

ATTACHMENT E

CERTIFICATIONS

**PRE-AWARD
MANUFACTURER'S CERTIFICATION**

That _____
Name of Bidder

hereby certifies that the _____

Manufacturer

vehicle(s) offered by this bid have been designed, manufactured, assembled, tested and found suitable for intended purpose as specified in the bid documents, and as such the vehicle(s) do comply fully with the MDOT's specifications.

Name of Firm

Address

City State Zip

Telephone

Authorized Person Name and Title (Type or Print)

Signature of Authorized Person Date

**STATEMENT OF ELIGIBILITY
REGARDING DEBARMENT AND SUSPENSION**

That

Name of Bidder

hereby certifies that neither it nor its "principals" [as defined at 2 C.F.R. Part 180] is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

This contract is a covered transaction for purposes of 2 CFR Part 180. As such, the contractor is required to verify that none of the contractor, its principals, as defined at 2 CFR 180.995, or affiliates, as defined at 2 CFR 180.905, are excluded or disqualified as defined at 2 CFR 180.940 and 180.945. The contractor is required to comply with 2 CFR 180 and must include the requirement to comply with 2 CFR Part 180 in any lower tier covered transaction it enters into.

By signing and submitting its bid or proposal, the bidder or proposer certifies as follows:

The certification in this clause is a material representation of fact relied upon by the Mississippi Department of Transportation. If it is later determined that the bidder or proposer knowingly rendered an erroneous certification, in addition to remedies available to MDOT, the Federal Government may pursue available remedies, including but not limited to suspension and/or debarment. The bidder or proposer agrees to comply with the requirements of 2 CFR Part 180, et seq., as revised and/or amended, while this offer is valid and throughout the period of any contract that may arise from this offer. The bidder or proposer further agrees to include a provision requiring such compliance in its lower tier covered transactions.

Name of Firm

Address

City

State

Zip

Telephone

Authorized Person Name and Title (Type or Print)

Signature of Authorized Person

Date

DISADVANTAGED BUSINESS ENTERPRISE CERTIFICATION FOR TRANSIT VEHICLE MANUFACTURERS

The Bidder hereby certifies that it has complied with the requirements of 49 CFR Section 26. If it is a transit vehicle manufacturer, the bidder certifies that it has complied with the requirements of 49 CFR Section 26 by submitting an annual DBE goal to the Federal Transit Administration (FTA). The goal has either been approved or not disapproved by FTA.

The Bidder, if a non-manufacturer supplier, hereby certifies that the manufacturer of the transit vehicle to be supplied has complied with the requirements of 49 CFR Section 26.

Name of Firm

Address

City

State

Zip

Telephone

Authorized Person Name and Title (Type or Print)

Signature of Authorized Person

Date

FEDERAL MOTOR VEHICLE SAFETY STANDARD CERTIFICATION

That _____
Name of Bidder

hereby certifies that the vehicles offered in this bid comply with the Federal Motor Vehicle Safety Standard (FMVSS) as established by the Department of Transportation and with requirements of the laws of the State of Mississippi, all as are in effect at the time of delivery of the vehicles as to including lighting equipment, as well as all warning, operating and safety devices.

The bidder shall submit 1) manufacturer's FMVSS self-certification sticker information that the vehicle being bid complies with relevant FMVSS or 2) manufacturer's certified statement that the contracted buses will not be subject to FMVSS regulations.

Name of Firm

Address

City State Zip

Telephone

Authorized Person Name and Title (Type or Print)

Signature of Authorized Person Date

**ADA
VEHICLE ACCESSIBILITY CERTIFICATION**

That _____
Name of Bidder
hereby certifies that the _____ vehicle(s)
Manufacturer
offered by this bid have been designed, manufactured, assembled, tested and found
suitable for the transportation of disabled persons and that such vehicle(s) are in
compliance with the U. S. DOT and FTA regulations concerning accessibility
specification, including but not limited to 49 CFR Part 38.

Name of Firm

Address

City State Zip

Telephone

Authorized Person Name and Title (Type or Print)

Signature of Authorized Person Date

ACKNOWLEDGMENT OF ADDENDA

The undersigned acknowledges receipt of the following addenda to the Bidding Documents:

ADDENDUM NO. _____, DATED _____

ADDENDUM NO. _____, DATED _____

ADDENDUM NO. _____, DATED _____

ADDENDUM NO. _____, DATED _____

ADDENDUM NO. _____, DATED _____

Note: Failure to acknowledge receipt of all addenda may cause the bid to be considered non-responsive to the solicitation. Acknowledge receipt of each addendum must be clearly established and included with the bid.

Name of Firm

Address

City State Zip

Telephone

Authorized Person Name and Title (Type or Print)

Signature of Authorized Person Date

BUY AMERICA CERTIFICATE (Rolling Stock)

This procurement is subject to the Federal Transit Administration Buy America Requirements.

A Buy America Certificate, as per attached format, must be completed and submitted with the bid. A bid which does not include the certificate will be considered non-responsive.

A waiver from the Buy America Provision may be sought by MDOT if grounds for the waiver exist.

The bidder hereby certifies that it 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 regulations in 49 CFR 661.11:

Name of Firm

Authorized Person Name and Title (Type or Print)

Signature of Authorized Person

Date

The bidder hereby certifies that it cannot comply with the requirements of 49 U.S.C. Section 5323(j)(2)(C), 49 C.F.R. 661.11, Section 165(b)(3)3 of the Surface Transportation Act of 1982, as amended, but may qualify for an exception to the requirement pursuant to 49 Section 5323(j)(2)(A) or (j)(2)(B), or (j)(2)(D), or Section 165(b)(2) or (b)(4) of the Surface Transportation Assistance Act, as amended, and regulations in 49 CFR 661.7.

Name of Firm

Authorized Person Name and Title (Type or Print)

Signature of Authorized Person

Date

SERVICE AND PARTS

The bidder shall state below the representatives responsible for assisting the MDOT and the contractor operating the vehicle to ensure that adequate parts and authorized service locations are available to the greatest extent practical throughout the State. The bidder agrees to furnish along with each bid, a complete list of the location of the nearest distribution center, which shall furnish a complete supply of parts and components for the repair and maintenance of the vehicle supplied. The bidder shall state below or by separate attachment, its policy on transportation charges for parts other than those covered by warranty.

Location of nearest Technical Service Representative to Procuring Agency:

Name: _____

Address: _____

Telephone: _____

Location of nearest Parts Distribution Center to Procuring Agency:

Name: _____

Address: _____

Telephone: _____

Policy for delivery of parts and components to be purchased for service and maintenance:

Regular Method of Shipment: _____

Cost to Procuring Agency: _____

Bidder must also supply a list of recommended parts to be stocked and their price lists.

**CERTIFICATION REGARDING DRUG-FREE
WORKPLACE REQUIREMENTS**

That _____
Name of Bidder

hereby certifies that it will comply with Federal Transit Administration regulations regarding Drug-Free Workplace Requirements.

Name of Firm

Address

City State Zip

Telephone

Authorized Person Name and Title (Type or Print)

Signature of Authorized Person Date

**CIVIL RIGHTS
CERTIFICATION FOR TRANSIT VEHICLE MANUFACTURERS**

The Bidder, if a transit vehicle manufacturer, hereby certifies that it will comply with the regulations of the U.S. Department of Transportation as stated in 49 CFR Part 21, as amended, which will be incorporated by reference and made a part of all contracts.

The Bidder, if a non-manufacturer supplier, hereby certifies that the manufacturer of the transit vehicle to be supplied will comply with the above referenced requirement of 49 CFR Part 21, as amended.

Name of Firm

Address

City

State

Zip

Telephone

Authorized Person Name and Title (Type or Print)

Signature of Authorized Person

Date

**CERTIFICATION
of
RESTRICTIONS ON LOBBYING**

(This Certification is required to be completed and returned by the contractor with the bid. Failure to return this certification with the bid will result in a determination that the bid is non responsive or unacceptable.)

The undersigned certifies, to the best of his or her knowledge or 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 any 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 influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this application, an officer or employee of Congress, or an employee of a grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients 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, 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.

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 U.S.C. A 3801, *et seq.*, apply to this certification and disclosure, if any.

These instruments executed this _____ day of _____, 20 _____.

By _____
(Signature of Contractor's Authorized Official)

(Printed/typed Name of Contractor's Authorized Official)

(Title of Contractor's Authorized Official)

**MANUFACTURER'S CERTIFICATION
FOR
BUS TESTING PROGRAM
(49 CFR PART 665)**

In accordance with 49 CFR Part 665, Bus Testing Program, _____
Name of Bidder

hereby certifies that the _____
Manufacturer's Name and Model Number

vehicle(s) will comply with 49 U.S.C. A 5323(c) and will meet the following conditions before a contract is awarded for any new bus purchase by the Mississippi Department of Transportation.

1. A model of the bus has been tested at the Pennsylvania Institute Bus Testing Facility (Altoona Testing Center); and
2. The Mississippi Department of Transportation will receive a copy of the Test Report on the bus model being bid, no later than sixty (60) days after the bid opening date.

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 2 CFR Part 180, as amended.

Name of Firm

Address

City State Zip

Telephone

Authorized Person Name and Title (Type or Print)

Signature of Authorized Person Date

**MANUFACTURER'S CERTIFICATION
OF
ROLLING STOCK MINIMUM SERVICE LIFE**

That _____
Name of Bidder

hereby certifies that the _____
vehicle(s) offered by this bid have been designed, manufactured, assembled, tested
and is in compliance with the Federal Transit Administration's requirements and
regulations concerning rolling stock minimum service life requirements. The bus that
is being bid has a minimum service life of _____ years and/or an accumulation
of _____ miles.

Name of Firm

Address

City State Zip

Telephone

Authorized Person Name and Title (Type or Print)

Signature of Authorized Person Date

**MANUFACTURER'S CERTIFICATION
OF
COMPLIANCE WITH THE CLEAN AIR ACT**

That _____
Name of Bidder

hereby certifies that the _____
vehicle(s) offered by this bid have been designed, manufactured, assembled, tested and has been
found to be in compliance with all applicable standards, orders or regulations issued
pursuant to the Clean Air Act, as amended, 42 U.S.C. §§ 7401 et seq and the National
Environmental Policy Act.

Name of Firm

Address

City State Zip

Telephone

Authorized Person Name and Title (Type or Print)

Signature of Authorized Person Date

**CERTIFICATION OF COMPLIANCE
WITH
FEDERAL TRANSIT ACT
AND
INTERMODAL SURFACE TRANSPORTATION EFFICIENCY
ACT**

That _____
Name of Bidder

hereby certifies that it will comply with all regulations and requirements of the Federal Transit Act, as amended and the Intermodal Surface Transportation Efficiency Act of 1991, as amended.

Name of Firm

Address

City State Zip

Telephone

Authorized Person Name and Title (Type or Print)

Signature of Authorized Person Date

**CERTIFICATION OF COMPLIANCE
WITH
AMERICANS WITH DISABILITIES ACT OF 1990**

That _____
Name of Bidder

hereby certifies that it will comply with all regulations and requirements of the
Americans With Disabilities Act of 1990.

Name of Firm

Address

City State Zip

Telephone

Authorized Person Name and Title (Type or Print)

Signature of Authorized Person Date

**CERTIFICATION
of
PROGRAM FRAUD AND FALSE OR FRAUDULENT
STATEMENTS OR RELATED ACTS**

(This Certification is required to be completed and returned by the contractor with the bid. Failure to return this certification with the bid will result in a determination that the bid is non responsive or unacceptable.)

The undersigned certifies, to the best of his or her knowledge or belief, that:

- (1) The Bidder acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, as amended, 31 U.S.C. §§3801 *et seq.* and U. S. DOT regulations, "Program Fraud Civil Remedies," 49C.F.R. Part 31, apply to its actions pertaining to this Project. Upon execution of this Contract Agreement, the Bidder certifies or affirms the truthfulness and accuracy of any statement it has made, it makes, it may make, or cause to be made, pertaining to the contract or the FTA assisted project for which this contract work is being performed. In addition to other penalties that may be applicable, the Bidder further acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification, the Federal Government serves the right to impose the penalties of the Program Fraud Civil Remedies Act of 1986 on the Bidder to the extent the Federal Government deems appropriate.
- (2) The Bidder also acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification to the MDOT or the Federal Government under a contract connected with a project that is financed in whole or in part with Federal assistance originally awarded by FTA under the authority of 49 U.S.C. §5307, the Government reserves the right to impose the penalties of 18 U.S.C. §1001 and 49 U.S.C. §5307(n)(1) on the Bidder, to the extent the Federal Government deems appropriate.
- (3) The Bidder agrees to include the above two clauses in each subcontract financed in whole or in part with Federal assistance provided by FTA. It is further agreed that the clauses shall not be modified, except to identify the subcontractor who will be subject to the provisions.

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 Section 3801, Title 31, U.S. Code. 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.

The Contractor, _____, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any.

These instruments executed this _____ day of _____, 20_____.

By _____
(Signature of Contractor's Authorized Official)

(Printed/typed Name of Contractor's Authorized Official)

(Title of Contractor's Authorized Official)

TERMINATION OF CONTRACT

That _____
Name of Bidder

hereby certifies that it will comply with 49 CFR Part 18 and FTA Circular 4220.1F in regarding the Termination of this or any contract if deemed necessary by the Contracting Agency.

Name of Firm

Address

City State Zip

Telephone

Authorized Person Name and Title (Type or Print)

Signature of Authorized Person Date