



## REPRESENTATIONS AND CERTIFICATIONS

**NAME AND ADDRESS OF BIDDER:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**EMARYLAND MARKETPLACE ADVANTAGE VENDOR NUMBER:** \_\_\_\_\_

**UEI NUMBER:** \_\_\_\_\_ **DATE OF BID:** \_\_\_\_\_

In the block above, the offeror should supply their Unique Entity Identifier (UEI.) You may obtain a UEI at <https://www.sam.gov>. No offeror should delay the submission of its offer pending receipt of its UEI Number.

THE BIDDER MAKES THE FOLLOWING REPRESENTATIONS AND CERTIFICATIONS, BY PLACING A CHECK IN THE APPROPRIATE SPACES OR OTHERWISE AS APPROPRIATE, AS PART OF THE BID IDENTIFIED ABOVE. ("BID" AND "BIDDER" SHALL MEAN "OFFER" AND "OFFEROR".) A COMPLETED REPRESENTATIONS AND CERTIFICATIONS FORM SHOULD BE RETURNED WITH YOUR BID.

### I. CONTINGENT FEE REPRESENTATION AND AGREEMENT

A. Representation: The offeror represents that except for full-time bona fide employees working solely for the offeror, the offeror: (Note: The offeror must check the appropriate boxes. For interpretation of the representation, including the term "bona fide employee" see Subpart 3.4 of the Federal Acquisition Regulation.)

1. ( ) has, ( ) has not employed or retained any person or company to solicit or obtain this contract; and
2. ( ) has, ( ) has not paid or agreed to pay to any person or company employed or retained to solicit or obtain this contract any commission, percentage, brokerage, or other fee contingent upon or resulting from the award of this bid.

B. Agreement: The offeror agrees to provide information relating to the above Representation as requested by the Contracting Officer.

### II. TYPE OF BUSINESS ORGANIZATION

The bidder, by checking the applicable box, represents that it operates as:

( ) a corporation incorporated under the laws of the State of \_\_\_\_\_,  
 ( ) an individual,  
 ( ) a partnership,  
 ( ) a non-profit organization,  
 ( ) a joint venture, or  
 ( ) a limited liability corporation.

By signing this format the end, the authorized bidder attests that their company is registered to conduct business in the State of Maryland.

### III. CERTIFICATE OF INDEPENDENT PRICE DETERMINATION

A. The Offeror certifies that:

1. The prices in this offer have been arrived at independently, without, for the purpose of restricting competition, any consultation, communications, or agreement with any other offeror or competitor relating to:
  - a. those prices
  - b. the intention to submit an offer, or
  - c. the methods or factors used to calculate the prices offered;
2. The prices in this offer have not been and will not be knowingly disclosed by the offeror, directly or indirectly, to any other offeror or competitor before bid opening (in the case of a formally advertised solicitation) unless otherwise required by law; and
3. No attempt has been made or will be made by the offeror to induce any other concern to submit or not to submit an offer for the purpose of restricting competition.

B. Each signature on the offer is a certification by the signatory that the signatory:

1. Is the person in the offeror's organization responsible for determining the prices being offered in this bid or proposal, and that the signatory has not participated and will not participate in any action contrary to subparagraphs (A) (1) through (A) (3) above; or
2. (a) Has been authorized, in writing, to act as agent for the following principals in certifying that those principals have not participated, and will not participate in any action contrary to subparagraphs (A) (1) through (A) (3) above

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Insert full name of person(s) in the offeror's organization responsible for determining the prices offered in this bid or proposal, and the title of his or her position in the offeror's organization; and (b) as an authorized agent, does certify that the principals named in section (B) (2) above have not participated and will not participate, in any action contrary to subparagraphs (A) (1) through (A) (3) above; and

3. As an agent, has not personally participated, and will not participate, in any action contrary to subparagraphs (A) (1) through (A) (3) above.
- C. If the Offeror deletes or modifies subparagraph (a) (2) above, the Offeror must furnish with its offer a signed statement setting forth in detail the circumstances of the disclosure.

### IV. PARENT COMPANY AND IDENTIFY DATA

- A. A "parent" company, for the purpose of this provision, is one that owns or controls the activities and basic business policies of the bidder. To own the bidding company means that the parent company must own more than 50% of the voting rights in that company. A company may control a bidder as a parent even though not meeting the requirement for such ownership if the parent company is able to formulate, determine, or veto basic policy decisions of the offeror through the use of dominant minority voting rights, use of proxy voting or otherwise.
- B. The bidder ( ) is, ( ) is not (check applicable box) owned or controlled by a parent company.

C. If the bidder checked "is" in paragraph (B) above, it shall provide the following information:

1. Parent Company's Employer Identification Number

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2. Name and Main Office Address of Parent Company  
(Please Include Zip Code)

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#### **V. CLEAN AIR AND WATER CERTIFICATION**

The Offeror certifies that:

- A. Any facility to be used in the performance of this proposed contract is ( ), is not ( ) listed on the Environment Protection Agency List of Violating Facilities;
- B. The Offeror will immediately notify the Contracting Officer, before award, of the receipt of any communication from the Administrator, or a designee, of the Environmental Protection Agency, indicating that any facility that the offeror proposes to use for the performance of the Contract is under consideration to be listed on the EPA list of Violating Facilities; and
- C. The Offeror will include a certification substantially the same as this certification, including this paragraph C, in every non-exempt subcontract.

#### **VI. CERTIFICATION OF WORK CAPACITY**

We hereby certify that we have the equipment, labor, supervision, and financial capacity to perform this Contract in accordance with all conditions, stipulations and provisions contained herein.

#### **VI. SIGNATURE**

I hereby certify that all information on this form, shown in Sections I through Section VI, is correct:

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(signature & date)

**A COMPLETED REPRESENTATIONS AND CERTIFICATIONS IS TO BE RETURNED WITH THIS BID.**