

Attachment 2: Sponsor Certification for Equipment/ Construction Contracts

Sponsor's Name

Airport

Project Number

Project Description

Section 47105 (d) of the Federal Aviation Reauthorization Act of 1996, as amended (herein called the Act), authorizes the Secretary to require certification from sponsors that they will comply with statutory and administrative requirements. The following list of certified items includes major requirements for this aspect of project implementation. However, the list is not comprehensive, nor does it relieve sponsors from fully complying with all applicable statutory and administrative standards. Every certified item must be marked. Each certified item with a "no" response must be fully explained in an attachment to this certification. If the item is not applicable to this project, mark the item "N/A". Standards for advertising and awarding equipment and construction contracts within Federal grant programs are described in 49 CFR 18.36. Sponsors may use their procurement procedures reflecting State and local laws or regulations provided procurements conform to specific standards in 49 CFR 18 and Advisory Circulars 150/5100-6, 150/5100-15, and 150/5100-16.

1. A code or standard of conduct (is/will be) in effect governing the performance of the sponsor's officers, employees, or agents in soliciting and awarding procurement contracts. Yes
 No
 N/A

2. Qualified personnel (are/will be) engaged to perform contract administration, engineering supervision, and construction inspection and testing. Yes
 No
 N/A

3. The procurement (was/will be) publicly advertised using the competitive sealed bid method of procurement. Yes
 No
 N/A

4. The request for bids clearly and accurately (describes/will describe) all administrative and other requirements of the equipment and/or services to be provided. Yes
 No
 N/A

5. Concurrence (was/will be) obtained from FAA prior to contract award under any of the following circumstances:
 - Only one qualified person/firm submits a responsive bid
 - The contract is to be awarded to other than the lowest responsive and responsible bidder
 - Life cycle costing is a factor in selecting the lowest responsive bidder, and
 - Proposed contract prices are more than 10% over the sponsor's cost estimate. Yes
 No
 N/A

6. All contracts exceeding \$100,000 (require/will require) a bid guarantee of 5%, a performance bond of 100%, and a payment bond of 100%. Yes
 No
 N/A
- Explanation:** Performance and payment bonds, at 50% each, are required for all DOT&PF construction contracts exceeding \$100,000. This bonding meets or exceeds the requirements of AS 36.30.010 and was approved for use by FAA letter dated March 6, 1991, as adequately protecting the government's interest.
7. Contracts exceeding \$100,000 (contain/will contain) provisions or conditions specifying administrative, contractual, and legal remedies, including contract termination, for those instances in which contractors violate or breach contract terms. They also (contain/will contain) provisions requiring compliance with applicable standards and requirements issued under Section 306 of the Clean Air Act (42 USC 1857 (h)), Section 508 of the Clean Water Act (33 USC 1368), Executive Order 11738, and environmental protection regulations (40 CFR Part 15). Yes
 No
 N/A
8. All construction contracts involving labor (contain/will contain) provisions insuring that in the employment of labor, honorably discharged Vietnam era veterans and disabled veterans will be given preference. Yes
 No
 N/A
9. All construction contracts exceeding \$2,000 (contain/will contain) provisions requiring compliance with the Davis-Bacon Act, and bid solicitations (contain/will contain) a copy of the current Federal wage rate determination. Provisions requiring compliance with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 USC 327-330) and the Copeland "Anti-Kick Back" Act (are/will be) included. Yes
 No
 N/A
10. All construction contracts exceeding \$10,000 (contain/will contain) appropriate clauses from 41 CFR Part 60 for compliance with Equal Employment Opportunity Executive Order 11246. Yes
 No
 N/A
11. All contracts and subcontracts (contain/will contain) clauses required from Title VI Civil Rights Assurances and 49 CFR 26 for Disadvantaged Business Enterprises. Yes
 No
 N/A
12. Appropriate checks (have been/will be) made to assure that contracts or subcontracts are not awarded to those individuals or firms suspended, debarred, or voluntarily excluded from doing business with any DOT element and appearing on the DOT Unified List. Yes
 No
 N/A

I certify that, for the project identified herein, the responses to the foregoing items are correct as marked, and that the attachments, if any, are correct and complete.

Signed: _____

Dated: _____

Sponsor's Authorized Representative

Typed Name and Title of Sponsor's Representative