

CITY OF CARBONDALE
FEDERAL, STATE AND LOCAL REQUIREMENTS

EXHIBIT A
REPRESENTATIONS AND CERTIFICATIONS

REPRESENTATIONS

Instructions: As this contract may include Federal or State funding, the Contractor to the City of Carbondale and all of its subcontractors must complete and execute these Representations and Certifications. Special attention should be paid to those Sections which require the Contractor and its subcontractors to provide certain information to the City of Carbondale. The Contractor should complete these Representations and Certifications by signing where appropriate and signing and notarizing the section titled "Verification" below. Please note that in the event of a joint venture, the joint venture partners must submit a separate and complete Representations and Certifications. In the event the Contractor is unable to certify to any of the statements contained herein, the Contractor must provide a written, factual explanation of the circumstances leading to the Contractor's inability to so certify. Check or complete all applicable boxes or blocks on this form and submit it with your statement of qualifications.

1. TYPE OF BUSINESS ORGANIZATION

The Contractor represents that it operates as an individual, a partnership, a limited liability company, a joint venture, a nonprofit organization, or a corporation, incorporated under the laws of the State of _____.

2. AFFILIATION AND IDENTIFYING DATA

Each Contractor shall complete (a), (b) if applicable, and (c) below, representing that:

(a) It is, is not, owned or controlled by a parent company. For this purpose, a parent company is defined as one which either owns or controls the activities and basic business policies of the bidder. To own another company means the parent company must own at least a majority, i.e., more than 50 percent, of the voting rights in that company. To control another company, such ownership is not required; if another company is able to formulate, determine or veto basic business policy decisions of the bidder, such other company is considered the parent of the bidder. This control may be exercised through the use of dominant minority voting rights, use of proxy voting, contractual arrangements or otherwise.

(b) If the Contractor is owned or controlled by a parent company, it shall insert in the space below the name and main office address of the parent company:

Name of Parent Company

Main Office Address (including ZIP Code)

(c) If the Contractor has no parent company, it shall provide in the applicable space below its own Employer's Identification Number (E.I.N.), (i.e., number used on Federal Tax Returns or, if it has a parent company, the E.I. No. of its parent company).

Bidder E.I. Number: _____ or, Parent Company's E.I. Number: _____

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3. PREVIOUS CONTRACTS AND COMPLIANCE REPORTS

This representation is applicable to federally assisted contracts. The Contractor represents that:

- (a) It has, has not, participated in a previous contract or subcontract subject to either the Equal Opportunity Clause of this solicitation, or the clause contained in Parts II and IV of Executive Order 11246, as amended; which prohibits discrimination on the basis of race, color, creed, national origin, sex, age; and
- (b) It has, has not, filed all required compliance reports; and
- (c) Representations indicating submittal of required compliance reports signed by proposed subcontractors will be obtained prior to subcontract awards.

4. AFFIRMATIVE ACTION COMPLIANCE

This representation is applicable to federally assisted contracts of \$50,000 or more that are awarded to contractors with 50 or more employees. The Contractor represents that:

- (a) It has a workforce of _____ employees.
- (b) It has developed and has on file, or has not developed and does not have on file, at each establishment, affirmative action programs required by the rules and regulations of the Secretary of Labor (41 CFR Parts 60-1 and 60-2), or
- (c) It has not previously had contracts subject to the written affirmative action program requirements of the rules and regulations of the Secretary of Labor.

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CERTIFICATIONS

5. COVENANT AGAINST GRATUITIES

The Contractor certifies, and in the case of a joint contract, each party thereto certifies as to its own organization, that in connection with this procurement:

Neither it nor any of its employees, representatives or agents have offered or given gratuities (in the form of entertainment, gifts or otherwise) to any employee or official of the City of Carbondale with the view toward securing favorable treatment in the awarding, amending, or the making of any determination with respect to the performing of the contract.

6. BRIBERY

Section 50-5 of the Illinois Procurement Code provides that: (a) no person or business shall be awarded a contract or subcontract under this Code who: (1) has been convicted under the laws of Illinois or any other state of bribery or attempting to bribe an officer or employee of the State of Illinois or any other state in that officer's or employee's official capacity with the City; or (2) has made an admission of guilt of that conduct that is a matter of record but has not been prosecuted for that conduct.

No business shall be barred from contracting with any unit of State or local government as a result of a conviction under this Section of any employee or agent of the business if the employee or agent is no longer employed by the business, and: (1) the business has been finally adjudicated not guilty; or (2) the business demonstrates to the governmental entity with which it seeks to contract, and that entity finds that the commission of the offense was not authorized, requested, commanded, or performed by a director, officer, or high managerial agent on behalf of the business as provided in paragraph (2) of subsection (a) of Section 5-4 of the Criminal Code of 1961.

For purposes of this Section, when an official, agent, or employee of a business committed the bribery or attempted bribery on behalf of the business and in accordance with the direction or authorization of a responsible official of the business, the business shall be chargeable with the conduct.

Contractor certifies that it is not barred from being awarded a contract under Section 50-5. A company who makes a false statement, material to the certification, commits a Class 3 felony.

7. BID RIGGING/BID ROTATING

Section 33E-11 of the Criminal Code of 1961 provides: (a) that every proposal/bid submitted to and public contract executed pursuant to such bid by the State or a unit of local government shall contain a certification by Contractor that it is not barred from contracting with any unit of State or local government as a result of a violation of either Section 33E-3 or 33E-4 of the Code.

A company that makes a false statement, material to the certification, commits a Class 3 felony. A violation of Section 33E-3 would be represented by a conviction of the crime of bid rigging which, in addition to Class 3 felony sentencing, provides that any person convicted of this offense or any similar offense of any state or the United States which contains the same elements as this offense shall be barred for 5 years from the date of conviction from contracting with any unit of State or local government. No corporation shall be barred from contracting with any unit of State or local government as a result of a conviction under this Section of any employee or agent of such corporation if the employee so convicted is no longer employed by the corporation, and: (1) it has been finally adjudicated not guilty, or (2) if it demonstrates to the governmental entity with which it seeks to contract and that entity finds that the commission of the offense was neither authorized, requested, commanded, nor performed by a director, officer, or a high managerial agent in behalf of the corporation.

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A violation of Section 33E-4 would be represented by a conviction of the crime of bid rotating which, in addition to Class 2 felony sentencing, provides that any person convicted of this offense or any similar offense of any state or the United States which contains the same elements as this offense shall be permanently barred from contracting with any unit of State or local government. No corporation shall be barred from contracting with any unit of State or local government as a result of a conviction under this Section of any employee or agent of such corporation if the employee so convicted is no longer employed by the corporation and: (1) it has been finally adjudicated not guilty, or (2) if it demonstrates to the governmental entity with which it seeks to contract and that entity finds that the commission of the offense was neither authorized, requested, commanded, nor performed by a director, officer, or a high managerial agent in behalf of the corporation.

Contractor certifies that it is not barred from contracting with IDOT by reason of a violation of either Section 33E-3 or Section 33E-4.

8. CONTINGENT FEE

The Contractor warrants that no person or selling agency has been employed or retained to solicit or secure this Contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by the contractor for the purpose for securing business. For breach or violation of this warranty, the City of Carbondale shall have the right to annul this Contract without liability or in its discretion, to deduct from the Contract price or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage or contingent fee.

The contractor certifies, and in the case of a joint contract, each party thereto certifies as to its own organization, that in connection with this procurement:

- (a) It has, has not, employed or retained any company or persons (other than a full-time, bona fide employee working solely for the bidder) to solicit or secure this contract, and
- (b) It has, has not, paid or agreed to pay any company or person (other than a full-time, bona fide employee working solely for the bidder) any fee, commission, percentage, or brokerage fee contingent upon or resulting from the award of this contract.

9. INTERNATIONAL ANTI-BOYCOTT

Section 5 of the International Anti Boycott Certification Act provides that every contract entered into by the State of Illinois for the manufacture, furnishing, or purchasing of supplies, material, or equipment or for the furnishing of work, labor, or services, in an amount exceeding the threshold for small purchases according to the purchasing laws of this State or \$10,000, whichever is less, shall contain certification, as a material condition of the contract, by which Contractor agrees that neither it nor any substantially owned affiliated company is participating or shall participate in an international boycott in violation of the provisions of the U.S. Export Administration Act of 1979 or the regulations of the U.S. Department of Commerce promulgated under that Act. Contractor makes the certification set forth in Section 5 of the Act.

10. CLEAN AIR AND WATER CERTIFICATION

This certification is applicable if the contract will be federally assisted and the bid exceeds \$100,000, or the City of Carbondale believes that orders under an indefinite contract in any year will exceed \$100,000 or a facility to be used has been the subject of a conviction under the Clean Air Act (42 U.S.C. 7413(c)(1)) or the Water Act (33 U.S.C. 1319(c)) and is listed by the U.S. Environmental Protection Agency (EPA) as a violating facility, and the acquisition is not otherwise exempt:

- (a) Any facility to be utilized in the performance of this proposed contract is, or is not listed on the EPA list of Violating Facilities;

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- (b) Contractor will immediately notify the City of Carbondale, before award, of the receipt of any communications from the Administrator, or a designee of the EPA, indicating that any facility which it proposes to use for the performance of the contract is under consideration to be listed on the EPA List of Violating Facilities; and
- (c) Contractor will include a certification substantially the same as this certification, including this paragraph, in every non-exempt subcontract.

11. ENVIRONMENTAL PROTECTION ACT

Contractor certifies in accordance with 30 ILCS 500/50-14 that Contractor is not barred from being awarded a contract under this Section. Contractor acknowledges that the contract may be declared void if this certification is false

12. DEBARMENT, SUSPENSION, INELIGIBILITY, AND VOLUNANTARY EXLCUSION

This certification is applicable to federally assisted contracts over \$25,000.

- (a) Primary Covered Transactions. This certification applies to the proposal/bid submitted in response to this solicitation and will be a continuing requirement throughout the term of any resultant contract.
 - (1) In accordance with the provisions of Appendix A to 49 Code of Federal Regulations (CFR) Part 29, the Contractor certifies to the best of its knowledge and belief that it and its principals:
 - (i) are not currently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal or State department or agency;
 - (ii) have not, within a three-year period preceding this bid, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes, or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (iii) are not currently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(ii) of this Certification; and
 - (iv) Have not, within a three-year period preceding this bid, had one or more public transactions (Federal, State, or local) terminated for cause or default.
 - (2) Where the Contractor is unable to certify to any of the statements in this certification, the Contractor shall attach an explanation to this proposal/bid/statement of qualifications.
- (b) Lower Tier Covered Transactions. This certification applies to a subcontract at any tier expected to equal or exceed \$25,000 and will be a continuing requirement throughout the term of the prime contract.
 - (1) In accordance with the provisions of Appendix B to 49 Code of Federal Regulations (CFR) Part 29, the prospective lower tier subcontractor certifies, by submission of this proposal/bid/statement of qualifications, that neither it nor its principals is currently debarred,

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suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal or State department or agency.

- (2) Where the prospective lower tier subcontractor is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

- (c) The Certification required by subparagraph (b), above, shall be included in all applicable subcontracts and a copy kept on file by the prime contractor. The prime contractor shall be required to furnish copies of certifications to the City of Carbondale upon request.

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13. FELONY CONVICTIONS

Contractor certifies in accordance with 30 ILCS 500/50-10.5 that no officer, director, partner or other managerial agent of the contracting business has been convicted of a felony under the Sarbanes Oxley Act of 2002 or of a Class 3 or Class 2 felony under the Illinois Security Law of 1953 for a period of five years prior to the date of the Agreement. Contractor acknowledges that the contract shall be declared void if this certification is false.

14. CERTIFICATION ON COMPLIANCE WITH ALL CIVIL RIGHTS LAWS AND REGULATIONS

Contractor certifies that it complies with all civil rights laws and regulations, in accordance with applicable Federal directives, except to the extent that the FRA determines otherwise in writing, with respect to the Project. These include, but are not limited to, the following: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) (as implemented by 49 C.F.R. Part 21), which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681- 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 1601-1607), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title V111 of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) 49 U.S.C. § 306, which prohibits discrimination on the basis of race, color, national origin, or sex in railroad financial assistance programs; (j) E.O. 11246 as amended by E.O. 11375, and as supplemented by regulations at 41 CFR part 60, which ensures that all business organizations receive fair and equal consideration and prohibits discrimination against any employee; (k) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance was made; and (l) the requirements of any other nondiscrimination statute(s) which may apply to Contractor with respect to the Project. Contractor shall include a provision that requires compliance with E.O. 11246 as amended by E.O. 11375, and as supplemented by regulations at 41 CFR part 60 in all lower tier contracts entered into by Contractor solely in connection with the Project after the date of the execution and delivery of the Agreement.

15. AMERICANS WITH DISABILITIES ACT

Contractor certifies that it will utilize funds provided under this Agreement in a manner consistent with the requirements of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. § 12101 et seq.).

16. NONDISCRIMINATION ASSURANCE

The contractor certifies, and in the case of a joint contract, each party thereto certifies as to its own organization, in connection with this procurement that it will not discriminate on the basis of race, color, creed, national origin, sex, age in the performance of this contract. The bidder is required to insert the substance of this clause in all subcontracts and purchase orders. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the City of Carbondale deems appropriate. The bidder further agrees by submitting this bid that it will include this certification, without modification, in all subcontracts and purchase orders.

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17. CERTIFICATION OF RESTRICTIONS ON LOBBYING

This certification is applicable to federally assisted contracts if the bid exceeds \$100,000.

- (a) The Contractor certifies, and in the case of a joint contract, each party thereto certifies as to its own organization, that to the best of his or her knowledge or belief:
 - (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
 - (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this contract, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities."
 - (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers and that all subrecipients shall certify and disclose accordingly.
- (b) This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. § 1352, as amended. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

18. CERTIFICATION REGARDING A DRUG FREE WORKPLACE

Pursuant to the definitions regarding a Drug Free Workplace provided in the Drug Free Workplace Act of 1988, the Illinois Drug Free Workplace Act, 30 ILCS 580/1 *et seq.*, the Illinois Substance Abuse Prevention on Public Works Projects, 820 ILCS 265/1 *et seq.*, the Federal Acquisition Regulation System ("FAR"), and Governmentwide Requirements for Drug-Free Workplace (Financial Assistance) 49 CFR 32, Contractor certifies to the best of its knowledge and belief that it complies with all of the requirements contained therein.

In addition to other remedies, the Contractor's failure to comply with any part of the requirements of the Drug-Free Workplace Act of 1988, the Illinois Drug Free Workplace Act, 30 ILCS 580/1 *et seq.*, the Illinois Substance Abuse Prevention on Public Works Projects, 820 ILCS 265/1 *et seq.*, the Federal Acquisition Regulation System ("FAR"), and Governmentwide Requirements for Drug-Free Workplace (Financial Assistance) 49 CFR 32, may render the Contractor subject to any or all of the following: suspension of payments, termination of contract for default, suspension or debarment.

19. BUY AMERICA ACT CERTIFICATION

The Buy America requirements apply to federally assisted construction contracts, and acquisition of goods or rolling stock contracts valued at more than \$100,000.

The Contractor certifies, and in the case of a joint contract, each party thereto certifies as to its own organization, that in connection with this procurement it will comply with 49 U.S.C. §24405(a) which provides that Federal funds may not be obligated unless steel, iron, and manufactured products used in Federally-

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funded projects are produced in the United States, unless a waiver has been granted by the Federal Agency or the product is subject to a general waiver.

20. CERTIFICATION OF NON-DELINQUENT TAXES

This certification is applicable to federally assisted contracts.

- (a) The Contractor certifies, and in the case of a joint contract, each party thereto certifies as to its own organization, that in connection with this procurement:
 - (1) It has not been convicted over the past three years of violating any federal criminal tax law or failed to pay any tax.
 - (2) It has certified if it has been notified of an unresolved tax lien or any unsatisfied federal tax delinquency in excess of \$3,000 and that it is paying tax debts through an installment agreement or have requested a collection due process hearing.
 - (3) The Contractor agrees that a breach of this certification is a violation of the Federal Acquisition Regulation.
 - (4) As used in this certification, the term "tax delinquency" means an outstanding debt for which a notice of lien has been filed in public records.
 - (5) It further agrees that (except where it has obtained identical certifications from proposed subcontractors for specific time periods) it will:
 - (b) Obtain identical certifications from proposed subcontractors before the award of subcontracts under which the subcontractor will be subject to Federal Acquisition Regulation;
 - (c) Retain such certifications in its files; and
 - (d) Forward the following notice to such subcontractors (except if the proposed subcontractors have submitted identical certifications for specific time periods):

**NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENTS FOR CERTIFICATION
OF NON-DELINQUENT TAXES**

A Certification of Non-Delinquent Taxes must be submitted prior to award of a subcontract exceeding \$100,000 which is not exempt from the provisions of Federal Acquisition Regulation. The certification may be submitted either for such subcontract or for all subcontracts during a period (i.e., quarterly, semiannually or annually).

21. DELINQUENT PAYMENT

Contractor certifies that same is not delinquent in the payment of any debt or tax due the State or the City of Carbondale.

22. EDUCATIONAL LOAN

The Educational Loan Default Act provides that no State agency shall contract with an individual for goods or services if that individual is in default, as defined by Section 2 of this Act, on an educational loan. Contractor certifies that it is not in default on an educational loan as provided in this Section.

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23. CARGO PREFERENCE ACT

Contractor certifies that it shall comply with 46 U.S.C. § 1241(b), the regulations issued thereunder (46 CFR part 381). This provision must be included in all subcontracts entered into by Contractor solely in connection with the Project after the date of the execution and delivery of the Contract.

24. HOLD HARMLESS

Contractor hereby agrees to defend, indemnify and hold harmless the City of Carbondale, its officers, employees and agents from and against any and all claims, damages, losses, risks, liabilities and expenses (including reasonable attorneys' fees and costs) arising from or related to any breach of the foregoing representations and certifications.

25. CONFLICT

Contractor certifies that no City of Carbondale officer or employee has any interest in the proceeds of this contract.

26. RECORDS

Contractor certifies that same shall maintain books and records relating to the performance of this contract as necessary to support amounts charged under the contract for a period of three (3) years from the later of the date of final payment under the contract or completion of the contract.

27. DBE

Contractor certifies that same is or is not (please circle applicable designation) a Minority and Female Business Enterprise as defined by the State of Illinois (30 ILCS 575/et seq.)

28. PATRIOT ACT

Contractor certifies that same is in compliance with the Patriot Act and Executive Order 13224 and federal Anti-Money Laundering Control Act of 1986 as amended.

29. AMERICAN RECOVERY AND REINVESTMENT ACT

Contractor certifies that same is in compliance with and will continue to comply with the American Recovery and Reinvestment Act of 2009 when federal funds are used pursuant to this Act for the work undertaken by Contractor.

30. FREEDOM OF INFORMATION ACT

To the extent required by Illinois law Contractor agrees to comply with the Illinois Freedom of Information Act and produce upon request public records of the City of Carbondale held by such contractor all within the time allowed by law and subject to applicable exemptions allowed by law.

31. DISCLOSURES

As a condition of receiving a grant or doing business with the City of Carbondale, the following disclosures must be certified in writing. It is the intent of these disclosures to identify natural persons doing business with the City to avoid any conflicts of interest with those persons and elected or appointed City officials.

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1. Corporations: Please provide the name and address of all corporate officers; the name and address of every person who owns more than one percent of any class of stock in the corporation; the name and address of registered agent; the State of incorporation; and the address of the corporation's principal place of business. Please attach additional sheets as necessary.

Name: _____

Name: _____

Address: _____

Address: _____

Name: _____

Name: _____

Address: _____

Address: _____

Corporation's Principal Address:

State of Incorporation:

2. Partnerships: Please provide the name and address of all general and limited partners, identifying those persons who are limited partners and those who are general partners; the address of the partnerships' principal office; and in the case of a limited partnership, the county where the certificate of limited partnership is filed and the filing number shall be identified. Please attach additional sheets as necessary.

Name: _____

Name: _____

Address: _____

Address: _____

Name: _____

Name: _____

Address: _____

Address: _____

Principal Office Address:

County (for limited partnerships):

Filing Number (for limited partnerships):

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3. Joint Ventures: Please provide the name and address of every member of the joint venture. Use additional sheets as necessary.

Name: _____

Name: _____

Address: _____

Address: _____

Name: _____

Name: _____

Address: _____

Address: _____

4. Land Trusts: Please provide the name, address and interest of all persons, firms, corporations or other entities who are the beneficiaries of such land trust. Use additional sheets as necessary.

Name: _____

Name: _____

Address: _____

Address: _____

Name: _____

Name: _____

Address: _____

Address: _____

5. Persons and other entities: Please provide the name and address of every person having a proprietary interest, an interest in profits and losses or the right to control any entity or venture such as a sole partnership, association or trust. Use additional sheets as necessary.

Name: _____

Name: _____

Address: _____

Address: _____

Name: _____

Name: _____

Address: _____

Address: _____

In the event a non-natural person is disclosed pursuant to the above disclosures, then disclosure shall be made for the entity, partnership, corporation, trust or other organization so disclosed until a natural person is identified.

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SIGNATURE BLOCK FOR ALL REPRESENTATIONS AND CERTIFICATIONS

The Representations and Certifications as set forth above are considered part of the Agreement between the City of Carbondale and [_____], the Contractor, and incorporated by reference as if fully set forth therein. Further the Contractor shall comply with these Representations and Certifications during the term of the Agreement.

Under penalty of perjury, I certify that I am duly authorized to execute these Representations and Certifications on behalf of [_____], the Contractor and I have personal knowledge of all the Representations and Certifications made herein and that the same are true.

Signature of President or Authorized Officer* of the Contractor

Date

Printed Name of Signatory

Title of Signatory

Notary :

State of _____

County of _____

Signed and sworn to before me this _____ day of _____, 2020

Notary Public Signature and Seal: _____

*Authorized officer of the contractor must be Vice President level or above.