

# CENTRAL ARKANSAS REGIONAL TRANSPORTATION STUDY

## Request for Qualifications and Proposals to Enhance Public Awareness Of Ozone Action Days in Central Arkansas

Prepared by  
**METROPLAN**  
A Council of Local Governments

In cooperation with:  
United States Department of Transportation  
Arkansas State Highway and Transportation Department  
Central Arkansas Transit Authority  
and

City of Alexander	City of Jacksonville	City of Ward
City of Austin	City of Little Rock	City of Wooster
City of Bauxite	City of Lonoke	City of Wrightsville
City of Benton	City of Maumelle	Faulkner County
City of Bryant	City of Mayflower	Grant County
City of Cabot	City of North Little Rock	Lonoke County
City of Cammack Village	City of Shannon Hills	Pulaski County
City of Conway	City of Sheridan	Saline County
City of Greenbrier	City of Sherwood	Hot Springs Village
City of Haskell	City of Vilonia	

January 8, 2012

The preparation and publication of this document was financed in part by funds provided by the United States Department of Transportation, Federal Highway Administration and Federal Transit Administration. The provision of Federal financial assistance should not be construed as denoting U. S. Government approval of any plans, policies, programs or projects contained herein.

## NOTICE OF NONDISCRIMINATION

Metroplan complies with all civil right provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. Therefore, Metroplan does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, in admission or access to and treatment in Metroplan's programs and activities, as well as Metroplan's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding Metroplan's nondiscrimination policies may be directed to Susan Dollar, ADA/504/Title VI Coordinator, 501 West Markham Street, Suite B, Little Rock, AR 72201, (501) 372-3300, or the following e-mail address: [sdollar@metroplan.org](mailto:sdollar@metroplan.org). (Hearing impaired may dial 711.) This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape and in Braille.

**Request for Qualifications and Proposals to Enhance  
Public Awareness of Ozone Action Days in Central Arkansas**

January 8, 2012

**A. INTRODUCTION**

Metroplan is a council of local governments and metropolitan planning organization (MPO) based in Little Rock, Arkansas. Metroplan’s membership includes 23 cities, five counties, the Central Arkansas Transit Authority (CATA), the Arkansas State Highway and Transportation Department (AHTD) and Hot Springs Village. Metroplan’s primary mission is to develop long-range transportation plans and short-range transportation improvement programs as part of a comprehensive planning process for the metropolitan planning area. This planning process and the transportation projects resulting from it are financed in part by the U.S. Department of Transportation. The Central Arkansas Regional Transportation Study (CARTS) area includes major portions of the Little Rock-North Little Rock-Conway Metropolitan Statistical Area (MSA) as illustrated in Figure 1.

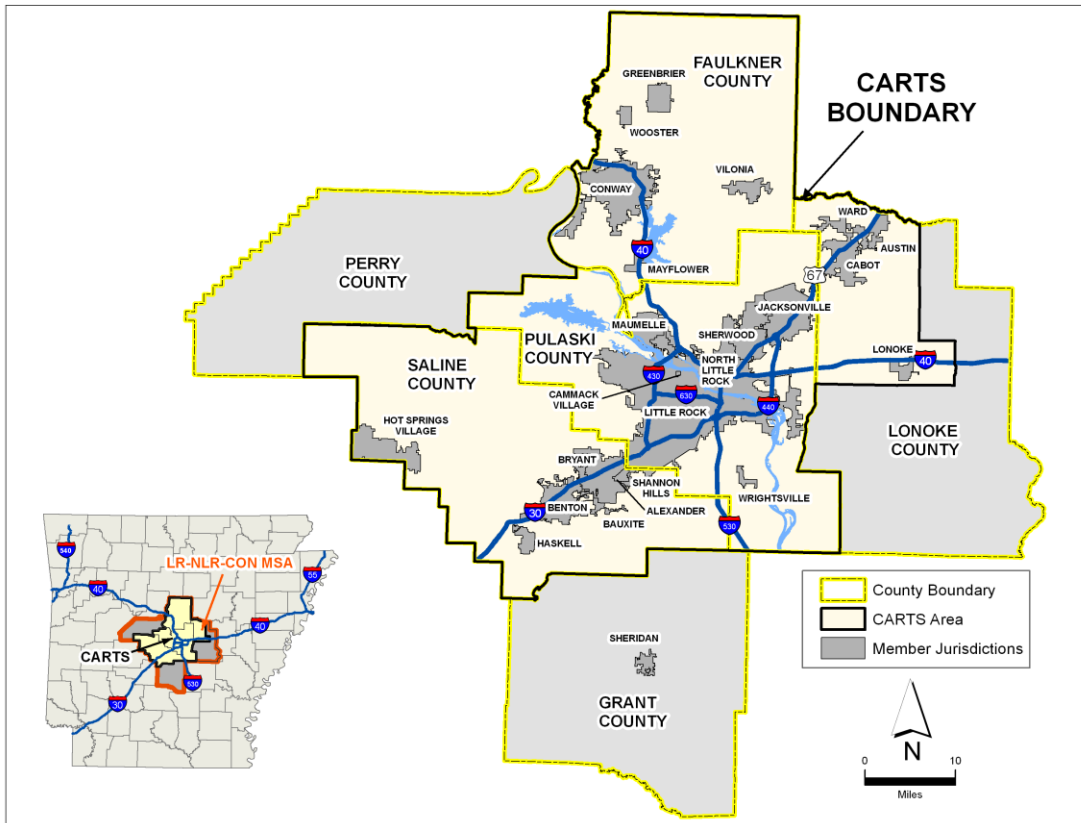


Figure 1

The MSA covers approximately 4,198 square miles, which is approximately half the size of New Jersey or Massachusetts. The CARTS area covers 2,459 square miles and represents that portion of the MSA expected to become “urbanized” within the next 20 to 25 years. In 2010, the population of the Little Rock-North Little Rock-Conway MSA was 699,757. By 2030, the MSA population is projected to be over 833,823, with 89.7 percent or 747,935 in the CARTS area.

Central Arkansas has been in attainment of all national ambient air quality standards (NAAQS) for over 20 years. However, based on ozone monitoring data the area has been at risk of being designated in nonattainment of the 8-hour ozone NAAQS during recent years. In 1997, Metroplan joined with the Arkansas Department of Environmental Quality (ADEQ), the Arkansas Department of Health, the AHTD, and other public and private organizations to establish the Central Arkansas Ozone Action Days (OAD) program. The primary objectives of Central Arkansas Ozone Action Days Program have been to: increase public awareness of the risks of ozone exposure, disseminate ozone forecasts, coordinate notification of ozone action days, encourage emission reduction actions, and help keep the region in attainment of the ozone standards. To this end, Metroplan has secured the assistance of private consultants that have developed and implemented ozone awareness and public outreach activities. During the ozone season the daily ozone forecast and links to ADEQ’s website are posted at [www.ozoneactiondays.org](http://www.ozoneactiondays.org). The OAD website also includes general information regarding ozone awareness, emission reduction strategies, health risks, news and links.

## **B. PROJECT GOAL**

Metroplan is soliciting proposals from qualified consultants to implement an ozone awareness and public outreach campaign for the 2012 ozone season. The ozone season is the five month period from May through September when excessive levels of ozone, or smog, are most likely to form. The contract for this procurement will also include a provision that will allow it to be extended for an additional four years and the scope of services revised, conditional on performance and future funding.

The goal of this campaign is to educate Central Arkansas residents, businesses, and organizations regarding the health risks associated with exposure to high concentrations of ground level ozone and to encourage voluntary actions that can help reduce ozone precursor emissions. The public should be made aware of the Air Quality Index and the health, environmental, regulatory, and economic consequences of air pollution.

### **C. PROJECT DESCRIPTION**

Ozone Action Days programming has taken a variety of formats through the years, but most recently it has been focused on reaching target audiences via local broadcast radio stations. Various other activities have also been suggested. Recent campaigns have included the following activities, which should be considered the preliminary scope of services.

1. Media Relations – Plan, implement and coordinate Ozone Action Days media relations efforts.
2. Coordination with TV/Radio Stations – Work with local television and radio weather departments to obtain their assistance in routinely disseminating ozone forecasts as part of their weather reports throughout the ozone season. Also, coordinate with local cable television providers to develop and run OAD public service advertising (PSA).
3. Speaking Engagements – Plan, coordinate and schedule speaking engagements for Metroplan, ADEQ and ADHHS representatives.
4. Marketing Efforts – Develop and implement a marketing and public awareness campaign for Ozone Action Days. Both traditional and non-traditional marketing efforts will be included. The bulk of the project budget has been devoted to radio advertising, in order to target commuters. Special mailings to day cares and health care providers might also be coordinated with the assistance of Metroplan, ADHHS and possibly other OAD participants.
5. Kick-off Promotion--Develop a promotional activity to begin the Ozone Season.
6. 2012 Summary of Accomplishments – A report will be provided following the ozone season to help Metroplan and the OAD Steering Committee make any future adjustments in the program.
7. 2013 Campaign Outline – Following evaluation of the 2012 season by the OAD Steering Committee, a proposed campaign outline for the next ozone season will be provided.
8. Miscellaneous PR/Contingency – This task will reserve a small part of the budget for unforeseen events that necessitate unplanned services. With Metroplan’s approval, these funds could also be used for cost overruns in other tasks.

### **D. PROJECT TIME FRAME AND BUDGET**

Consultant selection and contract negotiations are scheduled for February 2012. The Consultant’s work is scheduled to begin on or about April 2012, and must be completed by January 31, 2013 unless the agreement is extended by mutual agreement of Metroplan and Consultant. The Consultant contract

is financed in part by the Arkansas State Highway and Transportation Department through a \$48,000 grant of funds from the Congestion Mitigation and Air Quality Improvement (CMAQ) Program. Local governments through their Metroplan member dues are providing the remaining \$12,000 of the \$60,000 total project budget. This project is consistent with the Central Arkansas Regional Transportation Study (CARTS) *FY 2012 Unified Planning Work Program*, Task #44, which is funded in part by the U.S. Department of Transportation, Federal Highway Administration and Federal Transit Administration. There is no guarantee that future CMAQ grants for ozone awareness will be requested or approved.

#### **E. GENERAL PROVISIONS**

1. Metroplan's consultant selection and contracting process is subject to applicable provisions of federal, state and local laws and ordinances.
2. The selected firm will be required to comply with all applicable equal employment opportunity (EEO) laws and regulations, including assurance of nondiscrimination under Title VI of the Civil Rights Act.
3. It is Metroplan policy to contract with disadvantaged business enterprises (DBEs) whenever possible. Non-DBEs are requested to use DBE firms whenever appropriate and to inform Metroplan of said use.
4. Firms that are on the U.S. Comptroller General's list of ineligible contractors should not respond to this solicitation. Metroplan will not contract with said firms.
5. Metroplan will not be liable for any costs incurred in preparing, submitting, or presenting a respondent's submittals or any associated travel costs.
6. Although discussions may be conducted with respondents submitting acceptable proposals, consultant selection may be made without any discussion.
7. Metroplan reserves the right to postpone the opening and/or review of respondent submittals for cause or convenience. Metroplan also reserves the right to reject any and all proposals, in whole or in part, and to waive any information thereon.
8. If only one qualified respondent responds by the due date, Metroplan may enter into contract negotiations with that firm.

9. Although the contract will be lump sum, Metroplan shall make partial payments for work completed under the contract and satisfactorily detailed in each valid invoice and accompanying progress report, less a 2 percent retainage that will be withheld until satisfactory completion of the scope of services.
10. The contract will include a liquidated damage clause, in the event that consultant services are not satisfactorily completed by the contractual deadline.

**F. CONTENTS OF RESPONDENT SUBMITTALS**

Each respondent must include in their submission the following documents, so that all respondents can be effectively and fairly evaluated.

1. A Letter of Interest is required and should display a clear understanding of the project and briefly summarize why the respondent should be selected. Address and contact information for each party in a proposed joint venture should be included, including email addresses.
2. Qualifications: Respondent submittals must include a statement of qualifications documenting the relevant qualifications of the firm or firms, as well as information summarizing the relevant qualifications of the personnel involved.
  - a. Qualifications, Experience and Competence of Firm(s): Information must be included summarizing and documenting the qualifications, experience and competence of the firm or firms in relation to the contractual services anticipated. Respondents are encouraged to include, at a minimum, a list of the names and contact information of a representative list of clients/references with which the respondent has contracted with for similar work, including a brief description of the work performed. A firm's reputation including its responsiveness to EEO and Civil Rights could be a major factor in the selection. Certification of DBE status should be provided.
  - b. Personnel Qualifications and Availability: Respondents must identify and summarize the relevant experience of personnel that would actually provide the anticipated contractual services. The Consultant Selection Committee will consider the qualifications of these individuals. The use of locally based personnel and any relevant local knowledge will also be considered. Personnel qualifications will be evaluated pertaining to any relevant knowledge, training and experience.

- c. Certifications and Assurances: The certifications/assurances referenced below are required for all respondents or parties in a federally funded contract.
  - 1) Eligible Bidder Certification (Attachment A),
  - 2) Receipt of Addenda Certification (Attachment B),
  - 3) Non-collusion Assurance Affidavit (Attachment C),
  - 4) Disadvantaged/Women Business Enterprise (DBE) Certification (Attachment D),
  - 5) Equal Employment Opportunity Certification (Attachment E),
  - 6) Certification of Restrictions on Lobbying (Attachment F),
  - 7) Certification of Debarment or Suspension (Attachment G).
  
- 3. Project Proposal: Respondents must provide a project proposal, which is in accordance with the information provided in the RFQ/RFP and any additional information provided by Metroplan to all interested consultants as specified in Section H. The proposal must be provided inside a separately sealed envelope as specified in Section I. Respondent proposals must include the following elements:
  - a. A detailed work plan that identifies major tasks and deliverables;
  - b. An estimate of personnel hours required to perform the proposed work;
  - c. An estimate of any proposed direct costs (e.g., paid advertising, postage for mailings, travel);
  - d. An organization chart; and
  - e. A proposed work schedule.

**G. SELECTION PROCEDURE**

Metroplan’s objective is to select the highest qualified firm for the services to be rendered, at compensation determined as fair and reasonable to Metroplan and its governing board. To accomplish this objective, respondents will be evaluated in a two-phase process. In the first phase, up to three top firms deemed to be the most highly qualified, responsive and responsible to provide the services required will be selected. In the second phase, the proposals of these respondents will be evaluated.

In the first phase of consultant selection a Consultant Selection Committee appointed by Metroplan will use the following criteria to evaluate respondent submittals.



<u>Phase 1 Evaluation Criteria</u>	<u>Maximum Points</u>
1. Qualifications, Experience and Competence of Firm(s) --	50
2. Personnel Qualifications and Availability --	50
<hr/>	
Maximum Total Points --	100

Each member of the Committee will assign up to the maximum points noted above to each criterion based on each respondent's submittals. Respondents will then be ranked according to their total cumulative points. Based on this ranking, the Selection Committee may conduct interviews, at their discretion, with representatives of the top ranked firms (no more than five firms). From the top ranked respondents, up to three respondents deemed to be the most highly qualified, responsive and responsible to provide the services required will be selected.

In the second phase of consultant selection, the Consultant Selection Committee will use the following criteria to evaluate respondent submittals.

<u>Phase 2 Evaluation Criteria</u>	<u>Maximum Points</u>
1. Qualifications --	60
2. Project Proposal --	40
<hr/>	
Maximum Total Points --	100

Each member of the Selection Committee will assign up to the maximum points noted above to the each criterion based on the respondent's submittals, respondent interviews (if applicable), and any other relevant information (e.g., provided by references that are included in the qualifications submittal).

Following the completion of the Selection Committee's evaluation, Metroplan will enter into contract negotiations with the Committee's top-ranked respondent. If a mutually satisfactory agreement cannot be negotiated with the top-ranked respondent, said respondent will be asked to document a final offer in writing before terminating negotiations. Negotiations will then be initiated with the second-ranked respondent, and so forth, until a contract has been negotiated with a qualified consultant, or halted at the discretion of Metroplan.

Metroplan reserves the right to reject any and all applicants if the requirements as set forth herein are not met or if the Selection Committee deems a respondent unqualified on the basis of the

Committee's overall analysis of the criteria outlined above. Metroplan further reserves the right in its sole discretion to select the consultant it considers most favorable to Metroplan's interest.

#### **H. CLARIFICATION OF SPECIFICATIONS**

Requests for clarification of any item, requirement or specification contained in this RFQ/RFP must be received in writing at Metroplan offices no later than 11:00 a.m., Tuesday, January 17, 2012. Upon receipt of a written request for a RFQ/RFP clarification, Metroplan shall respond no later than Thursday, January 19, 2012, by placing both the question(s) and answer(s) on Metroplan's website ([www.metroplan.org](http://www.metroplan.org)). This procedure shall be followed in order to ensure competitive fairness by providing all prospective respondents with the same information. All RFQ clarification requests and replies should be conducted in writing.

Please email all RFQ clarification requests to [mguffey@metroplan.org](mailto:mguffey@metroplan.org) or fax to Marsha Guffey at (501) 372-8060, or deliver such requests to the following address:

METROPLAN  
501 W. Markham, Suite B  
Little Rock, AR 72201  
Voice: 501-372-3300

#### **I. RESPONDENT SUBMITTALS**

To be considered, six (6) copies of the required submittals plus a digital copy must be received at the above address by 11:00 a.m., Tuesday, February 7, 2012. Respondent submissions will be opened at Metroplan offices on the due date after 11:00 a.m. As soon as possible thereafter, each member of the Consultant Selection Committee will be provided a set of documents that includes each respondent's letter of interest and statement of qualifications.

Respondent submittals should be securely sealed in a parcel that is clearly marked "Ozone Awareness". Submittal documentation should be divided into two parts: (1) a letter of interest and statement of qualifications; and (2) the project proposal, separately sealed. The second part should be separately sealed and clearly marked: "OAD Proposal", but may be located within the same parcel as the first part. Respondent submissions not in compliance with the instructions contained in this section and/or not containing the information requested may, at Metroplan's discretion, be declared "non-responsive" and disqualified from consideration.

ATTACHMENT A  
ELIGIBLE BIDDER CERTIFICATION

The Bidder warrants and represents that neither the Bidder, any of its employees or its sub-consultants:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
2. Have not within a three-year period preceding this Bid 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;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph two (2) of this certification; and
4. Have not within a three-year period preceding this application/Bid had one or more public transactions (Federal, State, or local) terminated for cause or default.

The person executing this certification further represents, warrants and affirms the truthfulness and accuracy of the contents of the statements submitted on or with this Certification and understand that the provisions of 31 U.S.C. Sections 3801 Et.Seq are applicable thereto.

\_\_\_\_\_  
BIDDER NAME

BY: \_\_\_\_\_  
Signature

TITLE: \_\_\_\_\_

ATTACHMENT B  
RECEIPT OF ADDENDA CERTIFICATION

The Bidder warrants and represents that it has received all Addenda (if any) issued by Metroplan in connection with this Request for Proposal.

\_\_\_\_\_  
BIDDER NAME

BY: \_\_\_\_\_  
Signature

TITLE: \_\_\_\_\_

ATTACHMENT C  
NON-COLLUSION ASSURANCE AFFIDAVIT

The undersigned, having first been duly sworn, on and under oath, state and affirm as hereinafter stated:

1. That I am the person responsible for the final decision as to the price(s) and amount of this Bid or, if not, that I have written authorization, attached to this certification, from that person to make statements sent forth below on his or her behalf and on behalf of the Bidder.

2. I further attest that:

a. The price(s) and amount of this Bid have been arrived at independently without consultation, communication or agreement for the purpose of restricting competition with any other Consultant, bidder or potential bidder.

b. Neither the price(s) nor the amount of this Bid has been disclosed to any other firm or person who is a bidder or potential bidder on this project, and will not be so disclosed prior to the Bid Opening Date.

c. No attempt has been made or will be made to solicit, cause or induce any firm or person to refrain from bidding on this project or to submit a bid higher than the bid of this firm, or any intentionally high or non-competitive bid or other form of complementary bid.

d. The Bid of this Bidder is made in good faith and not pursuant to any agreement or discussion with or inducement from, any firm or person to submit a complementary bid.

e. This Bidder has not offered or entered into a subcontract or agreement regarding the purchase of materials or services from any firm or person, or offered, promised or paid cash or anything of value to any firm or person, whether in connection with this or any other project, in consideration for an agreement or promise by any firm or person to refrain from bidding or to submit a complementary bid on this project.

f. This Bidder has not accepted or been promised any subcontract or agreement regarding the sale of materials or services to any firm or person, and has not been promised or paid cash or anything of value by any firm or person, whether in connection with this or any other project, in consideration for this Bidder submitting a complementary bid, or agreeing to do so, on this project.

g. I have made a diligent inquiry of all members, officers, employees, and agents of this Bidder with responsibilities relating to the preparation, approval or submission of this Bidder's Bid on this project and have been advised by each of them that he or she has not participated in any

communication, consultation, discussion, agreement, collusion, act or other conduct inconsistent with any of the statements and representations made in this affidavit.

3. Further Affiant sayeth not.

Made and executed this \_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_

Affiant's Signature

SUBSCRIBED AND SWORN to before me a Notary Public of and for the County and State aforesaid on this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_

Notary Public

My Commission Expires: \_\_\_\_\_

ATTACHMENT D  
DISADVANTAGED/WOMEN BUSINESS ENTERPRISE CERTIFICATION

The undersigned, having first been duly sworn, on and under oath, state and affirm as hereinafter stated:

1. That I am the Bidder or I have been authorized by the Bidder to make statements sent forth below on behalf of the Bidder.

2. I further attest that:

a. The Bidder is a Disadvantaged Business Enterprise and meets the eligibility requirements detailed in 49 CFR Part 26.

b. The Bidder is certified with the Arkansas Highway and Transportation Department's DBE/WBE program or, if the Bidder has not been certified through the Arkansas Highway and Transportation Department, the source of the Bidder's DBE certification is: (Please insert source of DBE certification here).

\_\_\_\_\_

\_\_\_\_\_

3. Further Affiant sayeth not.

Made and executed this \_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_

Affiant's Signature

SUBSCRIBED AND SWORN to before me a Notary Public of and for the County and State aforesaid on this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_

Notary Public

My Commission Expires: \_\_\_\_\_

ATTACHMENT E  
EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION

The undersigned, having first been duly sworn, on and under oath, state and affirm as hereinafter stated:

1. That I am the Bidder or I have been authorized by the Bidder to make statements set forth below on behalf of the Bidder.

2. I further attest that:

a. the policy of the Bidder is to insure equal opportunity and non-discrimination, and require that all employees and applicants for employment be treated equally regardless of race, color, sex, national origin, religion, age and physical handicap not related to the ability to perform a particular job or occupation, and,

b. that the Bidder agrees to treat each person fairly without regard to race, color, sex, national origin, religion, age and physical handicap not related to the ability to perform a particular job or occupation, with respect to employment, upgrading, promotion, demotion, transfer, layoffs, termination, rates of pay or other forms of compensation, selection for training, and other terms and conditions of employment and further agrees to include in all recruitment advertising the notation that it is "An Equal Opportunity Employer", and to register its employment advertisements with such minority and female community organizations as appropriate.

3. Further Affiant sayeth not.

Made and executed this \_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_

Affiant's Signature

SUBSCRIBED AND SWORN to before me a Notary Public of and for the County and State aforesaid on this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_

Notary Public

My Commission Expires: \_\_\_\_\_



ATTACHMENT F  
CERTIFICATION OF RESTRICTIONS ON LOBBYING

The undersigned, having first been duly sworn, on and under oath, state and affirm as hereinafter stated:

1. That I am the Bidder or I have been authorized by the Bidder to make statements set forth below on behalf of the Bidder.

2. I further attest that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the Bidder, to any person for influencing or attempting to influence an officer or employee of any agency, 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, and

b. 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 Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the Bidder shall complete and submit the Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions, and,

c. That the Bidder shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

d. The undersigned acknowledges that this certification is a material representation of fact upon which reliance is placed when this transaction is made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S.C. 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.

3. Further Affiant sayeth not.

Made and executed this \_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_

Affiant's Signature

SUBSCRIBED AND SWORN to before me a Notary Public of and for the County and State aforesaid on this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_

Notary Public

My Commission Expires: \_\_\_\_\_

ATTACHMENT G

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, PROPOSED DEBARMENT,  
AND OTHER RESPONSIBILITY MATTERS

A. The Consultant certifies, to the best of its knowledge and belief, that—

1. The Consultant and any of its Principals—

a. Are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any federal or state agency;

b. Have not, within a 3-year period preceding this offer, 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) contract or subcontract; violation of federal or state antitrust statutes relating to the submission of offers; 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 governmental entity with, commission of any of the offenses enumerated in Section A.1.b.; and,

d. The Consultant has not within a 3-year period preceding this offer, had one or more contracts terminated for default by any federal or state agency.

B. Principals, for the purposes of this certification, means officers; directors; owners; partners; and, persons having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a subsidiary, division, or business segment, and similar positions). This certification concerns a matter within the jurisdiction of an agency of the United States and the making of a false, fictitious, or fraudulent certification may render the maker subject to prosecution under Section 1001, Title 18, United States Code, as well as any other applicable federal and state laws.

C. The Consultant shall provide immediate written notice to the Owner if, at any time prior to contract award, the Consultant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

D. The certification is a material representation of fact upon which reliance was placed when making award. If it is later determined that the Consultant knowingly rendered an erroneous certification, the Owner may terminate the contract resulting from this solicitation for default in addition to any other remedies available to the Owner.

D. Further Affiant sayeth not.

Made and executed this \_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_

Affiant's Signature

SUBSCRIBED AND SWORN to before me a Notary Public of and for the County and State aforesaid on this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_

Notary Public

My Commission Expires: \_\_\_\_\_