



STATUTORY AFFIDAVIT, NON-COLLUSION CERTIFICATION & PROPOSAL SIGNATURE SHEET

Special Instructions: An authorized representative of the Offeror needs to complete the following affidavit and insert an answer to paragraphs 1 and 3.

Statutory Affidavit and Non-Collusion Certification

I, _____, being duly sworn, depose and state:

1. I am the _____ (officer) and duly authorized representative of the firm (the "Firm") _____ whose address is _____ and that I possess the authority to make this affidavit and certification on behalf of myself and the firm for which I am acting.

2. OFFEROR'S CERTIFICATION

- a) I/we hereby certify to furnish and deliver supplies, equipment, or services, in accordance with specifications and stipulations contained herein, and at the Proposal prices quoted. I/we certify that this Proposal response is made without any previous understanding, agreement, or connection with any person, firm, or corporation making a Proposal response for the same supplies, materials, or equipment and is in all respects fair and without collusion or fraud.
- b) I/we certify that this Proposal response is made without having contacted any employee within The Howard County Public School System unless such contacts were previously authorized by the Purchasing Officer.
- c) I/we certify that this Proposal response is genuine and not collusive or sham; that said Offeror has not colluded, conspired, connived and agreed, directly or indirectly, with any Offeror or person to put in a sham Proposal response or to refrain from responding to this Proposal and is not in any manner, directly or indirectly, sought by agreement of collusion or communication or conference, with any person to fix the Proposal response prices of the affidavit or any other Offeror, or to fix any overhead, profit or cost element of said Proposal response price, or that of any Offeror, or to secure any advantage against the Board of Education of Howard County or any other person interested in the proposed contract; and that all statements in said Proposal response are true.
- d) I/we affirm that this firm will not knowingly employ an individual to work at a school if the individual is a Registered Sexual Offender, pursuant to section 11-722 (C) of the Criminal Procedure Article of the Annotated Code of Maryland. A firm or person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$5,000 or both.
- e) I hereby certify that I am authorized to sign for the Offeror.

3. Except as described in paragraph 4 below, neither I, nor to the best of my knowledge, the above Firm, nor any of its officers, directors, or partners, or any of its employees who are directly involved in obtaining or performing contracts with any public bodies has:

- a) been convicted of bribery, attempted bribery, or conspiracy to bribe, under the laws of any state or of the federal government;
- b) been convicted under the laws of the state, another state, or the United States of: a criminal offense incident to obtaining, attempting to obtain, or performing a public or private contract; or fraud, embezzlement, theft, forgery, falsification or destruction of records, or receiving stolen property;
- c) been convicted of a criminal violation of an antitrust statute of the State of Maryland, another state, or the United States;
- d) been convicted of a violation of the Racketeer Influenced and Corrupt Organization Act, or the Mail Fraud Act, for acts in connection with the submission of proposals or offers for a public or private contract;
- e) been convicted of any felony offenses connected with obtaining, holding, or maintaining a minority business enterprise certification, as prohibited by Section 14-308 of the State Finance ~ Procurement Article;
- f) been convicted of conspiracy to commit any act or omission that would constitute grounds for conviction under any of the laws or statutes described in paragraph (a) through (e) above; or

g) been found civilly liable under an antitrust statute of this State, another state, or the United States for acts or omissions in connection with the submission of proposals or offers for a public or private contract.

4. The only conviction, plea, or admission by any officer, director, partner, or employee of this Firm to involvement in any of the conduct described in paragraph 2 above is as follows:

If none, write "None" below. If involvement, list the date, count, or charge, official or administrative body, the individuals involved, their position with the firm, and the sentence or disposition of the charge.

(An explanation may be attached as necessary.)

5. I affirm that this firm will not knowingly enter into a contract with a public body under which a person or business debarred or suspended under Maryland State Finance and Procurement Title 16, subtitle 3, Annotated Code of Maryland, as amended, will provide, directly or indirectly, supplies, services, architectural services, construction-related services, leases of real property, or construction.

6. I affirm that this proposal or offer to the Board of Education of Howard County is genuine and not collusive or a sham; that said Offeror has not colluded, conspired, connived and agreed, directly or indirectly, with any Offeror or person to put in a sham proposal or offer or to refrain from offering or making a proposal and is not in any manner, directly or indirectly, sought by agreement of collusion or communication or conference, with any person to fix the prices of the affidavit or any other person, or to fix any overhead, profit or cost element of said price, or that if any person, or to secure an advantage against the Board of Education of Howard County or any other person interested in the proposed contract; and that all statements in the proposal or offer are true. I acknowledge that, if the representations set forth in this affidavit are not true and correct, the Board of Education of Howard County may terminate any contract awarded and take any other appropriate action.

7. I affirm that this firm will not knowingly employ an individual to work at a school if the individual is a Registered Sexual Offender, pursuant to section 11-722 (C) of the Criminal Procedure Article of the Annotate Code of Maryland. A firm or person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$5,000 or both.

The statements contained in this affidavit shall be incorporated into the awarded contract as material provisions and shall be effective throughout the life of the contract. The firm has a continuing obligation through the life of the contract to submit a revised affidavit should the firm discover information, or events occur, which render the contents of this affidavit erroneous or incomplete or which would result in the firm providing a different response. The firm's failure to submit a revised affidavit within three (3) working days of either its awareness of any error, change of circumstances, incompleteness, etc., or request by the owner shall constitute breach of contract. Upon submission of a revised affidavit, the owner has the right to take such actions as may be necessary, in the judgment of the owner, to maintain and enforce the provisions of the affidavit, including termination of the contract.

(Continued on next page)

I DO SOLEMNLY DECLARE AND AFFIRM under the penalties of perjury that the contents of these affidavits (Statutory and Non-Collusion) are true and correct, that I am executing this Affidavit in compliance with Section 16-311 of the State Finance and Procurement Article, Annotated Code of Maryland, and the Non-Collusion Certification in compliance with requirements of the Howard County Board of Education, and that I am executing and submitting this Form of Proposal on behalf of and as authorized by the Offeror named below.

WITNESS: _____ Title: _____

SUBSCRIBED AND SWORN to before me on this _____ day of _____, 2012.

NOTARY PUBLIC
My Commission Expires: _____

(Legal Name of Company)

(Address)

(City) _____ (State) _____ (Zip)

(Telephone) _____ (Fax)

Contractor's No. _____

(Signature) _____ (Title) _____ (Date)

(Printed Name of Signatory)

In the presence of _____
(Witness) _____ (Date)

We are/I am legally allowed to do business in the State of Maryland as a:

☐ Corporation ☐ Partnership ☐ Individual ☐ Other