

**Water Pollution Control Loan Program (WPCLP)  
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 WPCLP as set out in this Part 365, 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 365.620(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 365.620(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 365.620(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 365.620(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 365.620(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 WPCLP, 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 365.620(b)(2)(G) and (H) 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 365.620(a)).
- The loan applicant hereby certifies that any change to major equipment or suppliers in 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 WPCLP, is, to the best of my knowledge, true and accurate.

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(Authorized Representative)

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(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.

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Signature Date

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Name and Title of Signer (Please type)

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Firm Name

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

Bidder Certification  
In Compliance with Article 33E to the  
"Criminal Code of 1961"

I \_\_\_\_\_, do hereby certify that:  
Name

1. I am \_\_\_\_\_ of the \_\_\_\_\_  
Position Firm  
and have authority to execute this certification on behalf of the firm

2. This firm is not barred from bidding on this contract as a result of a violation of either Section 33E-3, Bid-rigging, or Section 33E-4, Bid Rotating, as set forth in Article 33E to the "Criminal Code of 1961."

Name of Firm \_\_\_\_\_

Signature \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

Corporate Seal (where appropriate)

On this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, before me appeared  
(Name)

\_\_\_\_\_ to me personally  
known, who, being duly sworn, did execute the foregoing affidavit, and did state that he or she  
was properly authorized by (Name of Firm) \_\_\_\_\_ to  
execute the affidavit and did so as his or her free act and deed.

Notary Public \_\_\_\_\_ Commission Expires \_\_\_\_\_

Notary Seal

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.

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(Typed Name & Title of Authorized Representative)

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(Signature of Authorized Representative)

(Date)

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