

EXHIBIT D

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS--PRIMARY COVERED TRANSACTIONS

Instructions For Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or County's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or County determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or County may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or County to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. 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 the rules implementing Executive Order 12549. You may contact the department or County to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or County entering into this transaction.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension,

Ineligibility and Voluntary Exclusion- Lower Tier Covered Transaction," provided by the department or County entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, 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 List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this 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.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or County may terminate this transaction for cause or default.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS--PRIMARY COVERED TRANSACTIONS

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or County;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or 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 Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses

enumerated in paragraph (1)(b) of this certification;

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Signature/Authorized Certifying Official Typed Name and Title

Applicant/Organization

Date Signed

EXHIBIT E

Request for Proposal #13-1142BG Buy America Certification (Title 49 U.S.C. Section 50101)

PROJECT NAME:	CONSTRUCTION MANAGEMENT @ RISK SERVICES FOR THE FLEET TRANSIT FACILITY
PROJECT NUMBER:	RFP#13-1142BG

This solicitation and any resulting contract are subject to the Buy America requirements of 49 U.S.C. Section 50101. The bidder certifies it and all associated subcontractors will comply with the Buy American preferences established under Title 49 U.S.C. Section 50101 as follows:

U.S.C. Section 50101 - Buying goods produced in the United States

- (a) Preference. - The Secretary of Transportation may obligate an amount that may be appropriated to carry out section 106(k), 44502(a)(2), or 44509, subchapter I of chapter 471 (except section 47127), or chapter 481 (except sections 48102(e), 48106, 48107, and 48110) of this title for a project only if steel and manufactured goods used in the project are produced in the United States.
- (b) Waiver. - The Secretary may waive subsection (a) of this section if the Secretary finds that -
 - (1) Applying subsection (a) would be inconsistent with the public interest;
 - (2) The steel and goods produced in the United States are not produced in a sufficient and reasonably available amount or are not of a satisfactory quality;
 - (3) When procuring a facility or equipment under section 44502(a)(2) or 44509, subchapter I of chapter 471 (except section 47127), or chapter 481 (except sections 48102(e), 48106, 48107, and 48110) of this title -
 - A. The cost of components and subcomponents produced in the United States is more than 60 percent of the cost of all components of the facility or equipment; and
 - B. Final assembly of the facility or equipment has occurred in the United States; or
 - (4) Including domestic material will increase the cost of the overall project by more than 25 percent.
- (c) Labor Costs. - In this section, labor costs involved in final assembly are not included in calculating the cost of components.

* * * * *

Please note that approval of waivers listed under (b) (1) & (2) above, can only be approved by the FAA Office of Airports in Washington DC and approval is rare. Waivers listed under (b) (3) & (4) may be approved by FAA Regional or District Offices. A listing of Equipment and Products that have been approved and on the national waiver list may be located at: http://www.faa.gov/airports/aip/procurement/federal_contract_provisions/media/buy_american_waiver.xls

As a matter of bid responsiveness, the bidder or offeror must complete and submit this certification with their bid proposal.

The bidder must sign and date the certification. The bidder/offeror must indicate how they propose to comply with the Buy America provision by selecting one of the following certification statements.

- The bidder hereby certifies that it will comply with Title 49 U.S.C Section 50101(a) by only installing steel and manufactured products produced in the United States of America. The bidder further agrees that if chosen as the apparent low bid, it will submit documentation to the owner that demonstrate all steel and manufactured products are 100% manufactured in the United States.**
- The bidder hereby certifies that it cannot fully comply with the Buy America preferences of Title 49 U.S.C Section 50101(a); the bidder therefore requests a waiver per Title 49 U.S.C Section 50101(b). The bidder further agrees that upon notification from the Owner, the bidder identified with the apparent low bid agrees to prepare and submit a waiver request and component calculation information to the owner within _____ calendar days of**
- the date of the notice of apparent low bid.**

Bidder's Firm Name

Date

Signature

00300-11

EXHIBIT F

Davis-Bacon and Copeland Anti-Kickback Acts/and Current Wage Determination

Applicable to: Construction contracts over \$2000 for Davis-Bacon Act

Applicable to: Construction contractors over \$100,000 for Copeland Anti-Kickback Act

Background and Application

The Davis-Bacon and Copeland Acts are codified at 40 USC 3141, *et seq.* and 18 USC874. The Acts apply to grantee construction contracts and subcontracts that “at least partly are financed by a loan or grant from the Federal Government.” 40 USC 3145(a), 29 CFR 5.2(h), 49 CFR18.36(i)(5). The Acts apply to any construction contract over \$2,000. 40 USC 3142(a), 29 CFR 5.5(a). ‘Construction,’ for purposes of the Acts, includes “actual construction, alteration and /or repair, including painting and decorating.” 29 CFR 5.5 (a). The requirements of both Acts are incorporated into a single clause (see 29 CFR 3.11) enumerated at 29 CFR 5.5(a) and reproduced below.

The clause language is drawn directly from 29 CFR 5.5(a) and any deviation from the model clause should be coordinated with counsel to ensure the Acts’ requirements are satisfied.

Clause Language

Davis-Bacon and Copeland Anti-Kickback Acts:

(1) Minimum wages – (i) All laborers and mechanics employed or working upon the site of the work (or under the United States Housing Act of 1937 or under the Housing Act of 1949 in the construction or development of the project), will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics.

Contributions made or costs reasonably anticipated for bona fide fringe benefits under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of paragraph (1) (iv) of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR Part 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided that the employer’s payroll records accurately set forth the time spent in each classification in which work is performed.

The wage determination (including any additional classifications and wage rates conformed under paragraph (1)(ii) of this section) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of work in a prominent and accessible place where it can be easily seen by the workers.

(ii)(A) The contracting officer shall require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. The contracting officer shall approve an additional classification and wage rate and fringe benefits therefore only when the following criteria have been met:

(1) Except with respect to helpers as defined as 29 CFR 5.2(n)(4), the work to be performed by the classification requested is not performed by a classification in the wage determination; and

(2) The classification is utilized in the area by the construction industry; and

(3) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination; and

(4) With respect to helpers as defined in 29 CFR 5.2(n)(4), such a classification prevails in the area in which the work is performed.

(B) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by the contracting officer to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, DC 20210. The Administration, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(C) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer shall refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Administrator for determination. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(D) The wage rate (including fringe benefits where appropriate) determined pursuant to paragraphs (a)(1)(ii) (B) or (C) of this section, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

(iii) Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

(iv) If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

(v)(A) The contracting officer shall require that any class of laborers or mechanics which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. The contracting officer shall approve an additional classification and wage rate and fringe benefits therefore only when the following criteria have been met:

(1) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(2) The classification is utilized in the area by the construction industry; and

(3) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(B) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by the contracting officer to the Administrator of the Wage and Hour Division, Employment Standards Administration, Washington, DC 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(C) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer shall refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Administrator for determination. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(D) The wage rate (including fringe benefits where appropriate) determined pursuant to paragraphs (a) (1) (v) (B) or (C) of this section, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

(2) Withholding – The County shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld from the contractor under this contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor,

so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee, or helper, employed or working on the site of the work (or under the United States Housing Act of 1937 or under the Housing Act of 1949 in the construction or development of the project), all or part of the wages required by the contract, the County may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

(3) Payrolls and basic records – (i) Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work (or under the United States Housing Act of 1937), or under the Housing Act of 1949, in the construction or development of the project). Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in section 1 (b) (2) (B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a) (1) (iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1 (b)(2) (B) of the Davis-Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits.

Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs.

(ii)(A) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to the County for the transmission to the Federal Transit Administration. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under section 5.5(a)(3)(i) of Regulations, 29 CFR part 5. This information may be submitted in any form desired. Optional Form WH-347 is available for this purpose and may be purchased from the Superintendent of Documents (Federal Stock Number 029-005-0014-1), U.S. Government Printing Office, Washington, DC 20402. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors.

(B) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the Contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(1) That the payroll for the payroll period contains the information required to be maintained under section 5.5(a) (3) (i) of Regulations, 29 CFR part 5 and that such information is correct and complete:

(2) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly,

and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in Regulations, 29 CFR part 3;

(3) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(C) The weekly submission of a property executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by paragraph (a) (3) (ii) (B) of this section.

(D) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under section 1001 of title 18 and section 231 of title 31 of the United States Code.

(iii) The contractor or subcontractor shall make the records required under (a) (3) (i) of this section available for inspection, copying, or transcription by authorized representatives of the Federal Transit Administration or the Department of Labor and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, the Federal agency may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

(4) Apprentices and Trainees – (i) Apprentices – Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Bureau of Apprenticeship and Training, or with a State Apprenticeship Agency recognized by the Bureau, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Bureau of Apprenticeship and Training or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice. The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed. Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator of the Wage and Hour Division of the U.S. Department of

Labor determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination.

In the event the Bureau of Apprenticeship and Training, or a State Apprenticeship Agency recognized by the Bureau, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(ii) Trainees – Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration. The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration. Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices.

Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the wage rate on the wage determination for the classification of work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage ratio on the wage determination for work actually performed. In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(iii) Equal employment opportunity – The utilization of apprentices, trainees and journeymen under this part shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR part 30.

(5) Compliance with Copeland Act requirements – The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract.

(6) Subcontracts – The contractor or subcontractor shall insert in any subcontracts the clauses contained in 29 CFR 5.5 (a) (1) through (10) and such other clauses as the Federal Transit Administration may by appropriate instructions require, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in 29 CFR 5.5.

(7) Contract termination: debarment – A breach of the contract clause in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

(8) Compliance with Davis-Bacon and Related Act requirements – All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 2 and 5 are herein incorporated by reference in this contract.

(9) Disputes concerning labor standards – Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6 and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

(10) Certification of eligibility – (i) By entering into this contract, the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12 (a) (1).

(ii) No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

(iii) The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C 1001.

Federal Wage Determinations - When a construction project is being performed with federal funds, laborers and mechanics employed directly upon the site of the work shall be paid a minimum wage which is determined by the Secretary of Labor. That rate of pay is referred to as the "Davis-Bacon wage rate". **WAGE DETERMINATION OF JANUARY 4, 2013 FOR MANATEE COUNTY IS ATTACHED BELOW.**

Proposer certifies by attaching is signature and title below that he has read, understand and will comply this Davis-Bacon and Copeland Anti-Kickback Acts/ and the Current Wage Determination.

Signature/Authorized Certifying Official

Typed Name and Title

Organization

Date Signed

Wage determination of January 4, 2013

General Decision Number: FL130024 01/04/2013 FL24

Superseded General Decision Number: FL20120024

State: Florida

Construction Type: Building

County: Manatee County in Florida.

BUILDING CONSTRUCTION PROJECTS (does not include single family homes or apartments up to and including 4 stories).

Modification Number Publication Date
 0 01/04/2013

ELEC0915-002 12/01/2011

	Rates	Fringes
ELECTRICIAN		
All building work other than Industrial Work which includes Telephone, Utility Companies, and Water Treatment Plants and also excludes Educational, Theme Park, Hospital Facilities.....	\$ 22.51	34%+\$0.22
Educational, Theme Park, Hospital Facilities, electrical contract under \$200,000.....	\$ 20.08	34%+\$0.22

ENGI0925-003 01/01/2012

	Rates	Fringes
OPERATOR: Crane		
Crawler Cranes; Truck Cranes; Pile Driver Cranes; Rough Terrain Cranes; and Any Crane not otherwise described below...	\$ 28.91	10.74
Hydraulic Cranes Rated 100 Tons or Above but Less Than 250 Tons; and Lattice Boom Cranes Less Than 150 Tons if not described below...	\$ 29.91	10.74
Lattice Boom Cranes Rated at 150 Tons or Above; Friction Cranes of Any Size; Mobile Tower Cranes or Luffing Boom Cranes of Any Size; Electric Tower Cranes; Hydraulic Cranes Rated at 250 Tons or Above; and Any Crane Equipped with 300 Foot or More of Any Boom Combination.....	\$ 30.91	10.74
OPERATOR: Mechanic.....	\$ 28.91	10.74
OPERATOR: Oiler.....	\$ 22.38	10.74
OPERATOR: Boom Truck.....	\$ 28.91	10.74

* IRON0397-001 07/01/2012

	Rates	Fringes
IRONWORKER, ORNAMENTAL, REINFORCING AND STRUCTURAL.....	\$ 27.67	12.59

PLUM0123-001 05/01/2011

	Rates	Fringes
PIPEFITTER (HVAC Pipe Installation).....	\$ 23.65	12.35

SHEE0015-002 07/01/2011

	Rates	Fringes
SHEET METAL WORKER (HVAC Duct Installation Only).....	\$ 20.95	12.63

SUFL2009-020 05/22/2009

	Rates	Fringes
BRICKLAYER.....	\$ 18.95	0.00
CARPENTER, Includes Form Work....	\$ 15.89	0.00
CEMENT MASON/CONCRETE FINISHER...	\$ 13.05	1.49
INSULATOR - PIPE & PIPEWRAPPER...	\$ 13.13	3.03
LABORER: Asphalt Shoveler.....	\$ 7.88	0.00
LABORER: Common or General.....	\$ 9.42	0.00
LABORER: Concrete Saw (Hand Held/Walk Behind).....	\$ 12.63	0.00
LABORER: Mason Tender - Brick...	\$ 13.00	0.00
LABORER: Mason Tender - Cement/Concrete.....	\$ 12.83	1.90
LABORER: Pipelayer.....	\$ 12.31	1.19
LABORER: Roof Tearoff.....	\$ 8.44	0.00
LABORER: Landscape and Irrigation.....	\$ 12.00	0.00
OPERATOR: Asphalt Spreader.....	\$ 11.41	0.00
OPERATOR: Backhoe.....	\$ 11.00	0.00
OPERATOR: Bulldozer.....	\$ 15.01	0.00
OPERATOR: Distributor.....	\$ 12.37	0.00

OPERATOR: Forklift.....	\$ 14.00	0.00
OPERATOR: Grader/Blade.....	\$ 13.73	0.00
OPERATOR: Loader.....	\$ 13.80	1.79
OPERATOR: Paver.....	\$ 11.69	0.00
OPERATOR: Pump.....	\$ 19.00	0.00
OPERATOR: Roller.....	\$ 10.68	0.00
OPERATOR: Screed.....	\$ 11.34	0.00
OPERATOR: Tractor.....	\$ 9.91	0.00
OPERATOR: Trencher.....	\$ 11.75	0.00
PAINTER: Brush, Roller and Spray.....	\$ 14.00	0.43
PIPEFITTER, Excludes HVAC Pipe Installation.....	\$ 17.83	0.00
PLUMBER.....	\$ 13.58	0.00
ROOFER (Installation of Metal Roofs Only).....	\$ 14.26	0.59
ROOFER, Includes Built Up, Hot Tar, Modified Bitumen, Shake & Shingle, Single Ply, Slate, & Tile Roofs (Excludes Installation of Metal Roofs).....	\$ 14.00	0.43
SHEET METAL WORKER, Excludes HVAC Duct Installation.....	\$ 18.79	3.21
TILE SETTER.....	\$ 14.61	0.00
TRUCK DRIVER: Dump Truck.....	\$ 10.00	0.00
TRUCK DRIVER: Lowboy Truck.....	\$ 12.09	0.00

WELDERS - Receive rate prescribed for craft performing
operation to which welding is incidental.

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Unlisted classifications needed for work not included within
the scope of the classifications listed may be added after
award only as provided in the labor standards contract clauses
(29CFR 5.5 (a) (1) (ii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of "identifiers" that indicate whether the particular rate is union or non-union.

Union Identifiers

An identifier enclosed in dotted lines beginning with characters other than "SU" denotes that the union classification and rate have found to be prevailing for that classification. Example: PLUM0198-005 07/01/2011. The first four letters , PLUM, indicate the international union and the four-digit number, 0198, that follows indicates the local union number or district council number where applicable , i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. The date, 07/01/2011, following these characters is the effective date of the most current negotiated rate/collective bargaining agreement which would be July 1, 2011 in the above example.

Union prevailing wage rates will be updated to reflect any changes in the collective bargaining agreements governing the rates.

0000/9999: weighted union wage rates will be published annually each January.

Non-Union Identifiers

Classifications listed under an "SU" identifier were derived from survey data by computing average rates and are not union rates; however, the data used in computing these rates may include both union and non-union data. Example: SULA2004-007 5/13/2010. SU indicates the rates are not union majority rates, LA indicates the State of Louisiana; 2004 is the year of the survey; and 007 is an internal number used in producing the wage determination. A 1993 or later date, 5/13/2010, indicates the classifications and rates under that identifier were issued as a General Wage Determination on that date.

Survey wage rates will remain in effect and will not change until a new survey is conducted.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on

- a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION

Projected Facility Space Requirements.xls

Exhibit "G"

JOB TITLE	SQUARE FOOTAGE REQUIRED	CURRENT SPACE ALLOCATION	ADJACENCY NEEDS (BY DIVISION OR POSITION)
FLEET ADMINISTRATION			
FLEET SERVICES DIV MGR	250	200	Fleet Admin
FLEET OPERATIONS CHIEF	210	170	Close to Fleet Data Coordinator & Fleet Manager
WARRANTY SPECIALIST*	130	0	Close to Fleet Data Coordinator & Fleet Manager
FISCAL/MANAGEMENT SPECIALIST II	130	50	Close to Fleet Manager
FISCAL/MANAGEMENT SPECIALIST - Contract Specialist*	100	0	Close to Fleet Manager
ADMINISTRATIVE COORD IV	130	80	Direct Access to Fleet Manager
MAINTENANCE MANAGEMENT SYSTEM COORDINATOR*	130	90	Close to Fleet Operations Chief
MAINTENANCE DATA SPECIALIST	130	90	Close to Fleet Operations Chief
FLEET MAINTENANCE DATA REVIEW TECHNICIAN	130	80	Close to Fleet Fiscal Analyst
ADMINISTRATIVE COORD III*	130	80	Direct Access to Fleet Manager
ADMINISTRATIVE COORD - Fuel Services*	100	0	Direct Access to Fleet Manager
FUEL SERVICES DIV MGR	170	150	Fleet Admin
FUEL SERVICES COORDINATOR	130	150	Fleet Admin
Public Rest Rooms - ADA compliant	1,000	200	Centralized
Common Office Space Requirements	1000	200	Fleet Admin
Visitor Waiting Area Space Requirements	600	100	Fleet Admin
Break Room/Training Room	3,200	725	In Admin or close
Computer Training Room	600	0	In Admin or close
Small Conference Room	1,000	0	In Admin or close
Closet / Storage Space	500	100	In Admin or close
TOTAL SQUARE FOOTAGE FOR FLEET ADMINISTRATION	9770	2365	
HALLWAYS/STRUCTURE/ADA	4885		

Projected Facility Space Requirements.xls

Exhibit "G"

JOB TITLE	SQUARE FOOTAGE REQUIRED	CURRENT SPACE ALLOCATION	ADJACENCY NEEDS (BY DIVISION OR POSITION)
SUBTOTAL	14655		
FLEET OPERATIONS			
Superintendent	200	100	Ground Floor, centralized
Shop Supervisors	500	100	One 250 sq ft on each side, Transit/Municipal
Materials Manager	200	150	Centralized between parts counters.
Shipping/Receiving Area	1,000	0	Ground Floor, centralized
Parts Counters & area	700	300	Ground Floor, centralized
Transit/EMS Inventory Area	8,000	1,500	Ground Floor, centralized
Municipal Inventory Area	4,000	500	Ground Floor, centralized
Tire Storage	3,500	1500	Ground Floor, centralized
Battery Room	200	150	Ground Floor, centralized
TOTAL SQUARE FOOTAGE FOR FLEET OPERATIONS	18300		
24 Bays - 18 Transit/EMS & 6 Municipal	30,750	12,000	Ground Floor, centralized
2 Bays - 1 Transit/EMS & 1 Municipal	2,200	400	Ground Floor, centralized
TOTAL SQUARE FOOTAGE FOR MAIN FLEET BUILDING REQUIRED	65,905		
FUEL SERVICES			
FUEL SERVICES Technician	130	150	Fuel Services Support Facility
Fuel Island Supply Storage Area	1,500	200	Ground Floor, centralized
Warehouse Logistical Technician*	130	150	Fuel Services Support Facility
Warehouse and Storage Area	8,000	4,000	Ground Floor, centralized

Projected Facility Space Requirements.xls

Exhibit "G"

JOB TITLE	SQUARE FOOTAGE REQUIRED	CURRENT SPACE ALLOCATION	ADJACENCY NEEDS (BY DIVISION OR POSITION)
Vehicle wash equipment room and Transit Operations storage area. Equipment room will include all mechanical equipment for site stormwater runoff environmental control and wash/steam cleaning area. Wash/Steam area to be covered (microbes - UV).	1,800	600	Ground Floor, centralized
TOTAL SQUARE FOOTAGE FOR FUEL SERVICES	11560		
TOTAL SQUARE FOOTAGE FOR MAIN FLEET BUILDING, FUEL AND VEHICLE WASH OUT-BUILDING REQUIRED	77,465.00		

TRANSIT OPERATIONS CENTER

GENERAL MANAGER OFFICE

GENERAL MANAGER	250		Executive Admin Assistant
EEO/DBE*	130		
EXECUTIVE ADMIN	130		
MAILROOM CLERK*	130		
RECEPTIONIST*	100		
BREAKROOM/KITCHENETTE	200		
JANITOR CLOSET	100		
ASSEMBLY ROOM	12000		
ADMIN RESTROOMS (1M & 1w)	1000		
BREAKROOM/KITCHENETTE	200		
FILE/ARCHIVE ROOM	1000		
WELLNESS CENTER	2000		
TOTAL SQUARE FOOTAGE FOR GM	17240		

OPERATIONS

Projected Facility Space Requirements.xls

Exhibit "G"

JOB TITLE	SQUARE FOOTAGE REQUIRED	CURRENT SPACE ALLOCATION	ADJACENCY NEEDS (BY DIVISION OR POSITION)
OPERATIONS CHIEF	210		
CHIEF CONFERENCE ROOM	240		
MB SUPERINTENDENT	130		
FIXED ROUTE COORD.*	130		
DISPATCH/SCHEDUL (1 EXISTING, 2 FUTURE POSITIONS)*	300		
SUPERVISORS (5 EXISTING, 13 FUTURE POSITIONS)*	1800		
ADMIN ASSISTANT*	100		
OPERATORS			
DR SUPERINTENDENT	130		
PARATRANSIT COORDINATOR	130		
MOBILITY COORDINATOR	130		
DISPATCH/SCHED (1 EXISTING 2 FUTURE POSITIONS)*	300		
ELIGIBILITY INTAKE (3 EXISTING, 2 FUTURE POSITIONS)*	500		
SUPERVISORS (2 EXISTING, 2 FUTURE POSITIONS)*	400		
ADMIN ASSISTANT*	100		
OPERATORS			
SAFETY/SECURITY**			
SAFETY/SECURITY SUPERINTENDENT	130		
SUPERVISORS (2 POSITIONS)*	200		
OPERATIONS TRAINING ROOM (2)	500		
DRIVER ROOM	1500		
FARE COUNTING	400		
TOTAL SQUARE FOOTAGE FOR OPERATIONS	7330		
ADMINISTRATION			
ADMIN CHIEF*	210		

Projected Facility Space Requirements.xls

Exhibit "G"

JOB TITLE	SQUARE FOOTAGE REQUIRED	CURRENT SPACE ALLOCATION	ADJACENCY NEEDS (BY DIVISION OR POSITION)
ADMIN ASSISTANT (5 FUTURE)*	500		
CHIEF CONFERENCE ROOM	240		
HUMAN RESOURCES**			
HR MANAGER*	210		
BENEFITS SPECIALIST*	130		
TRAINING/DEVELOPMENT COORD.*	130		
RECRUITMENT SPECIALIST*	100		
HR INTERVIEW ROOM*	200		
MARKETING**			
MARKETING MANAGER*	210		
CUSTOMER SERVICE MANAGER*	170		
PIO*	130		
LEAD SUPERVISOR*	130		
OUTREACH/SALES OUTLET*	130		
LIASON*	130		
CSR'S (11 FUTURE)*	1100		
PLANNING			
PLANNING SUPERVISOR*	210		
PLANNING MANAGER*	170		
PLANNER (2)	260		
PLANNING TECH.*	100		
SURVEY CLERK (OPS CURRENT, FT FUTURE)	100		
LOGISTICS			
LOGISTICS SUPERVISOR*	210		
SENIOR FUEL ATTEN*	100		By fueling facility
ATTENDANTS	0		
TECHNICIANS	0		
FUEL ATTENDANT AREA	400		

Projected Facility Space Requirements.xls

Exhibit "G"

JOB TITLE	SQUARE FOOTAGE REQUIRED	CURRENT SPACE ALLOCATION	ADJACENCY NEEDS (BY DIVISION OR POSITION)
TECHNICIAN AREA	100		
TOTAL SQUARE FOOTAGE FOR ADMINISTRATION	5370		
IT/FINANCE			
IT/FINANCE CHIEF*	210		
ADMIN ASSISTANT (4 FUTURE) *	400		
CHIEF CONFERENCE ROOM	240		
INFORMATION TECHNOLOGY			
IT SUPERVISOR*	210		
SYSTEMS MANAGER*	170		
ANALYST (1 EXISTING, 1 FUTURE)*	200		
PROCUREMENT**			
PURCHASING SUPERVISOR*	210		
BUYER (3 FUTURE)*	300		
VENDOR BID ROOM	1000		
FINANCE			
FINANCE SUPERVISOR*	210		
BUDGET MANAGER*	170		
ACCOUNTING MANAGER*	170		
ANALYST (1 EXISTING, 5 FUTURE) *	600		
WIRING CLOSET	100		
SERVER ROOM	2000		
TOTAL SQUARE FOOTAGE FOR IT/FINANCE	6190		

Projected Facility Space Requirements.xls

Exhibit "G"

JOB TITLE	SQUARE FOOTAGE REQUIRED	CURRENT SPACE ALLOCATION	ADJACENCY NEEDS (BY DIVISION OR POSITION)
TOTAL REQUIRED TRANSIT SPACE	36130		
TOTAL FLEET/TRANSIT REQUIRED SPACE	113,595.00		
** Future function required in 25 year vision plan			
* Future position required in 25 year vision plan			
Future spaces not seperately distinguished from existing spaces are required in 25 year vision plan			

EXHIBIT H

AFFIDAVIT OF NO CONFLICT

STATE OF FLORIDA

COUNTY OF _____

BEFORE ME, the undersigned authority, this day personally appeared _____, a principal with full authority to bind _____, hereinafter the "Construction Manager"), who being first duly sworn, deposes and says:

(a) _____ is not currently engaged or will not become engaged in any obligations, undertakings or contracts that will require the Construction Manager to maintain an adversarial role against the County or that will impair or influence the advice, recommendations or quality of work provided to the County; and

(b) _____ has provided full disclosure of all potentially conflicting contractual relationships and full disclosure of contractual relationships deemed to raise a question of conflict(s); and

(c) _____ has provided full disclosure of prior work history and qualifications that may be deemed to raise possible question of conflict(s).

Affiant makes this affidavit for the purpose of inducing Manatee County, a political subdivision of the State of Florida, to enter into this Agreement for **Construction Management at Risk Services for The Fleet Transit Facility, RFP#13-1142BG**

Signature

SUBSCRIBED to and sworn before me this _____ day of _____, 2010.

Notary Public

My commission expires:

Personally Known _____ or Produced Identification

Type of Identification Produced _____