# BIDDER/OFFEROR CERTIFICATION FORM

## COMPLETION

The person(s) completing this form must be knowledgeable about the bidder/offeror’s business and operations.

## RESPONSES

Every question must be answered. Each response must provide all relevant information that can be obtained within the limits of the law. Individuals and sole proprietors may use a Social Security number but are encouraged to obtain and use a federal Employer Identification Number (EIN). Provide any explanation at the end of the section or attach additional sheets with numbered responses. Include the bidder/offeror’s name at the top of each attached page.

## GENERAL INSTRUCTIONS

This form contains four (4) sections. Section I concerns the bidder/offeror’s responsibility; Section II includes additional required certifications; Section III relates to Domestic Preferences (if applicable); and Section IV requires the bidder/offeror’s signature.

### SECTION I. BIDDER/OFFEROR RESPONSIBILITY CERTIFICATIONS

Instructions for Section I: Section I contains seven (7) parts. Part 1 requests information concerning the bidder/offeror’s business entity. Part 2 inquires about current or former owners, partners, directors, officers or principals. Part 3 relates to the responsibility of the bidder/offeror’s business. Part 4 concerns the bidder/offeror’s business certificates and licenses. Part 5 inquires about legal proceedings. Part 6 relates to the bidder/offeror’s financial and organizational status. Part 7 relates to disclosures under the District of Columbia Freedom of Information Act (FOIA).

### PART 1: BIDDER/OFFEROR INFORMATION

<table>
<thead>
<tr>
<th>Legal Business Entity Name</th>
<th>Solicitation #:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address of the Principal Place of Business (street, city, state, zip code):</td>
<td>Telephone #: and ext.:</td>
</tr>
<tr>
<td>Email Address:</td>
<td>Website:</td>
</tr>
</tbody>
</table>

Additional Legal Business Entity Identities: If applicable, list any other DBA, Trade Name, Former Name, Other Identity and EIN used in the last five (5) years and the status (active or inactive).

<table>
<thead>
<tr>
<th>Type</th>
<th>Name:</th>
<th>EIN</th>
<th>Status:</th>
</tr>
</thead>
</table>

1.1 Business Type (Please check the appropriate box and provide additional information if necessary):

- Corporation (including PC)
- Joint Venture
- Limited Liability Company (LLC or PLLC)
- Nonprofit Organization
- Partnership (including LLP, LP, or General)
- Sole Proprietor
- Other

If "Other," please explain:

1.2 Was the bidder/offeror’s business formed or incorporated in the District of Columbia?  
- Yes □ | No □  

If "No" to Subpart 1.2, provide the jurisdiction where the bidder/offeror’s business was formed or incorporated. Attach a Certificate or Letter of Good Standing from the applicable jurisdiction and a certified Application for Authority from the District, or provide an explanation if the documents are not available.

State ____________________  
Country ____________________

1.3 Please provide a copy of each District of Columbia license, registration or certification that the bidder/offeror is required by law to obtain (other than those provided in Subpart 1.2). If the bidder/offeror is not providing a copy of its license, registration or certification to transact business in the District of Columbia, it shall either:

(a) Certify its intent to obtain the necessary license, registration or certification prior to contract award; or

(b) Explain its exemption from the requirement.

### PART 2: INDIVIDUAL RESPONSIBILITY

**Additional Instructions for Section I, Parts 2 through 8:** Provide an explanation of the issue(s), relevant dates, the government entity involved, any remedial or corrective action(s) taken and the current status of the issue(s).

Within the past five (5) years, has any current or former owner, partner, director, officer, principal or any person in a position involved in the administration of funds, or currently or formerly having the authority to sign, execute or approve bids, proposals, contracts or supporting documentation on behalf of the bidder/offeror with any government entity:

2.1 Been sanctioned or proposed for sanction relative to any business or professional permit or license?  
- Yes □ | No □  

2.2 Been under suspension, debarment, voluntary exclusion or determined ineligible under any federal, District or state statutes?  
- Yes □ | No □  

2.3 Been proposed for suspension or debarment?  
- Yes □ | No □  

2.4 Been under investigation, whether open or closed, by any government entity for a civil or criminal violation for any business-related conduct?  
- Yes □ | No □  

2.5 Been charged with a misdemeanor or felony, indicted, granted immunity, convicted of a crime, or subject to a judgment or a plea bargain for:

(a) Any business-related activity; or

(b) Any crime the underlying conduct of which was related to truthfulness?  
- Yes □ | No □  

Please provide an explanation for each "Yes" in Part 2.

### PART 3: BUSINESS RESPONSIBILITY

Within the past five (5) years, has the bidder/offeror:

3.1 Been under suspension, debarment, voluntary exclusion or determined ineligible under any federal, District or state statutes?  
- Yes □ | No □  

3.2 Been proposed for suspension or debarment?  
- Yes □ | No □  

### PART 4: BUSINESS CONTACTS

- Legal Business Entity Name:  
- Telephone #: and ext.:  
- Email Address:  
- Website:  
- Type:  
- Name:  
- EIN:  
- Status:  

### PART 5: LEGAL PROCEEDINGS

Within the past five (5) years, has the bidder/offeror:

- Been suspended, cancelled, terminated or found non-responsible on any government contract, or had a surety called upon to complete an awarded contract?  
- Yes □ | No □  

- Been proposed for suspension or debarment?  
- Yes □ | No □  

- Been under suspension, debarment, voluntary exclusion or determined ineligible under any federal, District or state statutes?  
- Yes □ | No □  

- Been under investigation, whether open or closed, by any government entity for a civil or criminal violation for any business-related conduct?  
- Yes □ | No □  

- Been charged with a misdemeanor or felony, indicted, granted immunity, convicted of a crime, or subject to a judgment or a plea bargain for:

(a) Any business-related activity; or

(b) Any crime the underlying conduct of which was related to truthfulness?  
- Yes □ | No □  

Please provide an explanation for each "Yes" in Part 5.

### PART 6: LICENSES AND REGISTRATIONS

Please provide a copy of each District of Columbia license, registration or certification that the bidder/offeror is required by law to obtain (other than those provided in Subpart 1.2). If the bidder/offeror is not providing a copy of its license, registration or certification to transact business in the District of Columbia, it shall either:

(a) Certify its intent to obtain the necessary license, registration or certification prior to contract award; or

(b) Explain its exemption from the requirement.

### PART 7: ADDITIONAL INFORMATION

Please provide an explanation of the issue(s), relevant dates, the government entity involved, any remedial or corrective action(s) taken and the current status of the issue(s).

Within the past five (5) years, has any current or former owner, partner, director, officer, principal or any person in a position involved in the administration of funds, or currently or formerly having the authority to sign, execute or approve bids, proposals, contracts or supporting documentation on behalf of the bidder/offeror with any government entity:

7.1 Been sanctioned or proposed for sanction relative to any business or professional permit or license?  
- Yes □ | No □  

7.2 Been under suspension, debarment, voluntary exclusion or determined ineligible under any federal, District or state statutes?  
- Yes □ | No □  

7.3 Been proposed for suspension or debarment?  
- Yes □ | No □  

7.4 Been under investigation, whether open or closed, by any government entity for a civil or criminal violation for any business-related conduct?  
- Yes □ | No □  

7.5 Been charged with a misdemeanor or felony, indicted, granted immunity, convicted of a crime, or subject to a judgment or a plea bargain for:

(a) Any business-related activity; or

(b) Any crime the underlying conduct of which was related to truthfulness?  
- Yes □ | No □  

Please provide an explanation for each "Yes" in Part 7.

### SECTION III. DOMESTIC PREFERENCES

- Please provide a copy of each District of Columbia license, registration or certification that the bidder/offeror is required by law to obtain (other than those provided in Subpart 1.2). If the bidder/offeror is not providing a copy of its license, registration or certification to transact business in the District of Columbia, it shall either:

(a) Certify its intent to obtain the necessary license, registration or certification prior to contract award; or

(b) Explain its exemption from the requirement.

### SECTION IV. BIDDER/OFFEROR SIGNATURE

The person(s) completing this form must be knowledgeable about the bidder/offeror’s business and operations. Every question must be answered. Each response must provide all relevant information that can be obtained within the limits of the law. Individuals and sole proprietors may use a Social Security number but are encouraged to obtain and use a federal Employer Identification Number (EIN). Provide any explanation at the end of the section or attach additional sheets with numbered responses. Include the bidder/offeror’s name at the top of each attached page.

**Signature:**

[Signature]

**Date:**

[Date]

**District of Columbia Contract and Procurement Office:**

[Office Name]

[Office Address]

[Office Phone]

[Office Fax]

**District of Columbia Contracting Officer:**

[Contracting Officer Name]

[Contracting Officer Title]
<table>
<thead>
<tr>
<th>Section</th>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.3</td>
<td>Been subject of an investigation, whether open or closed, by any government entity for a civil or criminal violation for any business-related conduct?</td>
<td>☐ Yes ☐ No</td>
<td></td>
</tr>
<tr>
<td>5.4</td>
<td>Been charged with a misdemeanor or felony, indicted, granted immunity, convicted of a crime, or subject to a judgment or plea bargain for:</td>
<td>☐ Yes ☐ No</td>
<td></td>
</tr>
<tr>
<td>(a) Any business-related activity; or</td>
<td></td>
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<tr>
<td>(b) Any crime the underlying conduct of which was related to multilineras?</td>
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<tr>
<td>5.5</td>
<td>Been disqualified or proposed for disqualification on any government permit or license?</td>
<td>☐ Yes ☐ No</td>
<td></td>
</tr>
<tr>
<td>5.6</td>
<td>Been denied a contract award or had a bid or proposal rejected based upon nonresponsibility finding by a government entity?</td>
<td>☐ Yes ☐ No</td>
<td></td>
</tr>
<tr>
<td>5.7</td>
<td>Had a low bid or proposal rejected on a government contract for failing to make good faith efforts on any Certificated Business Enterprise goal or statutory affirmative action requirements on a previously held contract?</td>
<td>☐ Yes ☐ No</td>
<td></td>
</tr>
<tr>
<td>5.8</td>
<td>Been suspended, cancelled, terminated or found not responsible on any government contract, or had a surety called upon to complete an awarded contract?</td>
<td>☐ Yes ☐ No</td>
<td></td>
</tr>
</tbody>
</table>

Please provide an explanation for each "Yes" in Part 3.

**PART 4: CERTIFICATES AND LICENSES**

4.1 Within the past five (5) years, has the bidder/offeror had a diasol: defamation, revocation or suspension; District of Columbia certification of any Certificated Business Enterprise or federal certification of Disadvantaged Business Enterprise status for other than a change of ownership? | ☐ Yes ☐ No |

Please provide an explanation for "Yes" in Subpart 4.1.

**PART 5: LEGAL PROCEEDINGS**

5.1 Within the past five (5) years, has the bidder/offeror had any liens or judgments (not including UCC filings) over $25,000 filed against it which remain undischarged? | ☐ Yes ☐ No |

If "Yes" to Subpart 5.1, provide an explanation of the issue(s), relevant dates, the Lien Holder or Claimant's name, the amount of the lien(s) and the current status of the issue(s).

5.2 Has a government entity find a willful violation of District of Columbia compensation or prevailing wage laws, the Service Contract Act or the Davis-Bacon Act? | ☐ Yes ☐ No |

5.3 Has the bidder/offeror initiated or been the subject of any bankruptcy proceedings, whether or not closed, or is any bankruptcy proceeding pending? | ☐ Yes ☐ No |

If "Yes" to Subpart 6.3, provide the bankruptcy chapter number, the court name and the docket number. Indicate the current status of the proceedings as "initiated," "pending" or "closed".

6.1 Within the past five (5) years, has the bidder/offeror received any formal unsatisfactory performance assessment(s) from any government entity on any contract? | ☐ Yes ☐ No |

If "Yes" to Subpart 6.1, provide an explanation of the issue(s), relevant dates, the government entity involved, any remedial or corrective action(s) taken and the current status of the issue(s).

6.2 Within the past five (5) years, has the bidder/offeror received any formal unsatisfactory performance assessment(s) from any government entity on any contract? | ☐ Yes ☐ No |

If "Yes" to Subpart 6.2, provide an explanation of the issue(s), relevant dates, the government entity involved, the amount assessed and the current status of the issue(s).

6.3 During the past three (3) years, has the bidder/offeror failed to file a tax return or pay taxes required by federal, state, District of Columbia or local laws? | ☐ Yes ☐ No |

If "Yes" to Subpart 6.3, provide the taxing jurisdiction, the type of tax, the liability year(s), the tax liability amount the bidder/offeror failed to file/pay and the current status of the tax liability.

6.4 During the past three (3) years, has the bidder/offeror failed to file a tax return or pay taxes required by federal, state, District of Columbia or local laws? | ☐ Yes ☐ No |

If "Yes" to Subpart 6.4, provide the taxing jurisdiction, the type of tax, the liability year(s), the tax liability amount the bidder/offeror failed to file/pay and the current status of the tax liability.

6.5 During the past three (3) years, has the bidder/offeror failed to file a District of Columbia unemployment insurance return or failed to pay District of Columbia unemployment insurance? | ☐ Yes ☐ No |

If "Yes" to Subpart 6.5, provide the years the bidder/offeror failed to file the return or pay the insurance, explain the situation and any remedial or corrective action(s) taken and the current status of the issue(s).

6.6 During the past three (3) years, has the bidder/offeror failed to comply with any payment agreement with the Internal Revenue Service, the District of Columbia Office of Tax and Revenue and the Department of Employment Services? | ☐ Yes ☐ No |

If "Yes" to Subpart 6.6, provide the years the bidder/offeror failed to comply with the payment agreement, explain the situation and any remedial or corrective action(s) taken and the current status of the issue(s).

6.7 Indicated whether the bidder/offeror owes any outstanding debt to any state, federal or District of Columbia government. | ☐ Yes ☐ No |

If "Yes" to Subpart 6.7, provide an explanation of the issue(s), relevant dates, the government entity involved, any remedial or corrective action(s) taken and the current status of the issue(s).

6.8 During the past three (3) years, has the bidder/offeror been audited by any government entity? | ☐ Yes ☐ No |

(a) If "Yes" to Subpart 6.8, did any audit of the bidder/offeror identity any significant deficiencies in internal controls, fraud or illegal acts; significant violations of provisions of contract or grant agreements; significant abuse or any material misstatements? | ☐ Yes ☐ No |

(b) If "Yes" to Subpart 6.8a, provide an explanation of the issue(s), relevant dates, the government entity involved, any remedial or corrective action(s) taken and the current status of the issue(s).

**PART 7: FREEDOM OF INFORMATION Act (FOIA)**

7.1 Indicate whether the bidder/offeror asserts that any information provided in response to a question in Section I is exempt from disclosure under the District of Columbia Freedom of Information Act (FOIA), effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code §§ 2-533), or sub. j. Include the question number(s) and explain the basis for the claim. (The District will determine whether such information is, in fact, exempt from FOIA at the time of request for disclosure under FOIA.) | ☐ Yes ☐ No
PART 1: DISTRICT EMPLOYEES NOT TO BENEFIT
1.1 The bidder/offeror certifies that no officer or employee of the District of Columbia will benefit from this contract. List the name(s) of any officer or employee of the District of Columbia that may benefit from this contract in section 1.2 below.

1.2 The following officer or employee of the District of Columbia may benefit from this contract.

(a) __________________________

(b) __________________________

PART 2: INDEPENDENT PRICE DETERMINATION REQUIREMENTS
The bidder/offeror certifies that:

2.1 The signature of the bidder/offeror is considered to be a certification by the signatory that:

(a) The contract prices have been arrived at independently without, for the purpose of restricting competition, any consultation, communication or agreement with any bidder/offeror or competitor related to:

(i) Those prices;

(ii) The intention to submit a bid/proposal; or

(iii) The methods or factors used to calculate the prices in the contract.

(b) The prices in this contract have not been and will not be knowingly disclosed by the bidder/offeror, directly or indirectly, to any other bidder/offeror or competitor before bid/proposal opening unless otherwise required by law; and

(c) No attempt has been made or will be made by the bidder/offeror to induce any other concern to submit or not to submit a contract for the purpose of restricting competition.

2.2 The signature on the bid/proposal is considered to be a certification by the signatory that:

(a) Is the person in the bidder/offeror’s organization responsible for determining the prices being offered in this contract, and that the signatory has not participated and will not participate in any action contrary to subparagraphs 2.1(a)(i) through (a)(iii) above; or

(b) Has been authenticated, in writing, to act as an agent for the following principal in certifying that the principal has not participated, and will not participate, in any action contrary to subparagraphs 2.1(a)(i) through (a)(iii) above:

________________________________________________________________________________________________

[Print full name of person(s) in the organization responsible for determining the prices offered in this contract and the title of his or her position in the bidder/offeror’s organization]

(i) As an authorized agent, certifies that the principals named in subparagraph 2.2(b) above have not participated, and will not participate, in any action contrary to subparagraphs 2.1(a)(i) through (a)(iii) above; and

(ii) As an agent, has not participated and will not participate in any action contrary to subparagraphs 2.1(a)(i) through (a)(iii) above.

2.3 If the bidder/offeror deletes or modifies subparagraph 2.1(b) above, the bidder/offeror must furnish with its bid a signed statement setting forth in detail the circumstances of the disclosure.

PART 3: EQUAL OPPORTUNITY AND HUMAN RIGHTS OBLIGATIONS
3.1 The bidder/offeror certifies that it is fully aware of the contents of Mayor's Order 85-85, Mayor’s Order 2017-313, and the Office of Human Rights’ regulations in Chapter 11 of title 4 of the DCMR, and agrees to comply with them while performing this contract.

PART 4: FIRST SOURCE OBLIGATIONS
4.1 The bidder/offeror certifies that it is fully aware of the requirements of the First Source Employment Agreement Act of 1984, as amended, D.C. Official Code § 2-353.02(c), and agrees to enter into a First Source Employment Agreement with the Department of Employment Services if awarded any contract valued at $300,000 or more which receives funds or resources from the District, or funds or resources which, in accordance with a federal grant or otherwise, is administered by the District government.

4.2 The bidder/offeror certifies that the initial First Source Plan submitted with its bid or proposal is true and accurate.

PART 5: EMPLOYMENT ELIGIBILITY OBLIGATIONS
5.1 The bidder/offeror certifies that it has verified the identity and employment eligibility of all of its employees.

PART 6: LANGUAGE ACCESS OBLIGATIONS
6.1 For contracts where the contracting agency is a “covered entity” or “covered entity with major public contact” as defined in Sections 2(2) and 2(3) of the Language Access Act of 2004 (D.C. Official Code § 2-1931(2) and § 2-1931(3)), the bidder/offeror certifies that it will comply with Language Access compliance requirements of the contracting agency while performing this contract.

PART 7: CONFLICTS OF INTEREST
7.1 The bidder/offeror certifies that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of its obligations under the contract.

PART 8: SUBCONTRACTING OBLIGATIONS
8.1 The bidder/offeror certifies that it has verified with the Department of Consumer and Regulatory Affairs (DCRA), and any other licensing authority, that its proposed subcontractors possess all applicable licenses and permits required to perform the work.

8.2 The bidder/offeror certifies that it has verified with the Department of Consumer and Regulatory Affairs (DCRA), and any other licensing authority, that its proposed subcontractors possess all applicable licenses and permits required to perform the work.

8.3 The bidder/offeror certifies that it will comply with City Administrator’s Order 2021-04, and all substantially similar mask requirements, unless and until they are rescinded or superseded.

8.4 The bidder/offeror certifies that it will comply with City Administrator’s Order 2021-04, and all substantially similar mask requirements, unless and until they are rescinded or superseded.

PART 9: CERTIFICATIONS RELATED TO THE COVID-19 EMERGENCY
9.1 The bidder/offeror certifies that it will comply with Mayor's Order 2021-099, Mayor's Order 2021-109 - COVID-19, and all substantially similar vaccine requirements including any modifications to Mayor’s Order 2021-099 and Mayor’s Order 2021-109, and all substantially similar vaccine requirements, unless and until they are rescinded or superseded.

9.2 The bidder/offeror certifies that it will comply with City Administrator’s Order 2021-04, and all substantially similar mask requirements, unless and until they are rescinded or superseded.

SECTION III. DOMESTIC PREFERENCE CERTIFICATIONS
Instructions for Section III: Section III contains three (3) parts which should only be completed only as applicable.

PART 1: BUY AMERICAN ACT COMPLIANCE (Applies if the bidder/offeror will provide goods to the District that are subject to the requirements of the Buy American Act)
1.1 In accordance with 41 USC 8301 et seq. and implementing regulations, the bidder/offeror certifies that each end product, except the end products listed below, is a domestic end product.

[ ] Yes [ ] No

EXCLUDED END PRODUCTS

COUNTRY OF ORIGIN

PART 2: FHWA BUY AMERICA ACT COMPLIANCE (Applies to FHWA-funded construction contracts)
1.1 In accordance with 23 CFR 635 410(k), the bidder/offeror certifies that only steel or iron materials manufactured in the United States will be used for permanent incorporation on the project.

[ ] Yes [ ] No

PART 3: BUY AMERICAN ACT COMPLIANCE (Applies to locally-funded construction contracts)
1.1 In accordance with 41 USC 8301 et seq. and implementing regulations, the bidder/offeror certifies that only construction materials manufactured in the United States will be used on the project.

[ ] Yes [ ] No

SECTION IV. CERTIFICATION
Instructions for Section IV: This section must be completed by all bidder/offerors.
The District of Columbia is authorized to verify the above information with appropriate government authorities. Penalty for making false statements is a fine of not more than $1,000.00, imprisonment for not more than 180 days, or both, as prescribed in D.C. Official Code § 22-2405. Penalty for false swearing is a fine of not more than $2,500.00, imprisonment for not more than three (3) years, or both, as prescribed in D.C. Official Code § 22-2404.