

## DEBARMENT AND SUSPENSION CERTIFICATION

**\*\*\*PRIME PROPOSER MUST COMPLETE, SIGN AND SUBMIT THIS CERTIFICATION\*\*\***

### TITLE 2, CODE OF FEDERAL REGULATIONS, PART 1200

BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON PAGE 2
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The proposer, under penalty of perjury, certifies, by signing and submitting this Debarment and Suspension Certification, that, except as noted below, he/she, any other person associated therewith in the capacity of owner, partner, director, officer, and/or manager (individually and collectively, "Principal"), or the proposer's subconsultant(s) and any Principal(s) thereof:

- Is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any Federal agency;
- Has not been suspended, debarred, voluntarily excluded or determined ineligible by any Federal agency within the past three (3) years;
- Does not have a proposed debarment pending; and
- Has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three (3) years.

**If there are any exceptions to this certification, insert the exceptions in the following space:**

Exceptions will not necessarily result in denial of award, but will be considered in determining proposer responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

**Note:** Providing false information may result in criminal prosecution or administrative sanctions. The above certification is part of the proposal.

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AUTHORIZED SIGNATURE

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DATE

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NAME AND TITLE

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COMPANY NAME

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COMPANY ADDRESS

## DEBARMENT AND SUSPENSION CERTIFICATION

### INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out herein. The certification or explanation will be considered in connection with the Alameda County Transportation Commission's (Alameda CTC's) determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when Alameda CTC determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, Alameda CTC may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to Alameda CTC to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the definitions and coverage sections of the rules implementing Executive Order 12549 (13 CFR Part 145).
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by Alameda CTC.
7. The prospective primary participant further agrees by submitting this proposal that it will include the certification titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions," provided by Alameda CTC, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the ineligibility of its principals. Each participant may, but is not required to, check the roster of debarred companies at <https://www.sam.gov/SAM/>.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under Paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, Alameda CTC may terminate this transaction for cause or default.