EAST-WEST GATEWAY
Council of Governments
Creating Solutions Across Jurisdictional Boundaries

ATTACHMENT C
Firm Responsibility Information

EAST-WEST GATEWAY
Council of Governments
Creating Solutions Across Jurisdictional Boundaries

Respiratory Equipment Masks IFB # 2023IFB1-MASKS

Firm Name _____

As described in Section II, Part A, Sub-Part 2 of the solicitation documents, the Council will not award a contract for the project to a firm that the Council's determines is not responsible. For each responsive sealed bid, the Council will conduct an initial review of the firm's responsibility. As part of this initial responsibility determination, the Council will review the information your firm provides in its sealed bid and on this Attachment C - Firm Responsibility Information (Attachment C). More information regarding the Council's responsibility determination can be found in Section II, Part A, Sub-Part 2 of the solicitation documents. A responding firm must provide in its sealed bid a fully completed Attachment C. Please type the information into this Attachment C using Adobe Reader or other compatible Adobe product. If you have any issues with the forms please contact the Council's staff person designated in Section VII, Part A of the solicitation documents.

Attachment C include the following forms, that each must be signed:

(1) Debarment & Suspension Certification
(2) Lobbying Certification
(3) Conflicts of Interest Questionnaire & Disclosure Statement

You are NOT permitted to substitute your own format or information for the forms included in this Attachment C.

If you need additional space to provide the information requested in this Attachment C, please use the space provided or attach additional sheets.

An authorized representative of your firm **must sign and date** the certification provided on each form. ***A typed signature is not acceptable.*** The Council will use the information contained in this Attachment C during the evaluation and selection process. For additional information, refer to Section II of the solicitation documents.

The Council may contact your firm to obtain additional information based on your firm's answers to the questions on this Attachment C.

If your firm is selected for a contract award, your firm, and each of its subcontractors / joint venture partners may be required to complete, sign, and return the *Firm Responsibility Information - Detailed Questionnaire*, so that the Council can make a final firm responsibility determination in accordance with Section II, Part C of the solicitation documents. A copy of this questionnaire is provided in Appendix 4 to the solicitation documents. A firm selected for a contract award for this project (including subcontractors / joint venture partners) may be deemed not responsible or ineligible for contract award if the firm fails to complete the questionnaire, as requested, or if the firm's questionnaire reveals any unexplained, material misstatements on this Attachment C.

Your firm should be aware that the Council may deem your firm's bid non-responsive and reject the bid for:

(1) Failure to sign each form in this Attachment C,
(2) Failure to provide all of the information requested in this Attachment C, or
(3) Failure to provide sufficient information for the Council to make an initial responsibility determination.

The Council reserves the right to waive minor errors, omissions, or technicalities in this Attachment C as determined to be in the best interest of the Council.

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Form 1 - Debarment & Suspension Certification

Firm Name _____

As part of the procurement process, your firm must submit a Debarment & Suspension Certification. Select one of the options below and sign and date this form. Your firm's certification is a material representation of fact upon which reliance will be placed when the Council determines whether to enter into a transaction with your firm. If it is later determined that your firm knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the Council may terminate any agreement for cause. Your firm must provide immediate written notice to the Council if learns that its certification was erroneous because of changed circumstances at any time between when it submits a response to the Council's solicitation and the contract being issued.

☐ #1 - The responding firm certifies that:

A. it will comply with Executive Order 12549, Executive Order 12689, and 2 CFR Part 180 as supplemented by 2 CFR Part 3000,

B. to the best of its knowledge and belief, it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency,

C. it shall not knowingly enter into any lower tier covered transaction with a person who is or entity that is debarred, suspended, declared ineligible,or voluntarily excluded from participation in this covered transaction, unless authorized in writing, by the Council, and

D. it shall review the "Excluded Parties Listing System" at www.sam.gov/portal/public/SAM/ and the Missouri "Suspended Vendors List" at https://oa.mo.gov/sites/default/files/suspven.pdf to ensure that it does not enter into any lower tier covered transaction with a person who or firm that is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction.

☐ #2 - The responding firm is unable to certify any of the statements above. *An explanation must be provided in the space below.*

CERTIFICATION

By signing below, I certify that I am authorized to sign this Debarment & Suspension Certification on behalf of my firm and that the information contained on this form is accurate and complete to the best of my knowledge.

Name & Title of Authorized Official _____

Signature of Authorized Official _____

Date _____

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Form 2 - Lobbying Certification

Firm Name _____

As part of the procurement process, your firm must submit a Lobbying Certification. Select one of the options below and sign and date this form. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Your firm's certification is a material representation of fact upon which reliance will be placed when the Council determines whether to enter into a transaction with your firm. If it is later determined that your firm knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the Council may terminate any agreement for cause. Your firm must provide immediate written notice to the Council if learns that its certification was erroneous because of changed circumstances at any time between when it submits a response to the Council's solicitation and the contract being issued.

☐ #1 - The responding firm certifies that:

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

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 any agency, a Member of Congress, 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 responding firm shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

C. The responding firm 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.

The undersigned acknowledges that 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.

☐ #2 - The responding firm is unable to certify any of the statements above. *An explanation must be provided in the space below.*

CERTIFICATION

By signing below, I certify that I am authorized to sign this Lobbying Certification on behalf of my firm and that the information contained on this form is accurate and complete to the best of my knowledge.

Name & Title of Authorized Official _____

Signature of Authorized Official _____

Date _____

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Form 3 - Conflicts of Interest Questionnaire & Disclosure Statement

Firm Name _____

As part of the Council's procurement process, your firm and each of your firm's subcontractors / joint venture partners must complete this Conflicts of Interest Questionnaire & Disclosure Statement (Statement). Please review the Council's Conflicts of Interest Policy (the Policy) that was included as part of the solicitation documents for the above-captioned project. The Policy provides a description of the Council's policies and procedures regarding this Statement. For example, in the Policy, Part G, you can find further explanation regarding the types of communications that do and do not have to be disclosed on this Statement. Select one of the options below and sign and date this form. Your firm's certification is a material representation of fact upon which reliance will be placed when the Council determines whether to enter into a transaction with your firm. If it is later determined that your firm knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the Council may terminate any agreement for cause. Your firm must provide immediate written notice to the Council if learns that its certification was erroneous because of changed circumstances at any time between when it submits a response to the Council's solicitation and the contract being issued. Refer to Section E of the Council's Policy for information about after-discovered conflicts of interest.

Additional Documentation Required -- If your firm checks box #2, then it must attach the following: (i) the applicable question number; (ii) a concise description of the conflict; (iii) an explanation as to why the situation does not affect the firm's ability to objectively perform the contract or does not / will not present an unfair competitive advantage to the firm; and (iv) a concise description of the efforts the firm has taken, or proposes to take, to mitigate the effects of the interest.

☐ #1 - The responding firm certifies that it does not have a conflict of interest as defined in the Council's Conflicts of Interest Policy because:

A. it does not have a prior interest (Policy, Section B, Parts 3(a)(i) and (ii)), a present interest (Policy, Section B, Part 3(b)), or a planned interest (Policy, Section B, Part 3(c)).

B. none of its employees are presently members of any Council or STARRS committees or sub-committees.

C. in the past year (preceding the date the solicitation was issued), none of its employees were members of any Council or STARRS committees or sub-committees.

D. none of its employees attended any Council or STARRS committee or sub-committee meeting where the project / solicitation was discussed.

E. except as described in the Policy, Section G, Part 5, the firm's employees did not communicate with:

(i) any staff / personnel of the Council or STARRS,

(ii) any staff / personnel of the organizations that are expected to benefit from the project / solicitation, or

(iii) any member of a Council or STARRS committee or sub-committee.

F. none of its employees assisted with the development of the specifications / scope of work for the project / solicitation.

☐ #2 - The responding firm is unable to certify that it does not have a conflict of interest. *Additional information must be attached to this form.*

CERTIFICATION

By signing below, I certify that I am authorized to sign this Conflicts of Interest Questionnaire & Disclosure Statement on behalf of my firm and that the information contained on this form is accurate and complete to the best of my knowledge.

Name & Title of Authorized Official _____

Signature of Authorized Official _____

Date _____