

**Public Water Supply Loan Program (PWSLP)
Bid Certifications Form**

Loan Applicant: _____
Loan Number: _____

Please answer or submit information indicated, as appropriate.

1. Please submit evidence of advertising, including a certified copy of the bid advertisement that notifies the bidders that the procurement will be subject to regulations contained in the procedures for issuing loans from the PWSLP as set out in this Part 662, the Davis-Bacon Act [40 USC 276a through 276a-5] as defined by the U.S. Department of Labor, the Employment of Illinois Workers on Public Works Act [30 ILCS 570], the Disadvantaged Business Enterprise program requirements (40 CFR Part 33) and Executive Order 11246, as amended (Appendix A, Exhibit D) (reference 662.620(b)(1)).
 - a. The advertisement was placed in the: _____ newspaper*
* “Key” newspaper required (reference DBE Guidance at:
<http://www.epa.state.il.us/water/forms.html#financial-assistance>)
 - b. The advertisement was placed on: _____ date
 - c. The date of bid opening is: _____
 - d. Bid holding period is: _____ days
2. Please submit the bid tabulation and the selected bidder’s proposal (bid form only) reflecting any addenda issued during the bidding period (reference 662.620(b)).
 - a. Number of bids received: _____
 - b. Low/High range for base bids: _____ to _____
 - c. Is the loan recipient awarding to the low responsive, responsible bidder? If not, please submit justification disqualifying the apparent low bidder (reference 662.620(b)(4)(C))
 - d. Are there appeals or protests? Please answer yes or no: _____
3. Please list and provide a summary of any addenda issued during the bidding period. The summary should reflect any change to major equipment or suppliers in the proposal and any alternates (deductive/additive) to be used in the project. Please include a statement that applicable addenda and alternates (deductive/additive) have been approved by the Agency’s Permit Section.
4. Please submit the consultant’s analysis of bids and recommendation for award (reference 662.620(b)(2)(c)).

5. Please submit the loan applicant's letter of intent to award or the official minutes of board approval for the award (reference 662.620(b)(4)(A)).
6. Please submit a summary of the evidence that the contractor and engineer have met the disadvantaged business enterprise requirements pursuant to 40 CFR Part 33. Guidance for loan applicants on DBE requirements can be found on the Agency's website at <http://www.epa.state.il.us/water/forms.html#financial-assistance>. At a minimum, the loan applicant shall submit completed and signed copies of Forms 6100-3 (DBE Subcontractor Performance Form) and 6100-4 (DBE Subcontractor Utilization Form) if DBE inquiries are received on the project.
7. Bid Certifications - By submission of these bids and by certification provided hereunder, the loan applicant certifies that to the best of its knowledge and belief that it and its principals have read and understand the various requirements pertaining to bids as embodied in these loan rules and that the specific certifications detailed below are provided by submission of these bids.
8. Contractor Certifications – Completed copies of three additional certifications must be executed by the selected contractor and submitted by the loan applicant, including a Certification of Non-Segregated Facilities, a Bidder Certification in Compliance with Article 33E to the “Criminal Code of 1961” and a Certification Regarding Debarment, Suspension and Other Responsibility Matters. Forms acceptable for this purpose are provided in this package below.

Bid Certifications

- The loan applicant hereby certifies that the bidding documents include: a complete statement of the work to be performed, including necessary drawings and a required completion schedule; the terms and conditions of the contract to be awarded; a clear explanation of the method of bidding, the method for evaluation of bid prices and the basis and method for award of the contract; a statement that any contract awarded in response to the bid is expected to be funded in part by a loan from the PWSLP, and that neither the State of Illinois nor any of its departments, agencies or employees is or will be a party to this bidding or any resulting contract; and a summary of responsibility requirements or criteria that may be used in evaluating bidders, provided that an experience requirement or performance bond may not be used unless adequately justified by the loan recipient.
- The loan applicant hereby certifies that the certifications contained in Section 662.620(b)(2)(G) and (H) are included in the proposal form to be used by bidders and shall constitute a representation and certification to be considered as a part of their bid.

- The loan applicant hereby certifies that the proposal is consistent with approved specifications in terms of quantity, description and eligibility.
- The loan applicant hereby certifies that any addenda issued during the bidding period were distributed to all prospective bidders and approved by the Agency.
- The loan applicant hereby certifies that a bid bond or cashier's check for not less than five percent (5%) of the bid amount and signed power of attorney is provided (reference 662.620(a)).
- The loan applicant hereby certifies that any change to major equipment or suppliers on the proposal has been approved by the Agency (Permit Section), that alternates (deductive/additive) taken have been approved by the Agency (Permit Section) and that an approved Permit # _____ is in place for the project.
- The loan applicant hereby certifies that a list of all subcontractors being utilized on the project will be maintained in the project file and made available for inspection upon request. The subcontractors list should include a name, address and telephone number for all subcontractors being used.

I hereby certify that the above information, including all certifications provided to comply with the procedures for issuing loans from the PWSLP, is, to the best of my knowledge, true and accurate.

 (Authorized Representative)

 (Date)

Contractor Certifications

U.S. ENVIRONMENTAL PROTECTION AGENCY

CERTIFICATION OF NONSEGREGATED FACILITIES

(Applicable to federally assisted construction contracts and related subcontracts exceeding \$10,000 that are not exempt from the Equal Opportunity clause.)

The federally assisted construction contractor certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The federally assisted construction contractor certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments, and that he will not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The federally assisted construction contractor agrees that a breach of this certification is a violation of the Equal Opportunity clause in this contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, rest rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom or otherwise. The federally assisted construction contractor agrees that (except where he has obtained identical certifications from proposed subcontractors for specific time periods) he will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause, and that he will retain such certification in his files.

Signature Date

Name and Title of Signer (Please type)

Firm Name

NOTE: The penalty for making false statements in offers is prescribed in 18 USC. 1001.

EPA Project Control #: _____

United States Environmental Protection Agency
Washington, DC 20460

Certification Regarding Debarment, Suspension and Other Responsibility Matters

The prospective participant to the best of its knowledge and belief that it and its principles:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or 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;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or 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. In addition, under 18 USC Sec. 1001, a false statement may result in fine of up to \$10,000 or imprisonment for up to 5 years, or both.

(Typed Name & Title of Authorized Representative)

(Signature of Authorized Representative)

(Date)

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

(Source: Added by emergency rulemaking at 34 Ill. Reg. _____, effective _____, for a maximum of 150 days)