

Request for Proposal

PROFESSIONAL SERVICES

CONSULTING ENGINEER

PEQUANNOCK RIVER BASIN REGIONAL
SEWERAGE AUTHORITY

Issued: December 29, 2020

**PROPOSALS ARE DUE:
Thursday, January 28, 2021**

PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY
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INTRODUCTION

The PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE Authority provides wastewater (sewer) service to the Boroughs of Bloomingdale, Butler, Kinnelon and Riverdale as well as a small portion of West Milford in Morris and Passaic Counties.

Formed in 1974 by the Member towns (Bloomingdale, Butler and Kinnelon) with the addition of Riverdale in 2020, the Authority is the state-designated Water Quality Management Agency for the region. The PRBRSA regional system conveys sewage flows from the five towns through a 7-mile system of interceptor sewers, ranging to 36-inch diameter, into the system of the Two Bridges Sewerage Authority (technically, the Pequannock, Lincoln Park and Fairfield Sewerage Authority or TBSA) for treatment and disposal with effluent discharge into the Pompton River. By contract the Authority currently has 2.6 mgd of treatment capacity in the TBSA system.

The PRBRSA Board consists of eight Commissioners, two appointed by each of the Member towns. Two PRBRSA Commissioners also serve as Commissioners on the Two Bridges Sewerage Authority.

Information on the Authority, its system, meeting schedule, financial and budget information approved/adopted minutes and resolutions are available for public use on our website at prbrsa.org.

POSITION: AUTHORITY CONSULTING ENGINEER

The selected Authority Consulting Engineer shall provide professional services for the day-to-day engineering needs of the Authority.

All services shall be coordinated by the Board and/or Authority Administrator and be billed at an hourly rate in accordance with the firm's 2021 Rate Schedule as approved by the Authority. The Authority holds the right to negotiate any hourly rates and/or negotiate lump sum prices for any Professional Service provided.

PROPOSAL REQUIREMENTS

Engineering firms responding to this RFP must meet the following requirements:

- (1) Be licensed to provide engineering services in the State of New Jersey.
- (2) Demonstrate experience with public sector engineering for authorities of similar size and scope.
- (3) Demonstrate familiarity with PRBRSA System Operations and gravity sewer systems generally.
- (4) Minimum of ten years of experience in a similar position with sewer authorities or municipal projects.

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Interested firms are to submit a written proposal to include:

- (1) Firm name, address of the office where the primary contact is located, telephone number and email address.
- (2) A one-page statement of the firm's interest
- (3) The Firms Qualifications related to water and wastewater experience
- (4) A brief description of the scope of similar client relationships and the contact person responsible for the management and administration of similar contracts.
- (5) A description of the firm, including brief history, the number of employees and their discipline, philosophy regarding client service, office location and years in business.
- (6) Resume of the lead contact engineer proposed to be assigned. List or provide brief bios of other key personnel who may be assigned to conduct various general engineering service tasks. The Authority will schedule an interview with the individual consultant that will be the primary contact for the PRBRSA
- (7) Discussion of the firm's specific abilities to provide the required professional services.
- (8) Three examples of specific knowledge and expertise including project management skills and methodology used to monitor project budgets.
- (9) Fee schedule, per staff position, which list the 2021 hourly rate. Please include ancillary expenses, such as overhead, mileage, telephone, copying, markup for subcontracted services and any other expenses.
- (10) List all authorities for whom the Applicant had or has a contractual relationship for engineering services on sewer systems either currently or previously, including dates of service;
- (11) Provide references in general and from entities where the Applicant has provided similar services as sought by PRBRSA.
- (12) Other factors that you deem helpful in evaluating your firm.

SUBMISSIONS

Submit two (2) paper copies of the proposal entitled "Response to PRBRSA RFP for Consulting Engineer" on or before 3:00 pm on January 28, 2021 with the Company Profile To: Jamie Avagnano, Authority Administrator, One Ace Road, Butler, NJ 07405.

One pdf to be submitted with the Company Profile by email to javag@prbrsa.org Subject: RFP for PRBRSA Consulting Engineer.

Questions regarding this request should be directed to the Authority Administrator at javag@prbrsa.org.

Proposals will be reviewed by the Board Members with personal interviews scheduled prior to the final selection.

In order to ensure a fair review and selection process, firms submitting proposals are specifically requested not to make contact with PRBRSA consultants or Board Members regarding their proposals.

PRBRSA shall not be liable for any costs incurred by the firm in responding to this RFP or for any costs associated with discussions required for clarification of items related to this proposal.

PRBRSA reserves the right to reject any and all submittals.

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GENERAL SCOPE OF SERVICES

The selected Consulting Engineer shall be qualified to provide general engineering services under the direction of the Authority and Authority Administrator, shall be licensed in the State of New Jersey and will operate with the title “Authority Consulting Engineer”. General engineering responsibilities shall include, but not be limited to,; review and general overview of the Authority’s construction projects, flow metering review as requested, review and certification of TWA, Residential and Non-Residential Connection Applications; coordination with special project engineers and contractors on award of contracts by the Authority; response to emergency conditions, annual update to the Consulting Engineer’s report, preparation and delivery of Certificates required pursuant to the Authority’s Bond Resolution, Asset Management planning and recommendations, GIS management; flow metering evaluations as requested; general consultation and recommendations to the Board and Authority Administrator, attendance at monthly PRBRSA Board meetings (generally the third Wednesday of every month) and other activities as may be requested.

The selected Authority Consulting Engineer shall provide professional services for the day to day engineering needs of the Authority under a 1 year contract, renewed annually at the Authority’s reorganization meeting in February.

Engineering services considered to be outside the general requirements of the consulting engineering contract will require a proposal for authorization by the Board prior to initiation.

Further, general requirements may include:

A. GENERAL AND PROJECT MANAGEMENT

- Serves as PRBRSA’s Consulting Engineer.
- Takes direction from the PRBRSA Board, Authority Administrator and its designated representative.
- Assists in planning, coordinating, supervising and evaluating programs, plans, services, and infrastructure.
- Recommends capital infrastructure improvement projects
- Assist in evaluating assets and formulates short and long range plans to meet needs in all areas of capital improvements.
- Update and submission of the annual Consulting Engineer’s Report
- Provides engineering services on projects as required and approved by the Authority
- Attendance at the PRBRSA monthly meeting, held on the third Wednesday of each month (Exceptions: No meeting in November, typically 1st or 2nd Wednesday in December.) and special meetings at the Board’s discretion.
- Review of connection applications and design/specifications and construction plans for completeness and compliance with the Authority’s Service Rules
- Asset Management Planning as requested
- IBank program application assistance as requested

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B. CONSTRUCTION SERVICES

- Plan and review construction project details and specifications.
- Monitor the construction process for compliance with codes, regulations, standards and with approved plans; provide updates on construction projects at monthly meeting
- Review and advise on construction plans.
- Review bids and specification and/or prepare bid tabulations as necessary.

C. MEETINGS

- Participates in internal and external meetings involving engineering questions and issues on request.
- Attends Board meetings (generally the third Wednesday of each month, typically no meeting in November, and 1st or 2nd Wednesday in December)
- Attend special PRBRSA Board meetings and conferences as requested

E. OTHER ITEMS

- Identify opportunities and make recommendations to the Board on infrastructure improvements
- Work with other engineering firms as directed on specific projects.
- Assist with funding options and grant opportunities for future infrastructure projects
- Coordinate with Authority Attorney, as required

INSURANCE REQUIREMENTS

During the performance of its annual Authority Consulting Engineer Contract, the Firm shall provide a Certificate of Insurance, issued by a carrier licensed in the State of New Jersey for the Firm/Company/Individuals, which maintains the following insurance coverage:

- a. Professional Liability Practice Policy with limits of \$1,000,000 per claim and \$2,000,000 aggregate per year, including Pollution Liability Coverage
- b. Commercial General Liability Insurance with limits of \$1,000,000 per claim and \$3,000,000 aggregate. The Authority and its Commissioners, Staff and Consultants shall be named as additional insured.

The Consulting Engineer shall also provide the following, in addition to the above:

- a. Workers Compensation Insurance at statutory limits.
- b. Automobile Liability Insurance with a limit of \$1,000,000 per occurrence combined single limit.
- c. Non-Owned Automobile Liability insurance, including coverage for hired and leased vehicles, with limits of \$1,000,000 per occurrence.

The Firm shall indemnify and save harmless the Pequannock River Basin Regional Sewerage Authority and the Authority's agents and employees against all losses and claims, demands, payments, suits, actions, recoveries and judgements of every nature and description brought or recovered against them by reasons of any act or omission of the said Contractor, their subcontractors, their agents or their employees, in the execution of the work or in guiding same. Proof of coverage shall be provided prior to execution of any Agreement with the Authority.

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ADDITIONAL DOCUMENTATION:

**List of Required Documents for Public Contracts and
Contracts Exceeding or Anticipated to Exceed \$17,500**

- Exhibit A-Mandatory Equal Employment Opportunity Language
- Exhibit B- C.271 Political Contribution Disclosure Form
- Stockholder Disclosure Certification * (included within C.271 above)
- Exhibit C- Business Entity Disclosure Certification *
For Non-Fair and Open Contract
Required Pursuant to N.J.S.A. 19:44A-20.8
- Exhibit D- Non-Collusion Affidavit
- List of Agencies with Morris County Elected Officials Required for Political Contribution Disclosure
In accordance with N.J.S.A. 19:44A-20.26
- List of Agencies with Passaic County Elected Officials Required for Political Contribution Disclosure
In accordance with N.J.S.A. 19:44A-20.26
- Certificates of Employee Information Report
- State of New Jersey Business Registration Certificate
- Certificate of Professional Liability Insurance
- Certificate of Insurance for coverage listed above
- IRS Form W-9

TERMS OF AGREEMENT

Following are the Terms of Agreement for this RFP:

- a. The effective term of the Professional Service Agreement shall be from appointment through **thru and including February 16, 2022** (the PRBRSA Reorganization Meeting).
- b. The Authority shall not be liable for any costs incurred in the preparation of proposals.
- c. The Authority reserves the right to conduct personal interviews prior to selection. The Authority shall not be liable for any costs incurred by the Respondent in connection with such interviews (ie: travel, accommodations, etc.).
- d. The Respondent certifies that they have fully read and understands the RFP and have full knowledge of the scope, nature and quality of the work to be performed.
- e. The Respondent shall furnish such additional information as the Authority may reasonably require. The Authority reserves the right to make investigations of the qualifications of the Respondent as it deems appropriate.
- f. The Authority reserves the right to reject any and/or all Proposals or to informally negotiate certain points of the final Contract with the Respondent.
- g. The Authority reserves the right to appoint multiple Firms to a particular professional position, should it be deemed in the Authority's best interest to proceed in that manner. The Authority, in no way, guarantees that appointment to a professional position will result in any work and shall not be obligated to guarantee any work.

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- i. The Authority reserves the right to waive minor irregularities in the selection process.
- j. The Authority further reserves the right to seek new Proposals when such a procedure is in its best interest. The Authority shall not be obligated to provide reasons for the rejection of any Proposal.
- k. All Respondents are required to provide a complete Rate Schedule
- l. Failure to submit any required information may render a proposal non-responsive and may result in disqualification.

We look forward to receiving your proposals.

Sincerely,

Jamie Avagnano

Jamie Avagnano

Authority Administrator

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Company Profile: PRBRSA AUTHORITY CONSULTING ENGINEER

1 **Firm Name:** _____

2 **Approximate % of Revenues:**

a. Domestic _____ %

b. International _____ %

100 %

c. Of (a) Above % in New Jersey _____ %

d. Of (a) above %

Public _____ %

Private _____ %

100 %

3 **Number of Employees**

a. Total _____

b. Domestic _____

c. New Jersey _____

d. By NJ Offices :

1. Locations A: _____

B: _____

C. _____

D. _____

Total NJ Employees _____

4 **Engineering Disciplines (Approx. % by Revenues)**

Firm wide _____ **New Jersey** _____

a. Water _____

b. Wastewater _____

c. Transportation _____

d. Geotechnical _____

e. Civil/Site _____

f. Architectural _____

g. Other _____

100%

100%

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EXHIBIT A

MANDATORY EQUAL OPPORTUNITY LANGUAGE

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MANDATORY EQUAL OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)

N.J.A.C. 17:27

During the performance of this contract, the Contractor agrees as follows:

The Contractor or Subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. The Contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, or sexual orientation, gender identity or expression, disability, nationality or sex. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality, or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality, or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

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EXHIBIT B
C271 POLITICAL CONTRIBUTION DISCLOSURE FORM

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Contractor Instructions

Business entities (contractors) receiving contracts from a public agency that are NOT awarded pursuant to a “fair and open” process (defined at N.J.S.A. 19:44A-20.7) are subject to the provisions of P.L. 2005, c. 271, s.2 (N.J.S.A.

- any State, county, or municipal committee of a political party (N.J.S.A. 19:44A-20.26). This law provides that 10 days prior to the award of such a contract, the contractor shall disclose contributions to:
 - any legislative leadership committee*
 - any continuing political committee (a.k.a., political action committee)
 - any candidate committee of a candidate for, or holder of, an elective office:
 - o of the public entity awarding the contract
 - o of that county in which that public entity is located
 - o of another public entity within that county
 - o or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county

The disclosure must list reportable contributions to any of the committees that exceed \$300 per election cycle that were made during the 12 months prior to award of the contract. See N.J.S.A. 19:44A-8 and 19:44A-16 for more details on reportable contributions.

N.J.S.A. 19:44A-20.26 itemizes the parties from whom contributions must be disclosed when a business entity is not a natural person. This includes the following:

- individuals with an “interest” ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit
- all principals, partners, officers, or directors of the business entity or their spouses
- any subsidiaries directly or indirectly controlled by the business entity
- IRS Code Section 527 New Jersey based organizations, directly or indirectly controlled by the business entity and filing as continuing political committees, (PACs).

When the business entity is a natural person, “a contribution by that person’s spouse or child, residing therewith, shall be deemed to be a contribution by the business entity.” [N.J.S.A. 19:44A-20.26(b)] The contributor must be listed on the disclosure.

Any business entity that fails to comply with the disclosure provisions shall be subject to a fine imposed by ELEC in an amount to be determined by the Commission which may be based upon the amount that the business entity failed to report.

The enclosed list of agencies is provided to assist the contractor in identifying those public agencies whose elected official and/or candidate campaign committees are affected by the disclosure requirement. It is the

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contractor's responsibility to identify the specific committees to which contributions may have been made and need to be disclosed. The disclosed information may exceed the minimum requirement.

The enclosed form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the contractor's submission and is disclosable to the public under the Open Public Records Act.

The contractor must also complete the attached Stockholder Disclosure Certification. This will assist the agency in meeting its obligations under the law. NOTE: This section does not apply to Board of Education contracts.

* N.J.S.A. 19:44A-3(s): "The term "legislative leadership committee" means a committee established, authorized to be established, or designated by the President of the Senate, the Minority Leader of the Senate, the Speaker of the General Assembly or the Minority Leader of the General Assembly pursuant to section 16 of P.L.1993, c.65 (C.19:44A-10.1) for the purpose of receiving contributions and making expenditures.

List of Agencies with Elected Officials Required for Political Contribution Disclosure
N.J.S.A. 19:44A-20.26

County Name:

State: Governor, and Legislative Leadership Committees

Legislative District #s:

State Senator and two members of the General Assembly per district.

County:

Freeholders County Clerk Sheriff

{County Executive} Surrogate

Municipalities (Mayor and members of governing body, regardless of title):

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EXHIBIT C

BUSINESS ENTITY DISCLOSURE CERTIFICATION

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BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
Required Pursuant To N.J.S.A. 19:44A-20.8
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Part I – Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that the <name of business entity> has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding *February 1, 2019* to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the *Pequannock River Basin Regional Sewerage Authority* as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Part II – Ownership Disclosure Certification

Part II – Ownership Disclosure

Certificate of Ownership Disclosure Form (NJ-100) (Rev. 01/08)

Check the box that represents the type of business entity:

- Partnership
 Corporation
 Sole Proprietorship
 Subchapter S Corporation
 Limited Partnership
 Limited Liability Corporation
 Limited Liability Partnership

Name of Stock or Shareholder	Home Address

Part 3 – Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: _____

Signature of Affiant: _____ Title: _____

Printed Name of Affiant : _____ Date: _____

Subscribed and sworn before me this ____ day of _____, 20____.	_____ (Witnessed or attested by)
My Commission expires: _____	_____ (Seal)

BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
Required Pursuant To N.J.S.A. 19:44A-20.8
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The following is statutory text related to the terms and citations used in the Business Entity Disclosure Certification form.

“Local Unit Pay-To-Play Law” (P.L. 2004, c.19, as amended by P.L. 2005, c.51)

19:44A-20.6 Certain contributions deemed as contributions by business entity.

5. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity.

19:44A-20.7 Definitions relative to certain campaign contributions.

6. As used in sections 2 through 12 of this act:

“business entity” means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction;

“interest” means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate;

Temporary and Executing

12. Nothing contained in this act shall be construed as affecting the eligibility of any business entity to perform a public contract because that entity made a contribution to any committee during the one-year period immediately preceding the effective date of this act.

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**The New Jersey Campaign Contributions and Expenditures Reporting Act (N.J.S.A. 19:44A-1 et seq.)**

**19:44A-3 Definitions.** In pertinent part...

p. The term "political party committee" means the State committee of a political party, as organized pursuant to R.S.19:5-4, any county committee of a political party, as organized pursuant to R.S.19:5-3, or any municipal committee of a political party, as organized pursuant to R.S.19:5-2.

q. The term "candidate committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) for the purpose of receiving contributions and making expenditures.

r. the term "joint candidates committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) by at least two candidates for the same elective public offices in the same election in a legislative district, county, municipality or school district, but not more candidates than the total number of the same elective public offices to be filled in that election, for the purpose of receiving contributions and making expenditures. For the purpose of this subsection: ...; the offices of member of the board of chosen freeholders and county executive shall be deemed to be the same elective

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public offices in a county; and the offices of mayor and member of the municipal governing body shall be deemed to be the same elective public offices in a municipality.

**19:44A-8 and 16 Contributions, expenditures, reports, requirements.**

*While the provisions of this section are too extensive to reprint here, the following is deemed to be the pertinent part affecting amounts of contributions:*

“The \$300 limit established in this subsection shall remain as stated in this subsection without further adjustment by the commission in the manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2)

EXHIBIT D

NON-COLLUSION AFFIDAVIT

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**NON-COLLUSION AFFIDAVIT**

State of New Jersey

County of \_\_\_\_\_

ss:

I, \_\_\_\_\_ residing in \_\_\_\_\_  
(name of affiant) (name of municipality)

in the County of \_\_\_\_\_ and State of \_\_\_\_\_ of full  
age, being duly sworn according to law on my oath depose and say that:

I am \_\_\_\_\_ of the firm of \_\_\_\_\_  
(title or position) (name of firm)

\_\_\_\_\_ the firm making this Proposal for the bid

entitled \_\_\_\_\_, and that I executed the said proposal with  
(title of bid proposal)

full authority to do so and has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive process in connection with the above named project; and that all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that the \_\_\_\_\_  
\_\_\_\_\_ relies upon the truth of the statements contained in said Proposal  
(name of contracting unit)

and in the statements contained in this affidavit in awarding the contract for the said project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by \_\_\_\_\_.

Subscribed and sworn to

before me this day

\_\_\_\_\_  
Signature

\_\_\_\_\_, 2\_\_\_\_

\_\_\_\_\_  
(Type or print name of affiant under signature)

\_\_\_\_\_  
Notary public of

My Commission expires \_\_\_\_\_

(Seal)