

BIDDER INFORMATION AND CERTIFICATION SHEET

The undersigned hereby acknowledges she/he has read and understands all requirements and specifications of the Invitation to Bid (ITB), including all attachments.

OFFICIAL CONTACT: The Port requests that the Bidder designate one person as authorized to receive, on behalf of the Bidder, all communication from the Port of Astoria regarding the attached Bid. Identify the Contact name and fill in the information below. Please print clearly.

| | |
|--|--|
| Legal Name of Bidder | |
| Address | |
| City, State, Zip | |
| State of Entity Registration | |
| Entity Type | |
| Contact Name | |
| Phone | |
| Email | |
| OR Business Registry No. (if applicable) | |
| Resident Bidder under ORS 279A.120? [yes or no] | |

By its submission of this Bid and authorized signature below, Bidder certifies to the following:

1. (a) Bidder grants permission to the Port of Astoria to contact the above-named person (Contact Name) to verify the information contained therein and for all other purposes in connection with the Bidder.

(b) The information contained within the Bidder is true and accurate.
2. (a) The Bid has been developed independently, without consultation, communication or agreement with any employee, agent, or consultant to the Port.

(b) The Bid has been developed independently, without consultation, communication or agreement with any other Bidder or other parties for the purpose of restricting competition or any other illicit purpose.

(c) No attempt has been made or will be made by the Bidder to induce any other Bidder to submit or not to submit a Bid for the purpose of restricting competition.

(d) No relationship exists or will exist during the contract period between Bidder and the Port or any other State agency that interferes with fair competition or constitutes a conflict of interest.
3. (a) Bidder acknowledges receipt of any and all addenda, exhibits, or other attachments to this ITB.

- (b) Bidder understands and accepts the procedures, evaluation criteria, and other requirements of this ITB.
- (c) If selected for award of the contract, Bidder agrees to negotiate a contract with the Port for completion of the Project in good faith.
4. Bidder is not in violation of any tax laws of the state, or a political subdivision of the state that applies to the Bidder or to the performance of the Contract, or any rules and regulations that implement or enforce those tax laws, including, without limitation, ORS 305.620 and ORS chapters 316, 317 and 318. Bidder further certifies that it has been in compliance with such tax laws for at least six years in the past from the date of Closing.
5. (a) Bidder has not discriminated, and will not discriminate, against a subcontractor in the awarding of a subcontract because the subcontractor is certified under ORS 200.055 as a disadvantaged business enterprise, a minority-owned business, a woman-owned business, an emerging small business, or a Veteran-owned business, in accordance with ORS 279A.110(4).
6. Bidder and Bidder's employees, agents, and subcontractors are not included on:
- A. the "Specially Designated Nationals and Blocked Persons" list maintained by the Office of Foreign Assets Control of the United States Department of the Treasury found at: <https://www.treasury.gov/ofac/downloads/sdnlist.pdf>, or
 - B. the government wide exclusions lists in the System for Award Management found at: <https://www.sam.gov/portal/>
7. Bidder certifies that, to the best of its knowledge, there exists no actual or potential conflict between the business or economic interests of Bidder, its employees, or its agents, on the one hand, and the business or economic interests of the Port, on the other hand, arising out of, or relating in any way to, the subject matter of the ITB. If any changes occur with respect to Bidder's status regarding conflict of interest, Bidder shall promptly notify the Port in writing.
8. Bidder understands that any statement or representation it makes, in response to this ITB, if determined to be false or fraudulent, a misrepresentation, or inaccurate because of the omission of material information could result in a "claim" {as defined by the Oregon False Claims Act, ORS 180.750(1)}, subject to the Oregon False Claims Act, ORS 180.750 to 180.785, and to any liabilities or penalties associated with the making of a false claim under that Act.
9. Bidder certifies that neither it, nor any of its principals:
- (a) have been debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a Federal Agency or State Agency;
 - (b) have within a three year period preceding this Bidder been convicted of, or had a civil judgment rendered against them for commission of fraud, 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 antitrust statutes; commission of embezzlement, theft, forgery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) are presently indicted for or criminally or civilly charged by a government entity (federal, state, or local) with the commission of any of the offenses enumerated in this certification; and

(d) have not within a three year period preceding this Bidder had one or more public transactions (federal, state, or local) terminated for cause. This certification is a material representation of fact upon which the Port will rely in entering into any contract with the Bidder. If it is later determined that Bidder knowingly rendered an erroneous certification, in addition to other remedies available, the Port may pursue available remedies including suspension, debarment, or termination of the contract.

- 10. Bidder certifies that it has available the appropriate financial, material, equipment, facility and personnel resources and expertise, or ability to obtain the resources and expertise, necessary to demonstrate the capability of the firm to meet all contractual responsibilities.
- 11. Bidder certifies that it qualifies as a carrier-insured employer or a self-insured employer under ORS 656.407 or has elected coverage under ORS 656.128.
- 12. Bidder acknowledges these certifications are in addition to any certifications required under the Contract.

Authorized Signature

Date

Printed Name

Title

EXHIBIT G

**OREGON DEPARTMENT OF FISH AND WILDLIFE
Certification Regarding
Federal Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier
Covered Transactions**

This certification is required by the regulations implementing Executive Order 12549, "Debarment and Suspension", and 2 CFR Part 180 or 48 CFR 52.209-6.

By signing and submitting this form, the prospective lower tier participant is providing the certification set out below.

- The prospective lower tier participant certifies, by submission of this form, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
- The prospective lower tier participant shall provide immediate written notice to the person to which this form is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- The prospective lower tier participant agrees by submitting this form that, should the proposed 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 the department or agency with which this transaction originated.
- The prospective lower tier participant further agrees by submitting this form that it will include the clause titled "Debarment and Suspension," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
- Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this form.

Full Organization Name:

Name and Title of Authorized Representative:

Signature Date:

284-25

ODFW Agreement Number:

EXHIBIT G continued

OREGON DEPARTMENT OF FISH AND WILDLIFE
Certification Regarding
Federal Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered
Transactions
Instructions for Certification

- 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 rules implementing Executive Order 12549. You may contact the person to which this form is submitted for assistance in obtaining a copy of those regulations.
- A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that 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 eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List (<http://epls.gov>).
- Nothing contained in the foregoing shall be constructed to require establishment of a system of records in order to render in good faith the certification required by the 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.

BYRD ANTI-LOBBYING CERTIFICATION

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an 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.

(2) 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 undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned 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.

This certification is a material representation of fact upon which reliance was placed when this transaction was 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. Code. 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.

Signature

Printed Name

Title

Date

Company