**FEDERAL GOVERNMENT REQUIRED BIDDER CERTIFICATIONS (FTA)** For FTA Grant Assisted Purchases

Name of Bidder: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**CERTIFICATION TO FEDERAL GOVERNMENT REQUIRED CLAUSES (FTA)**

BY SIGNING BELOW, on behalf of the Bidder, I declare that the bidder has duly authorized me to make this certification and bind the Bidder’s compliance. Thus, the Bidder agrees to comply with all Federal statutes and regulations, and follow applicable Federal directives, and comply with the requirements of these clauses as indicated on the ensuing pages, Federal Government Required Clauses (FTA).

The Bidder affirms the truthfulness of this certification it has made, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 *et seq*., and implementing U.S. DOT regulations “Program Fraud Civil Remedies “49 CFR Part 31 apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal public transportation program authorized in 49 U.S.C. Chapter 53 or any other statute.

In signing this document, I declare that the foregoing certification and any other statements made by me on behalf of the Bidder are true and correct.

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Name of Bidder/Company Name

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(Date of Signature) (Signature of Authorized Representative)

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 (Type or Print Name & Title of that Representative)

**DEBARMENT AND SUSPENSION**

The Bidder certifies, to the best of its knowledge and belief, that it, its current and future principals, its

current and future subcontractors and their principals:

a. are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal or state department or agency;

b. have not within a three (3) year period preceding this Contract been convicted of, or had a civil judgment rendered against them for:

 (1) Commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) or private agreement or transaction;

 (2) Violation of federal or state antitrust statutes, including those proscribing price fixing between competitors, allocation of customers between competitors, and bid rigging; or

 (3) Commission of embezzlement, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of property;

c. are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses detailed in section b. of this certification;

d. have not within a three (3) year period preceding this Contract had one or more public transactions (federal, state, or local) terminated for cause or default; or

e. any other offense, as described in 2 C.F.R 180.880(b-c), indicating a lack of business integrity or business honesty that seriously and directly affects your present responsibility.

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Name of Bidder/Company Name

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(Date of Signature) (Signature of Authorized Representative)

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 (Type or Print Name & Title of that Representative)

**DISADVANTAGED BUSINESS ENTERPRISE & EQUAL EMPLOYMENT OPPORTUNITY**

**(1) Transit Vehicle Manufacturer (TVM) Disadvantaged Business Enterprise**

Pursuant to the provisions of Section 105(f) of the Surface Transportation Assistance Act of 1982, each bidder for this contract must certify that it has complied with the requirements of 49 CFR Part 26.49, regarding the participation of disadvantaged business enterprises in FTA-assisted procurements of transit vehicles. Absent this certification, properly completed and signed, a bid shall be deemed non-responsive.

Certification: I hereby certify, for the bidder named below, that it has complied with the provisions of 49 CFR Part 26.49 and that I am duly authorized by said bidder to make this certification.

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Name of Bidder/Company Name

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(Date of Signature) (Signature of Authorized Representative)

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 (Type or Print Name & Title of that Representative)

**(2) Equal Employment Opportunity**

The bidder, and any and all subcontractors of the bidder, are required to comply with Executive Order 11246, entitled “Equal Employment Opportunity”, as amended by Executive Order 11375, and supplemented in U.S. Department of Labor regulation (41 CFR Part 60).

Certification: I hereby certify, for the bidder named above, that it has complied with the provisions of Executive Order 11246, as amended by Executive Order 11375, and supplemented in U.S. Dept. of Labor Regulation (41 CFR Part 60) and that I am duly authorized by said bidder to make this certification.

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Name of Bidder/Company Name

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(Date of Signature) (Signature of Authorized Representative)

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 (Type or Print Name & Title of that Representative)

**CERTIFICATION TO RESTRICTIONS ON LOBBYING**

The undersigned certifies, to the best of his or her knowledge and 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, and 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 influencing or attempting to influence an officer or employee of any agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the federal contract, 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 sub-contracts, sub-grants 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 section 1352, title 31, United States 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.

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Name of Bidder/Company Name

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(Date of Signature) (Signature of Authorized Representative)

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 (Type or Print Name & Title of that Representative)

**Federal Tax Liability and Recent Felony Convictions Certification**

BY SIGNING BELOW, on behalf of the Bidder, I certify that neither the Bidder nor any of its principals:

1. Has any unpaid federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; and

2. Was convicted of the felony criminal violation under any federal law within the preceding 24 months.

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Name of Bidder/Company Name

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(Date of Signature) (Signature of Authorized Representative)

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 (Type or Print Name & Title of that Representative)

**CERTIFICATION OF COMPLIANCE WITH FEDERAL BUY AMERICA REQUIREMENTS (Part 1)**

All vehicles included in this bid must meet the requirements of 49 U.S.C. 5323(j), 49 CFR Part 661 – Buy America, and 49 CFR Part 663.13. Bidders are required to submit certifications of compliance, as incorporated below, with Federal Buy America requirements with their bids in order to be considered responsive.

Federal Buy America requirements establish a domestic content percentage requirement for rolling stock. The cost of components and subcomponents of the vehicle that are produced in the United States must be more than seventy percent (70%) of the cost of all components of the rolling stock and final assembly must take place in the United States (49 CFR 661.11).

**Certification of Compliance with Buy America Rolling Stock Requirements**

The bidder or offeror hereby certifies that it will comply with the requirements of 49 U.S.C. 5323(j) and the applicable regulations of 49 CFR Part 661.11.

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Signature of Authorized Representative Date

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Type or Print Name Title

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Company

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**Certificate of Non-Compliance with Buy America Rolling Stock Requirements**

The bidder certifies that it cannot comply with the requirements of 49 U.S.C. 5323(j), but may qualify for a waiver pursuant to the exceptions established under 49 U.S.C. 5323(j)(2)(C), and the applicable regulations of 49 CFR 661.7.

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Signature of Authorized Representative Date

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Type or Print Name Title

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Company

**CERTIFICATION OF COMPLIANCE WITH FEDERAL BUY AMERICA REQUIREMENTS (Part 2) (Federally Mandated Pre-Award and Post-Delivery Audit Requirements)**

All vehicles included in this bid must meet the requirements of 49 U.S.C. 5323(j) (49 CFR Part 661 – Buy America, and 49 CFR Part 663.13). In accordance with the Federal Government Required Clauses (FTA) of this contract, “If the Bidder certifies compliance with Buy America, it shall submit documentation which lists 1) component and subcomponent parts of the rolling stock to be purchased identified by manufacturer of the parts, their country of

origin and costs; and 2) the location of the final assembly point for the rolling stock, including a description of the activities that will take place at the final assembly point and the cost of final assembly.”

COST DOCUMENTATION

Total Cost per Vehicle = 100%

Component\* Manufacturer Country of Origin % of Total Cost

1) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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4) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

5) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

6) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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9) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

10) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\*A minimum of seven components must be listed. Component costs should not include final assembly costs.

* Total percentage of vehicle manufactured in U.S.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_%
* Point of final assembly: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Major activities to be undertaken at final assembly location:

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Signature of Authorized Representative Date

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Type or Print Name Title

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Company

**CERTIFICATION OF COMPLIANCE WITH FEDERAL MOTOR VEHICLE SAFETY STANDARDS (FMVSS)**

The bidder hereby certifies that vehicles to be provided under the resultant contract award comply with all stipulated and relevant Federal Motor Vehicle Safety Standards (FMVSS). In accordance with the Federal Government Required Clauses (FTA) of this contract, the bidder shall ensure that all vehicles will be affixed with a bus manufacturer's FMVSS self-certification sticker information that the vehicle complies with relevant FMVSS.

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(Date of Signature) (Signature of Authorized Representative)

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 (Type or Print Name & Title of that Representative)

The Bidder understands through this certification that all vehicles provided under this contract

shall conform to Federal regulations in effect at time of vehicle delivery.

**FTA BUS TESTING (STURRA) CERTIFICATION**

The undersigned bidder [Contractor/Manufacturer] certifies that the vehicle model or vehicle models offered in this bid submission complies with 49 CFR Part 665 Bus Testing Regulation.

A copy of the STURRA test report prepared by the Federal Transit Administration’s (FTA) Altoona, Pennsylvania Bus Testing Center is attached to this certification and is a true and correct copy of the test report as prepared by the facility.

If the vehicle model or vehicle models offered in this bid submission are subject to Bus Testing and a copy of a STURRA test report is not yet available, the undersigned has completed this certification and appropriately initialed with the understanding that such vehicle model or models will fully complete Altoona Testing prior to delivery of the first vehicle to the recipient and that such test report must be forwarded to the Tennessee Department of Transportation, Multimodal Division, for verification prior to final acceptance of the first vehicle by the recipient.

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(Date of Signature) (Signature of Authorized Representative)

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 (Type or Print Name & Title of that Representative)

Check **one** that applies:

[ ]  Copy of Altoona Test Report (STURRA) for vehicle model bid is attached. (initial)\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 STURRA Test Report #: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

-----OR------

[ ]  Copy of Altoona Test Report (STURRA) for vehicle model bid is not yet available. It will be

 provided prior to final acceptance of the first vehicle by the recipient. (initial) \_\_\_\_\_\_\_\_\_\_\_\_\_

-----OR------

[ ]  ONLY vehicles which are categorically exempt from testing (limited to unmodified mass-produced vans in the 4-year 100,000-mile service life category) are offered in this bid submission.

 (initial) \_\_\_\_\_\_\_\_\_\_\_\_\_