FORM E

CERTIFICATION

**INSTRUCTIONS:**

(a) Submit one copy of Form E related to the Respondent team generally.

(b) Submit one copy of Form E for each Major Team Member.

(c) Submit one copy of Form E for each member of the Lead Construction Contractor, Lead Engineer Firm, Lead Operations Contractor, Lead Maintenance Contractor, or Lead Commercial Entity, if such entity is an incorporated or unincorporated joint venture.

|  |  |
| --- | --- |
| **NAME OF RESPONDENT:** |   |
| **Name of Major Team Member:** |   |

The term "affiliate" as used in this certification includes parent company(ies), subsidiaries, organizations under common ownership, joint venturers, partners, and other financially liable parties for that entity.

1. Has the firm or any affiliate or any current officer, been indicted or convicted of bid (i.e., fraud, bribery, collusion, conspiracy, antitrust, etc.) or other contract related crimes or violations or any other felony or serious misdemeanor within the past five years?

|  |  |  |  |
| --- | --- | --- | --- |
| [ ]  | Yes | [ ]  | No |

If yes, please explain:

1. Has the firm or any affiliate ever sought protection under any provision of any bankruptcy act?

|  |  |  |  |
| --- | --- | --- | --- |
| [ ]  | Yes | [ ]  | No |

If yes, please explain:

1. Has the firm or any affiliate ever been disqualified, removed, debarred or suspended from performing work for the federal government, any state or local government, or any foreign governmental entity?

|  |  |  |  |
| --- | --- | --- | --- |
| [ ]  | Yes | [ ]  | No |

If yes, please explain:

1. Has the firm or any affiliate ever been found liable in a civil suit or found guilty in a criminal action for making any false claim or other material misrepresentation to a public entity?

|  |  |  |  |
| --- | --- | --- | --- |
| [ ]  | Yes | [ ]  | No |

If yes, as to each such inquiry, state the name of the public agency, the date of the inquiry, the grounds on which the public agency based the inquiry, and the result of the inquiry.

1. Within the last five years, has any construction project performed or managed by the firm or any affiliate involved repeated or multiple failures to comply with safety rules, regulations, or requirements during the course of construction?

|  |  |  |  |
| --- | --- | --- | --- |
| [ ]  | Yes | [ ]  | No |

If yes, please identify the firm or affiliate and the project(s), provide an explanation of the circumstances, and provide owner contact information, including current telephone and fax numbers (and email address if available).

1. Within the last ten years, has the firm or any affiliate been found, adjudicated or determined by any federal or state court or agency (including, but not limited to, the Equal Employment Opportunity Commission, the Office of Federal Contract Compliance Programs and any applicable Georgia governmental agency) to have violated any laws or Executive Orders relating to employment discrimination or affirmative action, including but not limited to Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. Sections 2000 et seq.); the Equal Pay Act (29 U.S.C. Section 206(d)); and any applicable or similar Georgia law?

|  |  |  |  |
| --- | --- | --- | --- |
| [ ]  | Yes | [ ]  | No |

If yes, please explain:

1. Within the last ten years, has the firm or any affiliate been found, adjudicated, or determined by any state court, state administrative agency, including, but not limited to, the Georgia Department of Labor (or its equivalent), federal court or federal agency, to have violated or failed to comply with any law or regulation of the United States or any state governing prevailing wages (including but not limited to payment for health and welfare, pension, vacation, travel time, subsistence, apprenticeship or other training, or other fringe benefits) or overtime compensation?

|  |  |  |  |
| --- | --- | --- | --- |
| [ ]  | Yes | [ ]  | No |

If yes, please explain:

1. Has the firm or any affiliate been determined, pursuant to a final determination in a court of law, arbitration proceeding or other dispute resolution proceeding, to be liable for a material breach of contract during the last five years with respect to a public infrastructure project?

|  |  |  |  |
| --- | --- | --- | --- |
| [ ]  | Yes | [ ]  | No |

If yes, please identify (for each instance) the entity determined liable and the project name, provide an explanation of the circumstances and provide owner contact information, including telephone and fax numbers (and email address if available).

1. Has a surety completed any work on behalf of the firm or affiliate with respect to a public infrastructure project during the last five years?

|  |  |  |  |
| --- | --- | --- | --- |
| [ ]  | Yes | [ ]  | No |

If yes, please provide (for each instance) an explanation of the circumstances, the project name and an owner’s representative with a current telephone and fax number (and email address if available).

1. Has the firm or any affiliate been terminated for cause during the last five years with respect to a public infrastructure project?

|  |  |  |  |
| --- | --- | --- | --- |
| [ ]  | Yes | [ ]  | No |

If yes, please identify (for each instance) the entity terminated for cause and the project name, provide an explanation of the circumstances and provide owner contact information, including telephone and fax numbers (and email address if available).

1. Has the firm or any affiliate been involved in any arbitration, litigation, dispute review board or other dispute resolution proceeding occurring during the last ten years involving an amount in excess of $500,000 related to performance on public infrastructure projects?

|  |  |  |  |
| --- | --- | --- | --- |
| [ ]  | Yes | [ ]  | No |

If yes, please provide a brief description (including the resolution) of each qualifying arbitration, litigation, dispute review board or other dispute resolution proceeding. For each instance, identify an owner’s representative with a current telephone and fax number (and email address if available).

1. With respect to each of Questions 1-11 above, if not previously answered or included in a prior response on this form, is any proceeding, claim, matter, suit, indictment, etc. currently pending against the firm or any affiliate that could result in the firm or affiliate being found liable, guilty or in violation of the matters referenced in Questions 1-11 above or subject to debarment, suspension, removal or disqualification by the federal government, any state or local government, or any foreign governmental entity?

|  |  |  |  |
| --- | --- | --- | --- |
| [ ]  | Yes | [ ]  | No |

If yes, please explain and provide the information requested as to such similar items in Questions 1-11 above.

1. During the last five years, has the firm or affiliate withdrawn, after shortlisting or pre-qualification, from a DB, DBF or DBFOM procurement of public infrastructure projects in North America that later achieved commercial close?

|  |  |  |  |
| --- | --- | --- | --- |
| [ ]  | Yes | [ ]  | No |

If yes, please provide (for each instance) an explanation of the circumstances, including the reason for the withdrawal, the project name and the contact information for an owner’s representative with a current telephone and fax number (and email address if available).

**AUTHORIZED REPRESENTATIVE**

Under penalty of perjury, I certify that the foregoing is true, correct, complete and not materially misleading, and that I am the firm’s Authorized Representative:

|  |  |
| --- | --- |
| By:  | Print Name:  |
| Title:  | Date:  |