

BIDDER CERTIFICATIONS

**ALAMEDA COUNTY FLOOD CONTROL AND
WATER CONSERVATION DISTRICT, ZONE 7 WATER AGENCY**

PROJECT TITLE:

TO BE EXECUTED BY ALL BIDDERS AND SUBMITTED WITH BID

The undersigned Bidder certifies to the Alameda County Flood Control and Water Conservation District, acting by and through its Zone 7 Water Agency, as set forth in sections 1 through 7 below.

1. CERTIFICATE OF NON-DISCRIMINATION

By my signature hereunder, on behalf of the Bidder making this Bid, the undersigned certifies that there will be no discrimination in employment with regard to race, color, religion, gender, sexual orientation, or national origin; that all federal, state, and local directives and executive orders regarding non-discrimination in employment will be complied with; and that the principle of equal opportunity in employment will be demonstrated positively and aggressively.

2. STATEMENT OF CONVICTIONS

By my signature hereunder, I hereby swear, under penalty of perjury, that no more than one final, unappealable finding of contempt of court by a Federal Court has been issued against Bidder within the past two years because of failure to comply with an order of a Federal Court or to comply with an order of the National Labor Relations Board.

3. PREVIOUS DISQUALIFICATIONS

By my signature hereunder, I hereby swear, under penalty of perjury, that the below indicated Bidder, any officer of such Bidder, or any employee of such Bidder who has a proprietary interest in such Bidder, has never been disqualified, removed or otherwise prevented from bidding on, or completing a Federal, State, or local government project because of a violation of law or a safety regulation except as indicated on the separate sheet attached hereto entitled "Previous Disqualifications." If such exceptions are attached, please explain the circumstances.

4. CERTIFICATION OF WORKER'S COMPENSATION INSURANCE

By my signature hereunder, as the Contractor, I certify that I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for worker's compensation or to undertake self-insurance in accordance with

the provisions of that Code, and I will comply with such provisions before commencing the performance of the work of this Contract.

5. CERTIFICATION OF PREVAILING WAGE RATES AND RECORDS

By my signature hereunder, as the Contractor, I certify that I am aware of the provisions of Section 1773 of the Labor Code, which requires the payment of prevailing wage on public projects. Also, the Contractor and any subcontractors under the Contractor shall comply with Section 1776, regarding wage records, and with Section 1777.5, regarding the employment and training of apprentices, of the Labor Code. It is the Contractor's responsibility to ensure compliance by any and all subcontractors performing work under this Contract.

6. AFFIDAVIT OF SAFETY COMPLIANCE

By my signature hereunder, as the Contractor, I certify that I agree in accordance with the requirements of California Labor Code Section 6400 and related provisions of law, the Contractor, the Contractor's privities, and any other entities acting pursuant to this Contract will be "employers" responsible for furnishing employment and a place of employment that is safe and healthful for the employees, if any, of such entities acting pursuant to the Contract and that the Zone 7 Water Agency will not be responsible for having hazards corrected and/or removed at the location where the work under the Contract is to be performed.

The Contractor shall conduct its operations to eliminate or reduce hazards and risks associated with Contractor's activities, to prevent accidents and injuries, and to prevent property damage. Therefore, the Contractor is fully responsible for and shall be in compliance with all of the most current safety, health and environmental regulations (federal, state and local). Non-compliance with these regulations may result in suspension or termination of work in progress. The Contractor's Safety Program must accomplish the foregoing objectives. The Contractor certifies that its Safety Program complies with and will satisfy these requirements. The Contractor also certifies that each subcontractor at any tier and other parties engaged in the performance of work on the Project worksite will also comply with and will satisfy these requirements.

The Contractor shall submit its Safety Program prior to commencement of work on the Project. The Contractor certifies that it can furnish satisfactory evidence of compliance with all of the most current safety, health and environmental regulations (federal, state and local) and the Contractor's Safety Program. The Contractor further acknowledges that its subcontractors at any tier will provide all Safety Compliance documents to Contractor.

7. CERTIFICATION OF ADEQUACY OF CONTRACT AMOUNT

By my signature hereunder, as the Contractor, pursuant to Labor Code Section 2810(a), I certify that, if awarded the Contract based on the undersigned's Bid, the Contract will include funds sufficient to allow the Contractor to comply with all applicable local, state, and federal laws or regulations governing the labor or services to be provided. I understand that the District will be relying on this certification if it awards the Contract to the undersigned.

8. CERTIFICATION OF COMPLIANCE WITH CARB OFF-ROAD DIESEL REGULATION

By my signature hereunder, as the Contractor, I certify that I am aware of and agree to comply with the requirements of California Air Resources Board (CARB) In-Use Off-Road Diesel-Fueled Fleets Regulation, California Code of Regulations, Title 13, Article 4.8.

Requirements include, but are not limited to, Contractor shall furnish, for the fleet selected for the Contract and all listed subcontractors in Document 00430 (Subcontractors List) where vehicles subject to the Off-Road Regulation will operate, a valid Certificate of Reported Compliance to the District prior to entering into a Contract with District. Contractor shall retain the Certificate(s) of Reported Compliance for three years after project completion and shall make these records available upon request by CARB within five Business Days of the request.

Bidder: _____
[Name of Bidder]

By: _____
[Signature]

Name: _____
[Printed Name]

Its: _____
[Title]

Dated: _____

END OF DOCUMENT