# EXHIBIT A – CERTIFICATION AND ASSURANCES FORM BIDDER/APLICANT INFORMATION

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| --- | --- |
| Business Name: |  |
| Name of Authorized Representative: |  |
| Address: |  |
| City: |  | State: |  | Zip: |  |
| Cell Phone: |  |
| Office Phone: |  |
| E-mail: |  |
| TIN (Tax Identification Number):[Internal Revenue Service](https://www.irs.gov/individuals/international-taxpayers/taxpayer-identification-numbers-tin) |  |
| WA UBI (Unified Business Identifier):[WA Department of Licensing](https://www.dol.wa.gov/) |  |

All in-state Bidders/Applicants must be licensed to do business in Washington State.

Out-of-state Bidders/Applicants should seek guidance from [WA Department of](https://www.dol.wa.gov/)

[Licensing](https://www.dol.wa.gov/) for specific UBI requirements.

# EXECUTIVE STAFF

|  |
| --- |
| **List information for each principal officer (President, Vice-President, Treasurer, Chairperson of the Board of Directors, etc.).** |
| **Name** | Title | Address | Phone Number |
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Bidder/Applicant makes the following certifications and assurances as a required element of the bid, quotation, and/or proposal, to which it is attached, understanding that the truthfulness of the

facts affirmed here and the continuing compliance with these requirements are conditions precedent to the award or continuation of the related contract(s):

1. **UNDERSTANDING.** Bidder certifies that Bidder has read, thoroughly examined, and fully understands all of the provisions in the Competitive Application (including all exhibits) and the terms and conditions of the Contract and any amendments or clarifications to the Competitive Application and agrees to abide by the same.
2. **ACCURACY.** Bidder declares that all answers and statements made in the bid, quotation, and/or proposal are true and correct.
3. **NO COLLUSION OR ANTI-COMPETITIVE PRACTICES.** The prices and/or cost data have been determined independently, without consultation, communication, or agreement with others for the purpose of restricting competition. However, Bidder may freely join with other persons or organizations for the purpose of presenting a single bid, quotation, and/or proposal.
4. **FIRM OFFER.** The attached bid, quotation, and/or proposal is a firm offer for a period of 90 calendar days following receipt, and it may be accepted by the Agency without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 90-day period.
5. **CONFLICT OF INTEREST.** In preparing this bid, quotation, and/or proposal, Bidder has not been assisted by any current or former employee of the State of Washington whose duties relate (or did relate) to this bid, quotation, and/or proposal or prospective contract, and who was assisting in other than his or her official, public capacity. (Any exceptions to these assurances are described in full detail on a separate page and attached to this document.)
6. **NO REIMBURSEMENT.** Bidder understands that the Agency will not issue reimbursement for any costs incurred in the preparation of this bid, quotation, and/or proposal. All bids, quotations and/or proposals become the property of the Agency, and the Bidder claim no proprietary right to the ideas, writings, items, or samples, unless so stated in this bid, quotation, and/or proposal.
7. **DISCLOSURE.** Unless otherwise required by law, the prices and/or cost data that have been submitted have not been knowingly disclosed by the Bidder and will not knowingly be disclosed by the bidder prior to award, directly or indirectly to any other Bidder or to any competitor.
8. **PERFORMANCE**. Bidder agrees that submission of bid documents, quotation and/or proposal constitutes acceptance of the Application contents, including all attached or linked terms and conditions. If there are any exceptions to these terms and conditions, the Bidder has described those exceptions in detail on a page attached to Bidder’s submission documents.
9. **HARASSMENT.** Per [RCW 43.01.135](https://app.leg.wa.gov/RCW/default.aspx?cite=43.01.135), Sexual harassment in the workplace, Agency Contractors/Grantee hereby have access to DNR Policy PO01-052 Sexual Harassment:

<https://www.dnr.wa.gov/publications/em_harassment_prevention_policy.pdf>

1. **RESTRICTING COMPETITION.** No attempt has been made or will be made by the Bidder to persuade any other person or firm to submit or not to submit a bid, quotation, and/or proposal for the purpose of restricting competition.
2. **REFERENCES.** Bidder grants the Agency the right to contact references and others, who may have pertinent information regarding the Bidder’s prior experience and ability to perform the goods delivered or services rendered contemplated in this procurement.
3. **LICENSED IN WASHINGTON STATE.** Bidder will become licensed to do business in the State of Washington (if applicable) prior to providing delivered goods or rendered services to DNR.
4. **PREVIOUS STATE EMPLOYEES.** If any staff member(s) who will perform work on this contract has retired from the State of Washington under the provisions of the 2008 Early Retirement Factors legislation, list their name(s) on a separately attached page. WAC

## 415.02.325 RCW 41.50.139

1. **DEBARMENT.** Bidder certifies as follows (must check one):
	* NO DEBARMENT. Bidder and/or its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from contracting with any federal, state, or local governmental entity.

## OR

* + DEBARRED. As detailed on the attached explanation (Bidder to provide), Bidder and/or its principals presently are debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from contracting with a federal, state, or local governmental entity.
1. **CRIMINAL OFFENSE.** Bidder certifies as follows (must check one):
	* NO CRIMINAL OFFENSE. Bidder and its officers, directors, and managers have not, within the three (3) year period preceding the date of this Competitive Application , been convicted or had a civil judgment rendered against Bidder or such officers, directors, and managers for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a governmental contract; violation of any federal or state antitrust statute; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property. Bidder further certifies that Bidder and its officers, directors, and managers are not presently indicted or otherwise criminally or civilly charged by a governmental entity with commission of any of the offenses enumerated in this paragraph.

## OR

* + CRIMINAL OFFENSE. As detailed on the attached explanation (Bidder to provide), within the three (3) year period preceding the date of this Competitive Application , Bidder or its officers, directors, or managers have been convicted or had a civil judgment rendered against Bidder or such officers, directors, or managers for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a governmental contract; violation of any federal or state antitrust statute; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
1. **TERMINATION FOR DEFAULT OR CAUSE.** Bidder certifies as follows (must check one):
	* NO TERMINATION FOR DEFAULT OR CAUSE. Bidder has not, within the three (3) year period preceding the date of this Competitive Application , had one (1) or more federal, state, or local governmental contracts terminated for cause or default.

## OR

* + TERMINATION FOR DEFAULT OR CAUSE. As detailed on the attached explanation (Bidder to provide), within the three (3) year period preceding the date of this Competitive Application , Bidder has had one (1) or more federal, state, or local governmental contracts terminated for cause or default.
1. **TAXES.** Bidder certifies as follows (must check one):
	* TAXES PAID. Except as validly contested, Bidder is not delinquent and has paid or has arranged for payment of all taxes due to the State of Washington and has filed all required returns and reports as applicable.

## OR

* + DELINQUENT TAXES. As detailed on the attached explanation (Bidder to provide), Bidder has not paid or arranged for payment of all taxes due to the State of Washington and/or has not timely filed all required returns and reports as applicable.
1. **FINANCIALLY SOLVENT.** Bidder certifies as follows (must check one):
	* FINANCIALLY SOLVENT. Bidder is financially stable and solvent, has adequate cash reserves to meet all financial obligations, has not commenced bankruptcy proceedings voluntarily or otherwise, and is not subject to any judgments, liens, or encumbrances of any kind affecting title to any Goods or Services that are the subject of this Competitive Application.

## OR

* + NOT FINANCIALLY SOLVENT. As detailed on the attached explanation (Bidder to provide), Bidder is not financially stable and solvent – i.e., Bidder does not have adequate cash reserves to meet all financial obligations, has commenced bankruptcy

proceedings voluntarily or otherwise, or is subject to a judgment, lien, or encumbrance that affects title to the Goods or Services that are the subject of this Competitive Application.

1. **LAWFUL REGISTRATION.** Bidder, if conducting business other than as a sole proprietorship certifies as follows (must check one):

**NOTE:** This certification applies only to bidders that are organized as separate legal entities (e.g., a corporation, partnership, Limited Liability Company). If bidder is a sole proprietor, this certification should not be answered.

* + CURRENT LAWFUL REGISTRATION. Bidder is in good standing in the State of Washington and the jurisdiction where Bidder is organized, including having timely filed all required annual reports.

## OR

* + DELINQUENT REGISTRATION. As detailed on the attached explanation (Bidder to provide), Bidder currently is not in good standing in the State of Washington and/or the jurisdiction where Bidder is organized.

# REGISTRATION WITH WASHINGTON SECRETARY OF STATE. Bidder, is

conducting business other than as a sole proprietorship, certifies as follows (must check one):

**NOTE:** This certification applies only to bidders that are organized as separate legal entities (e.g., a corporation, partnership, Limited Liability Company). If bidder is a sole proprietor, this certification should not be answered.

* + BIDDER IS REGISTERED WITH WASHINGTON SECRETARY OF STATE. Bidder

is registered with the Washington Secretary of State, is in good standing, and has the following Unified Business Identifier (UBI) number: .

## OR

* + BIDDER WILL REGISTER WITH WASHINGTON SECRETARY OF STATE.

Bidder is not registered with the Washington Secretary of State but, if designated as the Apparent Successful Bidder, Bidder will register with the Washington Secretary of State and obtain a UBI number within twenty-four (24) hours of such designation or notification by the Agency or be deemed a nonresponsive bid.

## OR

* + BIDDER IS NOT REGISTERED WITH WASHINGTON SECRETARY OF STATE.

Bidder is not registered with the Washington Secretary of State and Bidder declines to register with the Washington Secretary of State.

# REGISTRATION WITH WASHINGTON STATE DEPARTMENT OF REVENUE.

Bidder certifies as follows (must check one):

## BIDDER IS REGISTERED WITH WASHINGTON STATE DEPARTMENT OF

REVENUE. Bidder is registered with the Washington State Department of Revenue, has a business license to do business in Washington, and has the following Unified Business Identifier (UBI) number: .

## OR

* + BIDDER WILL REGISTER WITH WASHINGTON STATE DEPARTMENT OF

REVENUE. Bidder is not registered with the Washington State Department of Revenue but, if designated as the Apparent Successful Bidder, Bidder will register with the Washington State Department of Revenue and obtain a business license within twenty- four (24) hours of such designation or notification by the Agency or be deemed a nonresponsive bid.

## OR

* + BIDDER IS NOT REGISTERED WITH WASHINGTON STATE DEPARTMENT

OF REVENUE. Bidder is not registered with the Washington State Department of Revenue and Bidder declines to register with the Washington State Department of Revenue.

1. **WAGE THEFT PREVENTION**. Bidder certifies as follows (must check one):
	* No Wage Violations. This firm has NOT been determined by a final and binding citation and notice of assessment issued by the Washington Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in [RCW 49.48.082,](http://app.leg.wa.gov/RCW/default.aspx?cite=49.48.082) any provision of RCW chapters [49.46,](http://app.leg.wa.gov/RCW/default.aspx?cite=49.46) [49.48](http://app.leg.wa.gov/RCW/default.aspx?cite=49.48), or [49.52](http://app.leg.wa.gov/RCW/default.aspx?cite=49.52) within three (3) years prior to the date of the above-referenced procurement Application date.

## OR

* + Violations of Wage Laws. This firm has been determined by a final and binding citation and notice of assessment issued by the Washington Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in [RCW 49.48.082](http://app.leg.wa.gov/RCW/default.aspx?cite=49.48.082), any provision of RCW chapters [49.46](http://app.leg.wa.gov/RCW/default.aspx?cite=49.46), [49.48](http://app.leg.wa.gov/RCW/default.aspx?cite=49.48), or [49.52](http://app.leg.wa.gov/RCW/default.aspx?cite=49.52) within three (3) years prior to the date of the above-referenced procurement Application date.
1. **WORKERS’ RIGHTS (EXECUTIVE ORDER 18-03).** Bidder certifies as follows (must check one):
	* No Mandatory Individual Arbitration Clauses and Class or Collective Action Waivers for Employees. Bidder does NOT require its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waivers.

## OR

* + Mandatory Individual Arbitration Clauses and Class or Collective Action Waivers for Employees**.** Bidder requires its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waivers.
1. **WASHINGTON STATE SUBCONTRACTORS.** Bidder certifies as follows (must check one):
	* No Subcontractors. If awarded a Contract, Bidder will not use subcontractors to provide the goods and/or services subject to this Competitive Application.

## OR

* + Yes Subcontractors. If awarded a Contract, Bidder will use subcontractors to provide the goods and/or services subject to this Competitive Application. Bidder must complete in its entirety EXHIBIT C – Sub Contractor inclusion plans per DES POL- DES-090-06

In such event, Bidder certifies that, as to the Agency, Bidder shall retain responsibility for its subcontractors, including, without limitation, liability for any subcontractor’s acts or omissions. Note: Bidder must provide the precise legal name (including state of organization), business address, and federal tax identification number (TIN) for each subcontractor. Note: Do not provide any SSN.

1. **WASHINGTON STATE CERTIFIED SMALL BUSINESS.** Bidder certifies as follows (must check one):
	* Washington Small Business. Bidder is a Washington Small Business as defined in RCW 39.26.010. To qualify as a Washington Small Business, Bidder must meet three

(3) requirements:

* Location. Bidder’s principal office/place of business must be located in and identified as being in the State of Washington. A principal office or principal place of business is a firm’s headquarters where business decisions are made and the location for the firm’s books and records as well as the firm’s senior management personnel.
* Size. Bidder must be owned and operated independently from all other businesses and have either: (a) fifty (50) or fewer employees; or (b) gross revenue of less than seven million dollars ($7,000,000) annually as reported on Bidder’s federal income tax return or its return filed with the Washington State Department of Revenue over the previous three consecutive years.
* WEBS Certification. Bidder must have certified its Washington Small Business status in Washington’s Electronic Business Solution (WEBS).

## OR

* + Not Washington Small Business**.** Bidder is not a Washington Small Business as defined in RCW 39.26.010.

# WASHINGTON STATE CERTIFIED VETERAN-OWNED BUSINESS. Bidder

certifies as follows (must check one):

* + Certified Veteran-Owned Business. Bidder is a Certified Veteran-Owned Business under RCW 43.60A.190. To qualify as a Certified Veteran-Owned Business, Bidder must meet four (4) requirements:
		- 51% Ownership. Bidder must be at least fifty-one percent (51%) owned and controlled by:
			1. A veteran as defined as every person who at the time he or she seeks certification has received a discharge with an honorable characterization or received a discharge for medical reasons with an honorable record, where applicable, and who has served in at least one of the capacities listed in RCW 41.04.007;
			2. A person who is in receipt of disability compensation or pension from the department of veterans affairs; or
			3. An active or reserve member in any branch of the armed forces of the United States, including the national guard, coast guard, and armed forces reserves.
		- Washington Incorporation/Location. Bidder must be either an entity that is incorporated in the state of Washington as a Washington domestic corporation or, if not incorporated, an entity whose principal place of business is located within the State of Washington.
		- WEBS Certification. Bidder must have certified its Veteran-Owned business status in Washington’s Electronic Business Solution (WEBS).
		- WDVA Certification. Bidder must have provided certification documentation to the Washington Department of Veterans’ Affairs WDVA and be certified by WDVA and listed as such on WDVA’s website (WDVA – Veteran-Owned Businesses).

## OR

* + Not a Certified Veteran-Owned Business. Bidder is not a Certified Veteran-Owned Business under RCW 43.60A.190.
1. **MINORITY AND WOMEN OWNED PARTICIPATION** (must check one)
	* Minority Owned Business
	* Women-Owned Business
	* None of The Above

# PREFERENCE FOR PCB-FREE PRODUCTS & PRODUCTS-IN-PACKAGING.

## ☒ AGENCY HAS DETERMINED THIS PREFERENCE DOES NOT APPLY.

**Note:** If the above box is checked this preference does not apply. If the box above is not checked complete the following:

Pursuant to RCW 39.26.280, the Washington State Department of Natural Resources is required to provide a preference to a Bidder that provides products and/or product packaging that do not contain Polychlorinated Biphenyls (PCBs). In the event products and/or product packaging are tested, and no products or product packaging contain zero PCBs, a preference of 5% will be given to bidders who provide evidence that the products and/or product packaging, identified above contain the least amount of PCBs. The method for testing products and/or packaging for PCBs must be per the U.S. Environmental Protection Agency (EPA) Analytical Method 1668c. (must check one):

* + NO BID PREFERENCE. Bidder is not seeking a bid preference for PCB-Free Products & Products-In-Packaging.

## OR

* + BID PREFERENCE FOR ALL PRODUCTS & PRODUCTS-IN-PACKAGING.

Bidder is seeking a bid preference for all of Bidder’s products pertaining to the above referenced Competitive Application . Bidder certifies that each and all of Bidder’s products identified in the above referenced Competitive Application have been tested, within the previous 365 days, by an independent, third party laboratory using Environmental Protection Agency Analytical Method 1668c, and have been found NOT to contain PCBs. Bidder further certifies that the attached test results are the official test results for such products.

## OR

* + BID PREFERENCE FOR SPECIFIC PRODUCTS & PRODUCTS-IN-PACKAGING.

Bidder IS seeking a bid preference for Bidder’s following specific product(s) pertaining to the above referenced Competitive Application . Bidder certifies that each of Bidder’s listed product(s) pertaining to the above referenced Competitive Application have been tested, within the previous 365 days, by an independent, third party laboratory using Environmental Protection Agency Analytical Method 1668c, and have been found NOT to contain PCBs. Bidder further certifies that the attached test results are the official test results for such product(s).

# PREFERENCE FOR ELECTRONIC PRODUCTS

## ☒ AGENCY HAS DETERMINED THIS PREFERENCE DOES NOT APPLY.

**Note:** If the above box is checked this preference does not apply. If the box above is not checked complete the following:

Pursuant to RCW 39.26.265, the Agency is required to provide a preference to a Bidder that provides electronic products that have achieved EPEAT Silver or Gold registration.

Bidders who seek to obtain the bid preference for electronic products must certify that the products identified have achieved EPEAT Silver or Gold registration. Bidder certifies as follows (must check one):

* + NO BID PREFERENCE. Bidder is not seeking a bid preference for Electronic Products

## OR

* + BID PREFERENCE FOR ALL PRODUCTS Bidder is seeking a bid preference for all of Bidder’s products pertaining to the above referenced Application. Bidder certifies all product(s) identified above have achieved EPEAT Silver or Gold registration. Documentation to support the EPEAT registration for each applicable product is attached to this certification.

# PREFERENCE FOR NON-HYDROFLUOROCARBONS (HFCS)

## ☒ AGENCY HAS DETERMINED THIS PREFERENCE DOES NOT APPLY.

**Note:** If the above box is checked this preference does not apply. If the box above is not checked complete the following:

Pursuant to RCW 39.26.310, the Agency is required to provide a preference to a Bidder that provides products that contain NO HFCs or contain HFCs with a comparatively low global warming potential. The products that will be eligible for a preference are all products with an “Acceptable” Substitute Listing Status, as identified by the [Environmental Protection](https://www.epa.gov/snap) [Agency’s (EPA) Significant New Alternatives Policy (SNAP)](https://www.epa.gov/snap) Program. Bidder certifies as follows (must check one):

* NO BID PREFERENCE. Bidder is not seeking a bid preference for Electronic Products

## OR

* BID PREFERENCE FOR ALL PRODUCTS Bidder is seeking a bid preference for all of Bidder’s products pertaining to the above referenced Application. Bidder certifies all product(s) identified above have an “Acceptable” Substitute Listing Status as identified by the [EPA SNAP Program](https://www.epa.gov/snap). Documentation to support the “Acceptable” Substitute Listing status for each applicable product is attached to this certification.

# PREFERENCE FOR NON-MERCURY ADDED PRODUCTS

## ☒ AGENCY HAS DETERMINED THIS PREFERENCE DOES NOT APPLY.

**Note:** If the above box is checked this preference does not apply. If the box above is not checked complete the following:

Pursuant to RCW 70.95M.060, the Agency is required to provide a preference to a Bidder that provides products that contain the least amount of mercury-added compounds or components or if the product containing mercury is designed to reduce electricity

consumption by at least forty percent and there is no non-mercury or lower mercury alternative available that saves the same or a greater amount of electricity as the exempted product. Bidder certifies as follows (must check one):

* NO BID PREFERENCE. Bidder is not seeking a bid preference for Non-Mercury Added Products

## OR

* BID PREFERENCE FOR ALL PRODUCTS Bidder is seeking a bid preference for all of Bidder’s products pertaining to the above referenced Application. Bidder certifies all product(s) identified above listed above that are eligible for the preference, and as contained in the Interstate Mercury Education and Reduction Clearinghouse Mercury- Added Products Database. Documentation to support the preference is attached to this certification.

# PREFERENCE FOR RECYCLED CONTENT PRODUCTS

## ☒ AGENCY HAS DETERMINED THIS PREFERENCE DOES NOT APPLY.

**Note:** If the above box is checked this preference does not apply. If the box above is not checked complete the following:

Pursuant to RCW 39.26.255, the Agency is required to provide a preference to a Bidder that provides products that contain recycled material. All bidders must certify whether they are seeking the statutory preference for products containing recycled material.

Bidders who seek to obtain the preference for Products Containing Recycled Material must certify that the products identified in above exceed the minimum required amount(s) of post- consumer or total recycled material described in the relevant section of the [Environmental](https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program%23/CustomizedSearch) [Protection Agency’s Comprehensive Procurement Guideline Program](https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program%23/CustomizedSearch). Bidder certifies as follows (must check one):

* + NO BID PREFERENCE. Bidder is not seeking a bid preference for Recycled Content Products

## OR

* + BID PREFERENCE FOR ALL PRODUCTS Bidder is seeking a bid preference for all of Bidder’s products pertaining to the above referenced Application. Bidder certifies all product(s) identified above listed above exceed the Environmental Protection Agency’s Comprehensive Procurement Guidelines standard (as it existed on July 1, 2001) recommended content level percentages or the minimum product specification. The recycled material levels of all product(s) eligible for the preference are attached to this certification.

I hereby certify, under penalty of perjury under the laws of the State of Washington, that I am authorized to make these certifications and assurances on behalf of the firm listed herein.

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| --- |
| Print Full Legal Entity Name of Firm submitting bid, quotation, and/or proposal |
| Signature of Authorized Person Date Signed |
| Printed Name of Person Making Certification for Firm |
| Title of Person Signing Certificate |
| Print County and State Where Signed |

Return form to: Application Coordinator with your bid, quotation, and/or proposal as indicated within.