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<th>Attachment Number</th>
<th>Document</th>
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<td>J.7</td>
<td>Bidder/Offeror Certification Form</td>
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BIDDER/OFFEROR CERTIFICATION FORM

COMPLETION
The person(s) completing this form must be knowledgeable about the Bidder's/Offeror's business and operations.

RESPONSES
Every question must be answered. Each response must provide all relevant information that can be obtained within the limits of the law. Individuals and sole proprietors may use a Social Security number but are encouraged to obtain and use a Federal Employer Identification Number (EIN). Provide any explanation at the end of the section or attach additional sheets with numbered responses. Include the Bidder/Offeror's name at the top of each attached page.

GENERAL INSTRUCTIONS
This form contains five (5) sections. Section I concerns the bidder's/offeror's responsibility; Section II includes additional required certifications; Section III relates to the Buy American Act (if applicable); Section IV relates to the Walsh-Healey Act; and Section V requires the Bidder/Offeror's signature. Please note, a determination that a prospective contractor is found to be "not responsible" is final and not appealable.

SECTION I. BIDDER/OFFEROR RESPONSIBILITY CERTIFICATION

Instructions for Section I: Section I contains nine (9) parts. Part 1 requests information concerning the Bidder's/Offeror's business entity. Part 2 inquires about current or former owners, partners, directors, officers or principals. Part 3 relates to the responsibility of the Bidder's/Offeror's business. Part 4 concerns the Bidder's/Offeror's business certificates and licenses. Part 5 inquires about legal proceedings. Part 6 relates to the Bidder's/Offeror's financial and organizational status. Part 7 relates to current procurement activity within the Department. Part 8 requires the Bidder/Offeror to agree to update the information provided. Part 9 relates to disclosures under the District of Columbia Freedom of Information Act (FOIA).

PART 1: BIDDER/OFFEROR INFORMATION

Legal Business Entity Name: 

Solicitation #: 

Address of the Principal Place of Business (street, city, state, zip code) 

Telephone # and ext.: 

Fax #: 

Email Address: 

Website: 

Additional Legal Business Entity Identities: If applicable, list any other DBA, Trade Name, Former Name, Other Identity and EIN used in the last five (5) years and the status (active or inactive).

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<th>Type</th>
<th>Name</th>
<th>EIN</th>
<th>Status</th>
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1.1 Business Type (Please check the appropriate box and provide additional information if necessary):

☐ Corporation (including PC) 

☐ Joint Venture 

☐ Limited Liability Company (LLC or PLLC) 

☐ Nonprofit Organization 

☐ Partnership (including LLP, LP or General) 

☐ Sole Proprietor 

☐ Other 

If "Other," please explain:

1.2 Was the Bidder's/Offeror's business formed or incorporated in the District of Columbia? 

☐ Yes ☐ No

If "No" to Subpart 1.2, provide the jurisdiction where the Bidder's/Offeror's business was formed or incorporated. Attach a Certificate or Letter of Good Standing from the applicable jurisdiction and a certified Application for Authority from the District, or provide an explanation if the documents are not available.

State __________________________ Country __________________________

1.3 Please provide a copy of each District of Columbia license, registration or certification that the Bidder/Offeror is required by law to obtain (other than those provided in Subpart 1.2). If the Bidder/Offeror is not providing a copy of its license, registration or certification to transact business in the District of Columbia, it shall either:

(a) Certify its intent to obtain the necessary license, registration or certification prior to contract award; or

(b) Explain its exemption from the requirement.
1.4 If your company, its principals, shareholders, directors, or employees own an interest or have a position in another entity in the same or similar line of business as the Bidder/Offeror, please describe the affiliation in detail.

1.5 If any officer, director, shareholder or anyone holding a financial interest in the Bidder/Offeror has a relationship with an employee of the Department or any District agency for whom the Department is procuring goods or services, please describe the nature of the relationship in detail and identify the employee.

**PART 2: INDIVIDUAL RESPONSIBILITY**

*Additional Instructions for Section I, Parts 2 through 9: Provide an explanation of the issue(s), relevant dates, the government entity involved, any remedial or corrective action(s) taken and the current status of the issue(s).*

Within the past five (5) years, has any current or former owner, partner, director, officer, principal or any person in a position involved in the administration of funds, or currently or formerly having the authority to sign, execute or approve bids, proposals, contracts or supporting documentation on behalf of the bidder/offeror with any government entity:

2.1 Been sanctioned or proposed for sanction relative to any business or professional permit or license?  
☐ Yes ☐ No

2.2 Been under suspension, debarment, voluntary exclusion or determined ineligible under any federal, District or state statutes?  
☐ Yes ☐ No

2.3 Been proposed for suspension or debarment?  
☐ Yes ☐ No

2.4 Been the subject of an investigation, whether open or closed, by any government entity for a civil or criminal violation for any business-related conduct?  
☐ Yes ☐ No

2.5 Been charged with a misdemeanor or felony, indicted, granted immunity, convicted of a crime, or subject to a judgment or a plea bargain for:  
(a) Any business-related activity; or  
☐ Yes ☐ No

(b) Any crime the underlying conduct of which was related to truthfulness?  
☐ Yes ☐ No

2.6 Been suspended, cancelled, terminated or found non-responsible on any government contract, or had a surety called upon to complete an awarded contract?  
☐ Yes ☐ No

Please provide an explanation for each “Yes” in Part 2 above.

2.7 In the past ten (10) years has the Bidder/Offeror had a contract terminated, in whole or in part, for any reason? If so, describe each such termination in detail.

2.8 In the past ten (10) years has the Bidder/Offeror ever been assessed liquidated damages, costs to re-procure, costs to complete, or any other monetary damages under a contract? If so, describe each such assessment in detail.

**PART 3: BUSINESS RESPONSIBILITY**

Within the past five (5) years, has the Bidder/Offeror:

3.1 Been under suspension, debarment, voluntary exclusion or determined ineligible under any federal, District or state statutes?  
☐ Yes ☐ No

3.2 Been proposed for suspension or debarment?  
☐ Yes ☐ No

3.3 Been the subject of an investigation, whether open or closed, by any government entity for a civil or criminal violation for any business-related conduct?  
☐ Yes ☐ No

3.4 Been charged with a misdemeanor or felony, indicted, granted immunity, convicted of a crime, or subject to a judgment or plea bargain for:  
(a) Any business-related activity; or  
☐ Yes ☐ No

(b) Any crime the underlying conduct of which was related to truthfulness?  
☐ Yes ☐ No

3.5 Been disqualified or proposed for disqualification on any government permit or license?  
☐ Yes ☐ No

3.6 Been denied a contract award (in whole or in part, for any reason) or had a bid or proposal rejected based upon a non-responsibility finding by a government entity? If so, describe each such occurrence in detail.

3.7 Had a low bid or proposal rejected on a government contract for failing to make good faith efforts on any Certified Business Enterprise goal or statutory affirmative action requirements on a previously held contract?  
☐ Yes ☐ No

3.8 Been suspended, cancelled, terminated or found non-responsible on any government contract, or had a surety called upon to complete an awarded contract?  
☐ Yes ☐ No
Please provide an explanation for each "Yes" in Part 3.

### PART 4: CERTIFICATES AND LICENSES

Has the Bidder/Offeror:

<table>
<thead>
<tr>
<th>4.1 Had a denial, decertification, revocation or forfeiture of District of Columbia certification of any Certified Business Enterprise or federal certification of Disadvantaged Business Enterprise status for other than a change of ownership?</th>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>Please provide an explanation for &quot;Yes&quot; in Subpart 4.1.</td>
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<tr>
<td>4.2 Please provide a copy of the Bidder's/Offeror's District of Columbia Office of Tax and Revenue Tax Certification Affidavit.</td>
<td></td>
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<tr>
<td>4.3 Had a denial, suspension, revocation or forfeiture of any licensure(s)?</td>
<td>Yes</td>
<td>No</td>
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<td>Please provide an explanation for &quot;Yes&quot; in Subpart 4.3</td>
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### PART 5: LEGAL PROCEEDINGS

Within the past five (5) years, has the Bidder/Offeror:

<table>
<thead>
<tr>
<th>5.1 Had any liens or judgments (not including UCC filings) filed against it which remain undischarged?</th>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>If &quot;Yes&quot; to Subpart 5.1, provide an explanation of the issue(s), relevant dates, the Lien Holder or Claimant's name, the amount of the lien(s) and the current status of the issue(s).</td>
<td></td>
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<tr>
<td>5.2 Had a government entity find a willful violation of District of Columbia compensation or prevailing wage laws, the Service Contract Act or the Davis-Bacon Act?</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>5.3 Received any OSHA citation and Notification of Penalty containing a violation classified as serious or willful?</td>
<td>Yes</td>
<td>No</td>
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<td>Please provide an explanation for each &quot;Yes&quot; in Part 5 above.</td>
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<td>5.4 Engaged in any litigation with any government entity? If so, please identify and/or describe all threatened and pending litigation and/or claims, including but not limited to matters pending before any Boards of Contracts Appeals.</td>
<td>Yes</td>
<td>No</td>
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### PART 6: FINANCIAL AND ORGANIZATIONAL INFORMATION

<table>
<thead>
<tr>
<th>6.1 Within the past five (5) years, has the Bidder/Offeror received any formal unsatisfactory performance assessment(s) from any government entity on any contract?</th>
<th>Yes</th>
<th>No</th>
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<tr>
<td>If &quot;Yes&quot; to Subpart 6.1, provide an explanation of the issue(s), relevant dates, the government entity involved, any remedial or corrective action(s) taken and the current status of the issue(s).</td>
<td></td>
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<tr>
<td>6.2 Has the Bidder/Offeror ever been assessed liquidated damages, costs to re-procure, costs to complete, or any other monetary damages under a contract? If so, describe each such assessment in detail below.</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>If &quot;Yes&quot; to Subpart 6.2, provide an explanation of the issue(s), relevant dates, the government entity involved, the amount assessed and the current status of the issue(s).</td>
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<td>6.3 Within the last seven (7) years, has the Bidder/Offeror initiated or been the subject of any bankruptcy proceedings, whether or not closed, or is any bankruptcy proceeding pending?</td>
<td>Yes</td>
<td>No</td>
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<td>If &quot;Yes&quot; to Subpart 6.3, provide the bankruptcy chapter number, the court name and the docket number. Indicate the current status of the proceedings as “initiated,” “pending” or “closed”.</td>
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<td>6.4 During the past three (3) years, has the Bidder/Offeror failed to file a tax return or pay taxes required by federal, state, District of Columbia or local laws?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>If &quot;Yes&quot; to Subpart 6.4, provide the taxing jurisdiction, the type of tax, the liability year(s), the tax liability amount the Bidder/Offeror failed to file/pay and the current status of the tax liability.</td>
<td></td>
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<tr>
<td>6.5 During the past three (3) years, has the Bidder/Offeror failed to file a District of Columbia unemployment insurance return or failed to pay District of Columbia unemployment insurance?</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>If &quot;Yes&quot; to Subpart 6.5, provide the years the Bidder/Offeror failed to file the return or pay the insurance, explain the situation and any remedial or corrective action(s) taken and the current status of the issue(s).</td>
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<td>6.6 During the past three (3) years, has the Bidder/Offeror failed to comply with any payment agreement with the Internal Revenue Service, the District of Columbia Office of Tax and Revenue and the Department of Employment Services?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>If &quot;Yes&quot; to Subpart 6.6, provide the years the Bidder/Offeror failed to comply with the payment agreement, explain the situation and any remedial or corrective action(s) taken and the current status of the issue(s).</td>
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<td>6.7 Indicate whether the Bidder/Offeror owes any outstanding debt to any state, federal or District of Columbia government.</td>
<td>Yes</td>
<td>No</td>
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SECTION II. ADDITIONAL REQUIRED BIDDER/OFFEROR CERTIFICATIONS

The Bidder/Offeror certifies that:

2.1 The signature of the Bidder/Offeror is considered to be a certification by the signatory that:
   (a) The contract prices have been arrived at independently without, for the purpose of restricting competition, any consultation, communication or agreement with any bidder/offeror or competitor related to:

   (i) Those prices;

   (b) Any favoritism in the treatment of the Bidder/Offeror, including any subsidies, rebates, or other benefits.

   (c) Any inaccuracy or misstatement of fact in the Bidder/Offeror's response to this form.

   (d) Any material misstatement of fact or omission.

PART 7: CONTRACTOR PROCUREMENT ACTIVITY WITHIN THE DEPARTMENT

7.1 What is your organization's Design Capacity (total labor hours) to conduct or pursue business with the Department of General Services (DGS) in the current fiscal year? Design capacity is calculated by multiplying the total number of company employees dedicated to a particular line of business by no more than 12 hours per day. Person’s completing this form may be required to provide supporting documentation to substantiate allocable labor hours presented.

   (a) Construction: ___________________________ labor hours

   (b) Non-Construction: ___________________________ labor hours

7.2 In the table below, please list:

   (1) The active contracts your organization currently holds with the Department of General Services, please include the contract number(s) as a part of your response; and

   (2) The number of labor hours your organization has allocated to each active contract within the current fiscal year. (Note, if more entries are required, please list an attached addendum to this document).

<table>
<thead>
<tr>
<th>Contract Number</th>
<th>Labor Hours Allocated</th>
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PART 8: RESPONSE UPDATE REQUIREMENT

8.1 In accordance with the requirement of Section 302(c) of the Procurement Practices Reform Act of 2010 (D.C. Official Code § 2-353.02), the Bidder/Offeror shall update any response provided in Section I of this form during the term of this contract:

   (a) Within sixty (60) days of a material change to a response; and

   (b) Prior to the exercise of an option year contract.

PART 9: FREEDOM OF INFORMATION ACT (FOIA)

9.1 Indicate whether the Bidder/Offeror asserts that any information provided in response to a question in Section I is exempt from disclosure under the District of Columbia Freedom of Information Act (FOIA), effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code §§ 2-531, et seq.). Include the question number(s) and explain the basis for the claim. (The District will determine whether such information is, in fact, exempt from FOIA at the time of request for disclosure under FOIA.)
SECTION III. BUY AMERICAN ACT CERTIFICATION

Instructions for Section III: Section III contains one (1) part which should only be completed if goods are being provided that are subject to the requirements of the Buy American Act.

PART 1: BUY AMERICAN ACT COMPLIANCE

1.1 The Bidder/Offeror certifies that each end product, except the end products listed below, is a domestic end product, and that components of unknown origin are considered to have been mined, produced or manufactured outside the United States.
### SECTION IV. WALSH-HEALEY ACT

**Instructions for Section IV:** Walsh-Healey Act.

If this contract is for the manufacture or furnishing of materials, supplies, articles or equipment in an amount that exceeds or may exceed $10,000, and is subject to the Walsh-Healey Public Contracts Act, as amended (41 U.S.C. §§ 35-45) (the “Act”, as used in this section), the following terms and conditions apply:

(a) All representations and stipulations required by the Act and regulations issued by the Secretary of Labor (41 CFR 50-201.3) are incorporated by reference. These representations and stipulations are subject to all applicable rulings and interpretations of the Secretary of Labor that are now, or may hereafter, be in effect.

(b) All employees whose work relates to this contract shall be paid not less than the minimum wage prescribed by regulations issued by the Secretary of Labor (41 CFR 50-202.2) (41 U.S.C. §40). Learners, student learners, apprentices, and handicapped workers may be employed at less than the prescribed minimum wage (see 41 CFR 50-202.3) to the same extent that such employment is permitted under Section 14 of the Fair Labor Standards Act (29 U.S.C. §214).

### SECTION V. CERTIFICATION

**Instruction for Section V:** This section must be completed by all bidder/offerors.

I, [ ] as the person authorized to sign these certifications, hereby certify that the information provided in this form is true and accurate.

<table>
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<tr>
<th>Name [Print and sign]:</th>
<th>Telephone #:</th>
<th>Fax #:</th>
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<tbody>
<tr>
<td>Title:</td>
<td>Email Address:</td>
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</table>

Date:

The District of Columbia is hereby authorized to verify the above information with appropriate government authorities. Penalty for making false statements is a fine of not more than $1,000.00, imprisonment for not more than 180 days, or both, as prescribed in D.C. Official Code § 22-2405. Penalty for false swearing is a fine of not more than $2,500.00, imprisonment for not more than three (3) years, or both, as prescribed in D.C. Official Code § 22-2404.