT CODE SECTION 10162 QUESTIONNAIRE

In accordance with Public Contract Code Section 10162, the Proposer shall complete, under penalty of perjury, the following questionnaire:

Has the Proposer, any officer of the Proposer, or any employee of the Proposer who has a proprietary interest in the Proposer, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation?



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Yes _____ No _____

If the answer is "Yes", explain the circumstances in the following space.

7. PUBLIC CONTRACT SECTION 10232 STATEMENT

In accordance with Public Contract Code Section 10232, the Proposer, hereby states under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the Proposer within the immediately preceding two year period because of the Proposer's failure to comply with an order of a federal court which orders the Proposer to comply with an order of the National Labor Relations Board.

8. PROPOSAL VALIDITY PERIOD

The Proposer agrees that its proposal and the content thereof are valid for 90 days following the submission deadline, unless otherwise agreed to in writing by both parties. The proposal will become part of the contract that is negotiated between the City and the successful Proposer. A proposal cannot be "timed" to expire on a specific date. For example, a statement such as the following is non-responsive to the solicitation: "This proposal and the cost estimate are valid for 60 days."

9. RFP REQUIREMENTS

By signing below, the submission of the proposal shall be deemed a representation and certification by the Proposer that they have investigated all aspects of the RFP, that they are aware of the applicable facts pertaining to the RFP process, its procedures and requirements, and they have read and understand the RFP. No request for modification of the proposal shall be considered after its submission on the grounds that the Proposer was not fully informed as to any fact or condition.

1. By signing below, the Proposer confirms that the proposal is complete and includes the required documents below:

- Attachment 1 Cost Proposal Form *(Requires Signature(s))*
- Attachment 2 Proposer Information and Certifications *(Requires Signature(s))*
- Attachment 3 Proposer References
- Narrative proposal



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Proposer Information and Certifications

Signature(s)

1. If Proposer is INDIVIDUAL, sign here:

Date: _____

Proposer Signature

Proposer typed name and title

2. If Proposer is PARTNERSHIP or JOINT VENTURE, at least (2) Partners of each of the Joint Ventures shall sign here:

Partnership or Joint Venture Name (type or print)

Date: _____

Member of the Partnership or Joint Venture signature

Member's typed name and title

Date: _____

Member of the Partnership or Joint Venture signature

Member's typed name and title

3. If the Proposer is a CORPORATION, the duly authorized officer shall sign as follows:

Corporation Name (type or print)

Date: _____

Authorized Officer's Signature

Authorized Officer's typed name and title