

Community Development Block Grant (CDBG) Bid Package Template

PART II: DOCUMENTS TO SIGN AND SUBMIT WITH BID

Community Development Block Grant (CDBG) Bid Package Template

CHECKLIST

- Proposed Bid
- Schedule of Values
- List of Subcontractors
- List of Current and Completed Projects and References
- Affidavit to Accompany Bid Proposal
- Non Collusion Affidavit - **must be notarized**
- Bid Bond Form or alternative
- Certification by Contractor: City of Los Angeles Business Tax Ordinance
- Certification by Contractor: Performance of Previous Contracts or Subcontracts Subject to the Equal Opportunity Clause and the Filing of Required Reports
- Bidder/Contractor Affirmative Action Declaration
- Certification of Non-Segregated Facilities
- HUD Section 3 Certification
- Project Wage Rate Sheet
- Certification by Contractor/Subcontractor Compliance with Federal Wage Decisions
- Contractor's Acknowledgment of Compliance with HUD 4010 (Federal Labor Standards Provisions)
- Certification by Contractor: Debarment and Suspension
(<https://doingbusiness.lacounty.gov/listing-of-contractors-debarred-in-los-angeles-county/>,
<https://www.dir.ca.gov/dlse/debar.html>, <https://sam.gov/content/exclusions>)
- Bidder's State Contractor License: Attach proof of current licensure from the California Department of Consumer Affairs Contractors State License Board pursuant to Division 3, Chapter 9, Article 5, of the Business and Professional Code of the State of California
- Bidder's City Business Tax Registration Certificates: Attach proof of current certification from the City of Los Angeles Office of Finance

Community Development Block Grant (CDBG) Bid Package Template

- [Bidder's DIR Public Works Contractor Registration](#)
- Apprentice Utilization on Public Works
- Build America Buy America Certification
- Certification by Contractor: Compliance with Clean Air and Water Acts

PROPOSED BID

To: (Owner) Date _____

Contractor: _____

The undersigned, having read the instructions and requirements and having personally visited and inspected the site of work, hereby propose to furnish materials and all workmanship required to complete the _____ in accordance with the plans and specifications, if any, within _____ () working days for the Base Bid Price of \$_____.

Schedule of Alternates and Prices

	<u>Item No.</u>	<u>Prices in Dollars</u>
BASE BID PRICE		\$ _____
Alternate #1	_____	\$ _____
Alternate #2	_____	\$ _____
Alternate #3	_____	\$ _____
Alternate #4	_____	\$ _____
Alternate #5	_____	\$ _____

Alternates must be either additive or deductive.

Lowest bid price will be determined by: _____ the Base Bid Price only, or _____ Base Bid Price + Alternate #s: _____

NOTE: Contractor is advised that the owner reserves the right to waive any or all irregularities and to reject any or all bids.

Bid includes Addenda Number(s): _____

**THIS COMPLETED FORM OR EQUIVALENT MUST BE SUBMITTED WITH
BID**

SCHEDULE OF VALUES FOR BASE BID

	<u>Labor</u>	<u>Materials</u>
<u>Division 1 - General Requirements:</u>		
Permits and insurance	\$ _____	\$ _____
Testing and inspections	\$ _____	\$ _____
Equipment rentals	\$ _____	\$ _____
Site utilities	\$ _____	\$ _____
Security	\$ _____	\$ _____
Supervision and clerical	\$ _____	\$ _____
Parking	\$ _____	\$ _____
Other	\$ _____	\$ _____
Total: General Requirements	\$ _____	\$ _____
<u>Division 2 - Demolition and Site Work:</u>		
Demolition:		
Curb and sidewalk, etc.	\$ _____	\$ _____
Site Work:		
Foundation drainage	\$ _____	\$ _____
Sidewalks	\$ _____	\$ _____
Off-site improvements	\$ _____	\$ _____
Other	\$ _____	\$ _____
Total: Demolition and Site Work	\$ _____	\$ _____
<u>Division 3 - Concrete:</u>		
Cast-in-place concrete	\$ _____	\$ _____
Other	\$ _____	\$ _____
Total: Concrete	\$ _____	\$ _____
<u>Division 4 - Masonry:</u>	\$ _____	\$ _____
<u>Division 5 - Metals:</u>	\$ _____	\$ _____
<u>Division 6 - Wood and Plastics:</u>	\$ _____	\$ _____
<u>Division 7 - Thermal and Moisture Protection:</u>	\$ _____	\$ _____
<u>Division 8 - Doors and Windows:</u>	\$ _____	\$ _____
<u>Division 9 - Finishes:</u>	\$ _____	\$ _____
<u>Division 10 - Specialties:</u>	\$ _____	\$ _____
<u>Division 11 - Equipment:</u>	\$ _____	\$ _____
<u>Division 12 - Furnishings:</u>	\$ _____	\$ _____
<u>Division 13 - Special Construction:</u>	\$ _____	\$ _____
<u>Division 14 - Conveying Systems:</u>	\$ _____	\$ _____
<u>Division 15 - Mechanical:</u>	\$ _____	\$ _____
<u>Division 16 - Electrical:</u>	\$ _____	\$ _____
Construction Subtotal	\$ _____	\$ _____

Contractor's Overhead and Profit (%)	\$ _____	\$ _____
Construction Total	\$ _____	\$ _____
100% Performance Bond	\$ _____	\$ _____
100% Payment Bond	\$ _____	\$ _____
10% Bid Bond	\$ _____	\$ _____
Termite Treatment	\$ _____	\$ _____
Asbestos Removal	\$ _____	\$ _____
Lead Paint Removal	\$ _____	\$ _____
Environmental Clean-up	\$ _____	\$ _____
Others (Specify)	\$ _____	\$ _____
Unit Costs:		
Unit Cost A Vinyl Composition Tile	\$ _____/SF	
Unit Cost B Gypsum Wall Board	\$ _____/SF	
Unit Cost C Exterior Cement Plaster	\$ _____/SF	
Unit Cost D Plywood Roof Sheathing	\$ _____/SF	
Unit Cost E Concrete Flatwork	\$ _____/SF	
Unit Cost F Exterior Paint	\$ _____/SF	

**THIS COMPLETED FORM OR EQUIVALENT MUST BE SUBMITTED WITH
 BID**

LIST OF SUBCONTRACTORS

**ANY SUBSTITUTION OF SUBCONTRACTORS MUST BE APPROVED BY
THE OWNER AND/OR CITY OF LOS ANGELES**

NAME, BUSINESS ADDRESS, TELEPHONE NUMBER, AND SUBCONTRACTOR'S LICENSE NUMBER	TYPE OF BUSINESS CERTIFICATION, IF ANY. Visit Bureau of Contract Admin: https://bca.lacity.gov/certification- program-description	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED	SUBCONTRACT DOLLAR VALUE
		CONTRACT ITEM #	
LICENSE # EXP. DATE			
		CONTRACT ITEM #	
LICENSE # EXP. DATE			
		CONTRACT ITEM #	
LICENSE # EXP. DATE			
		CONTRACT ITEM #	
LICENSE # EXP. DATE			
		CONTRACT ITEM #	
LICENSE # EXP. DATE			
		CONTRACT ITEM #	
LICENSE # EXP. DATE			

THIS COMPLETED FORM MUST BE SUBMITTED WITH BID

LIST OF CURRENT AND COMPLETED PROJECTS & REFERENCES

Type of Project	Indicate Current or Completed	Address Of Facility	Total Cost of Project	Client's Name & Phone No.

THIS COMPLETED FORM OR EQUIVALENT MUST BE SUBMITTED WITH BID

AFFIDAVIT TO ACCOMPANY BID PROPOSAL

Date _____

I (We), _____, agree to begin work and to complete it on or before the dates set forth in the specifications.

I (We), _____, agree furthermore, that in case of default in executing the required contract, with necessary bonds, within the time fixed by the Instructions to Bidders, the proceeds of the check or bond accompanying this bid shall become the property of _____.

Name of Business: _____

(Title) _____

(Name) _____

(Signature) _____

(Street Address) _____

(City, State, Zip Code) _____

(Co-Partner Name) _____

(Signature of Co-Partner) _____

(Street Address) _____

(City, State, Zip Code) _____

Contractor's State License # _____

Classification: _____

THIS COMPLETED FORM MUST BE SUBMITTED WITH BID

NON-COLLUSION AFFIDAVIT

State of California)
County of _____) ss.

_____ (Name), being first duly sworn, deposes and says that he or she is _____ (Title/Position) of _____ (Company Name). The party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

Name of Bidder

Signature of Bidder

ALL SIGNATURES MUST BE WITNESSED BY NOTARY
(Attach appropriate jurats)

THIS COMPLETED FORM MUST BE SUBMITTED WITH BID

BID GUARANTEE

Federal regulation [2 CFR 200.326](#) requires a bid guarantee from each bidder equivalent to five percent of the bid price. The bid guarantee must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute any required contractual documents within the specified timeframe. See AIA Document A310, sampled below, available at shop.aiacontracts.com:

AIA Document A310™ – 2010

Bid Bond

CONTRACTOR:
(Name, legal status and address)

SURETY:
(Name, legal status and principal place of business)

OWNER:
(Name, legal status and address)

BOND AMOUNT:

PROJECT:
(Name, location or address, and Project number, if any)

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.
Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this _____ day of _____

<i>(Witness)</i>	<i>(Contractor as Principal)</i> <i>(Seal)</i>
<i>(Witness)</i>	<i>(Surety)</i> <i>(Seal)</i>
	<i>(Title)</i>

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

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**THIS COMPLETED FORM OR CERTIFIED CHECK MUST BE
SUBMITTED WITH THE BID**

BIDDER ACKNOWLEDGEMENT: CITY OF LOS ANGELES BUSINESS TAX ORDINANCE

The bidder represents that it has or will obtain, upon award, the Business Tax Registration Certificate(s) required by the Los Angeles City's Business Tax Ordinance (Article 1, Chapter 2, Section 21.00 and following, of the Los Angeles Municipal Code). The Contractor shall maintain or obtain, as necessary, all such Certificates required of it under said Ordinance and shall not allow any such Certificate to be revoked or suspended.

The City of Los Angeles requires all firms that have business activity within the City of Los Angeles to pay City business taxes. Each firm or individual that pays the business tax received a Business Tax Registration Certificate (BTRC) Number.

Beginning October 14, 1987, payments for goods or services will be withheld unless proof of tax compliance is provided to the City. All firms and individuals that do business with the City of Los Angeles will be required to provide a BTRC Number or an exemption number as proof of compliance with Los Angeles City Business tax requirements in order to receive payment for goods or services.

The City of Los Angeles Office of Finance has the sole authority to determine whether a firm is covered by business tax requirements. Those firms not required to pay will be given an exemption number.

If the bidder does not have a BTRC Number, contact the Office of Finance at (213) 473-5901 or on-line at <http://finance.lacity.org/>.

AUTHORIZED SIGNATURES

Print Name & Title

Business Name

Signature

Date

THIS COMPLETED FORM MUST BE SUBMITTED WITH BID

CERTIFICATION BY CONTRACTOR: PERFORMANCE OF PREVIOUS CONTRACTS OR SUBCONTRACTS SUBJECT TO THE EQUAL OPPORTUNITY CLAUSE AND THE FILING OF REQUIRED REPORTS

The bidder _____, and proposed subcontractor _____, hereby certifies as to have have not participated (choose one), in a previous contract or subcontract subject to the Equal Opportunity Clause, as required by Executive Orders 10925, 11114, ~~or 11246~~, and has has not (choose one), filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering Agency, or the Former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements.

(Company)

By: _____

(Title) Date

Note: The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b)(1), and must be submitted by Bidders and proposed Subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.

Proposed Prime Contractors and Subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7(b)(1) prevents the award of contracts and subcontracts unless such Contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

NOTE: Each member of a Joint Venture must submit this form. Additionally, previous certifications under the present Joint Venture shall be submitted upon request of the City.

The federally assisted project Equal Opportunity Clause may be viewed at <https://www.ecfr.gov/current/title-41/section-60-1.4>

THIS COMPLETED FORM MUST BE SUBMITTED WITH BID

**BIDDER/CONTRACTOR ACKNOWLEDGEMENT:
CITY OF LOS ANGELES NONDISCRIMINATION, EQUAL
EMPLOYMENT OPPORTUNITY, AND AFFIRMATIVE ACTION
PROGRAM**

The bidder/contractor acknowledges the provisions of Los Angeles Administrative Code Section 10.8 and 10.13 et. seq. which describe actions for City of Los Angeles contractors, as stated in City of Los Angeles Ordinance No. 184292 linked below:

<https://bca.lacity.gov/Uploads/eeo/NDEEOAAP%20Admin%20Code.pdf>

For additional information on this program and its requirements, see the Los Angeles Department of Public Works Bureau of Contract Administration Affirmative Action program, at the following link:

<https://bca.lacity.gov/affirmative-action-aa>

Print Name & Title

Business Name

Signature

Date

THIS COMPLETED FORM MUST BE SUBMITTED WITH BID

CERTIFICATION OF NON-SEGREGATED FACILITIES

(Applicable to federally assisted construction contracts and related subcontracts exceeding \$10,000 which are not exempt from the Equal Opportunity clause).

The federally assisted construction contractor certifies that they do not maintain or provide for their employees any segregated facilities at any of their establishments, and that they do not permit their employees to perform their services at any location under their control, where segregated facilities are maintained. The federally assisted construction contractor certifies further that they will not maintain or provide for their employees any segregated facilities at any of their establishments, and that they will not permit their employees to perform their services at any location, under their control, where segregated facilities are maintained. The federally assisted construction contractor agrees that a breach of this certification is a violation of the Equal Opportunity clause in this contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise. The federally assisted construction contractor agrees that (except where they have obtained identical certifications from proposed subcontractors for specific time periods) they will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause, and that they will retain such certifications in their files.

Print Name & Title

Business Name

Signature

Date

The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor 41 CFR 60-1.8(b), and must be submitted by the bidder and proposed Subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only Contracts or Subcontracts of \$10,000 or under are exempt.)

NOTE: The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

Each member of a Joint Venture must submit this form. Additionally, previous certifications under the present Joint Venture shall be submitted upon request of the City.

THIS COMPLETED FORM MUST BE SUBMITTED WITH BID

BIDDER ACKNOWLEDGEMENT: SECTION 3
FOR CONTRACTS OVER \$200,000

The bidder, by authorized signature(s) affixed hereto, acknowledges the following:

1. A Section 3 Contract Clause will be incorporated by reference in bidder's construction contract if selected (see <https://www.ecfr.gov/current/title-24/subtitle-A/part-75>).
2. Section 3 requires that bidders meet the Safe Harbor standards of Section 3, which are 25% of labor hours performed by Section 3 workers and 5% of labor hours performed by Targeted Section 3 workers, or perform qualitative efforts stated by 24 CFR Part 75.25(b).
3. The City of Los Angeles shall have permission to use required Certified Payroll documents submitted to the City of Los Angeles Bureau of Contract Administration to calculate Section 3 Project Labor Hours.
4. The selected bidder will submit or cause to be submitted complete and correct Worker self-certifications of Section 3 status and/or employer certifications of existing workers' Section 3 status, HUD Form 4736A or Form 4736C.
5. Information related to qualitative Section 3 efforts may be posted at the project site.
6. The selected bidder will submit or cause to be submitted complete documentation on the qualitative Section 3 efforts engaged.

For additional details please review HUD's Section 3 Guidebook
<https://www.hudexchange.info/programs/section-3/section-3-guidebook/welcome/>

AUTHORIZED SIGNATURES

Print Name & Title

Business Name

Signature

Date

THIS COMPLETED FORM MUST BE SUBMITTED WITH BID

**BIDDER ACKNOWLEDGEMENT:
STATE AND FEDERAL WAGE DECISIONS & HUD FORM 4010**

Project Name: _____

Refer to the following website for federal wage determinations:

<https://sam.gov/wage-determinations>

Refer to the following website for state of California wage determinations:

<https://www.dir.ca.gov/oprl/dprevagedetermination.htm>

Using the appropriate federal and state wage determinations, the bidder acknowledges responsibility to select and calculate the wage rate for all classifications to be employed on this project.

The bidder acknowledges that not less than the higher of the prevailing wages, for journeyman and apprentice classifications as determined by the Davis-Bacon Federal Wage Decision Number _____ with Modification Numbers _____ and the State of California General Prevailing Wage Determination issued by the Department of Industrial Relations: _____ will be paid on the above referenced project. The bidder also acknowledges that only journeyman and apprentice classification rates will be used to pay construction workers, as defined by the federal government, on this project.

The bidder further acknowledges that the above referenced wage decision and modifications are accurate at time of submission, and it is understood that if any changes to the wage decisions or modifications occur within ten (10) days prior to the date of bid open date, that such changes will be effective on this project.

Also, if contract award does not occur within ninety (90) days of opening of bids, all changes to the federal wage decisions and modifications up to the time of the execution of a contract or start of construction, as appropriate, will be effective for this project.

The bidder also acknowledges the receipt of HUD Form 4010, Federal Labor Standards Provisions, <https://www.hud.gov/sites/dfiles/OCHCO/documents/4010.pdf>, and that the provisions of HUD Form 4010 apply to this project.

Print Name & Title

Business Name

Signature

Date

THIS COMPLETED FORM MUST BE SUBMITTED WITH BID

BIDDER CERTIFICATION: FEDERAL EXCLUSION OR DEBARMENT

The bidder certifies that, pursuant to [2 CFR 180.335](#), none of the principals:

- (a) Are presently excluded or disqualified;
- (b) Have been convicted within the preceding three years of any of the offenses listed in §180.800(a) or had a civil judgment rendered against the bidder for one of those offenses within that time period;
- (c) Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with the commission of any of the offenses listed in 2 CFR §180.800(a); or
- (d) Have had one or more public transactions (Federal, State, or local) terminated within the preceding three years for cause or default.

According to [2 CFR 180.800\(a\)](#), a federal agency may debar a person for:

- (a) Conviction of or civil judgment for:
 - (1) Commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction;
 - (2) Violation of Federal or State antitrust statutes, including those proscribing price fixing between competitors, allocation of customers between competitors, and bid rigging;
 - (3) Commission of embezzlement, theft, forgery, bribery, falsification, or destruction of records, making false statements, violating Federal criminal tax laws, receiving stolen property, making false claims, or obstruction of justice; or
 - (4) Commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects your present responsibility;

The bidder acknowledges that they must notify the Owner and the City of Los Angeles about any of the above. The bidder acknowledges that the Owner and the City of Los Angeles will utilize the federal database at <https://sam.gov/content/exclusions> to search for excluded bidders.

No part of the awarded contract shall be subcontracted to any person or firm that is ineligible pursuant to Section 3(a) of the Davis-Bacon Act, [29 CFR 5.12\(a\)\(1\)](#).

Print Name & Title

Business Name

Signature

Date

THIS COMPLETED FORM MUST BE SUBMITTED BID

**BIDDER ACKNOWLEDGEMENT:
APPRENTICE UTILIZATION ON PUBLIC WORKS**

The bidder acknowledges that any contract awarded will require the contractor to comply with the provision of Labor Code, State of California, Section 1777.5, relating to apprentice employment and training; and that the prime contractor will assume full responsibility for compliance to said section for all apprenticeable occupations on the project period. Compliance with said Section 1777.5 of Labor Code is not required for public works contracts involving less than \$30,000.

Print Name & Title

Business Name

Signature

Date

THIS COMPLETED FORM MUST BE SUBMITTED WITH BID

**BIDDER ACKNOWLEDGEMENT:
BUILD AMERICA, BUY AMERICA REQUIREMENTS**

The bidder acknowledges that any contract awarded will require compliance with the Build America, Buy America Act, which falls under the purview of the United States Housing and Urban Development Department (HUD). The bidder acknowledges that their bid must comply with Build America, Buy America (BABA) standards. The BABA requirements include but are not limited to purchasing U.S. produced materials and providing the documentation as proof of materials purchased. The requirements are set forth in the Infrastructure Investment and Jobs Act enacted on November 15, 2021 and Title 2 of the Code of Federal Regulations, Part 184. The bidder further acknowledges that HUD Docket No. 6331-N-10 issued March 15, 2023 requires that construction materials be produced in the United States on HUD funded projects according to the following timeline:

Applicable July 1, 2023 (per City of Los Angeles CDBG obligation date)

(1) **all iron and steel used in the project are produced in the United States** - this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;

In addition to the above:

Applicable July 1, 2024 (per City of Los Angeles CDBG obligation date)

(2) **four “listed” materials in the project are required to be produced in the United States:** the materials are non-ferrous metals; lumber; composite building materials; and plastic and polymer-based pipe and tube

In addition to the above:

Applicable July 1, 2025 (per City of Los Angeles CDBG obligation date)

(3) **all construction materials and manufactured products are produced in the United States:** for construction materials, this means that all productions processes for the construction material occurred in the United States.

For manufactured products - this means the manufactured product was produced in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation.

Print Name & Title

Business Name

Signature

Date

THIS COMPLETED FORM MUST BE SUBMITTED WITH BID

**BIDDER CERTIFICATION:
COMPLIANCE WITH CLEAN AIR AND WATER ACTS**

(Applicable to federally assisted construction contracts and related subcontracts exceeding \$100,000)

The bidder certifies that during the performance of an awarded contract, the awarded contractor and all subcontractors shall comply with the requirements of the Clean Air Act, as amended, [42 USC 7401](#) et seq., the Federal Water Pollution Control Act, as amended, [33 U.S.C. §1251 et seq.](#), and the regulations of the Environmental Protection Agency with respect to it, at [40 CFR 33 – 40 CFR 99](#), as amended.

In addition to the foregoing requirements, all nonexempt contractors and subcontractors shall furnish to the owner, the following:

- (1) A stipulation by the contractor or subcontractors, that any facility to be utilized in the performance of any nonexempt contract or subcontract, is not listed on the List of Violating Facilities issued by the Environmental Protection Agency (EPA) pursuant to [40 CFR 20](#).
- (2) Agreement by the contractor to comply with all the requirements of Section 114 of the Clean Air Act, as amended, ([42 USC 7413](#)) and Section 308 of the Federal Water Pollution Control Act, as amended, ([33 USC 1318](#)) relating to inspection, monitoring, entry, reports and information, as well as all other requirements specified in said Section 114 and Section 308, and all regulations and guidelines issued thereunder.
- (3) A stipulation that as a condition for the award of the contract, prompt notice will be given of any notification received from the Director, Office of Federal Activities, EPA, indicating that a facility utilized, or to be utilized for the contract, is under consideration to be listed on the EPA List of Violating Facilities.
- (4) Agreement by the contractor that he or she will include, or cause to be included, the criteria and requirements in paragraph (1) through (4) of this section in every nonexempt subcontract and requiring that the contractor will take such action as the government may direct as a means of enforcing such provisions.

Print Name & Title

Business Name

Signature

Date

THIS COMPLETED FORM MUST BE SUBMITTED WITH BID