County of San Diego
Department of General Services

REPRESENTATIONS AND CERTIFICATIONS

The following representations and certifications are to be completed, signed and returned with the offer (the term "offer" includes a bid, proposal, quote, statement of qualifications, or any other submission to provide goods and/or services, to participate in development activities or for any other type of submission to the County.

1. BUSINESS TYPE

☐ For-profit ☐ Non-profit ☐ Government

2. INTERLOCKING DIRECTORATE

In accordance with Board of Supervisors Policy A-79, Offeror certifies it is not a non-profit that has entered into a subcontract relationship with a related for-profit entity where an interlocking directorate, management, or ownership relationship exists, except as disclosed on an attached list. All awards of contracts disclosing such relationships must be approved by the Board of Supervisors.
List Attached? Yes ☐

3. BUSINESS REPRESENTATION

Offeror represents as a part of this offer the following information regarding the ownership, operation, and control of its business:

3.1. Are you a local business as defined by Board Policy B-53
☐ *Yes ☐ No **If answer to 3.1 is yes, list qualifying address:**

_____

_____

3.2. Are you a small business (or Social Equity Enterprise) as defined by Board Policy B-53 & B39a
☐ *Yes ☐ No ***If answer to 3.1 and 3.2 is yes, complete the Small Local Business Self Certification.**

3.3. Do you intend to utilize any subcontractors to perform work on this agreement ☐ *Yes ☐ No

3.4. Provide your BuyNet registration ID _____

4. DEBARMENT, SUSPENSION, AND RELATED MATTERS

4.1. Offeror certifies to the best of its knowledge that neither it nor any of its officers:

4.1.1. Are presently debarred, suspended, declared ineligible, or voluntarily excluded from covered transactions by any state, local, or federal department or agency.

4.1.2. Have within a three (3) year period preceding this certification been convicted of, or had a civil or administrative judgment rendered against them for, the commission of fraud or a criminal offense or civil action in connection with obtaining, attempting to obtain, or performing a public (federal, State, or local) transaction; violation of federal or State anti-trust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property; physical, financial or sexual abuse or misconduct with a patient or client, or medical negligence or malpractice.

4.2. Except as allowed for in Section 4.2.6, Offeror hereby certifies to the best of its knowledge that neither it nor any of its officers:

4.2.1 Are presently indicted for or otherwise criminally or civilly charged by a government entity (federal, state, or local) with the commission of any of the offenses enumerated in paragraph 4.1.2 of this certification.

4.2.2 Are presently the target or subject of any investigation, accusation, or charge related to the conduct of business by any federal, state, or local agency or law enforcement, licensing, certification, labor standards, occupational safety, ethics, or compliance body.

4.2.3 Are proposed for debarment by any state, local, or federal department or agency.

4.2.4 Have a judgment rendered against them by a body described in 4.2.2 that is unsatisfied.

4.2.5 Have within a three (3) year period preceding this certification (i) been found in violation or had a judgment rendered against them resulting from the type of investigation, accusation, or charge described in 4.2.2 or (ii) had one or more public transactions (federal, state, or local) terminated for cause or default.

4.2.6 If Offeror is unable to certify any of Sections 4.2.1 through 4.2.5, it certifies that it has disclosed and attached to this Representations and Certifications the reason(s) it cannot do so. The disclosure must include the Section(s), specific relevant facts including dates, contracts, individuals involved, status of actions, and any other relevant information that prevent it from making the requested certification(s). The County reserves the right to disqualify an Offeror based upon information disclosed.
Disclosure Attached? Yes ☐

5. RELATED WORK

Offeror certifies to the best of its knowledge that, other than as disclosed in an attached separate sheet, it and its proposed subcontractors, agents, and consultants have not previously contracted with the County to perform work on or related to this project (e.g. preparing related studies or recommendations, components of the statement of work, or plans and specifications).
Disclosure Attached? Yes ☐

6. CURRENT COST OR PRICING

Offeror certifies to the best of its knowledge that cost and/or pricing data submitted with this offer, or specifically identified by reference if actual submission of the data is impracticable, are accurate, complete, and current as of the date signed below.

7. INDEPENDENT PRICING

Offeror certifies that in relation to this offer:

7.1. The rent proposed in this offer has been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with other offerors, with any competitors, or with any County employee(s) or consultant(s) involved in this or related procurements;

7.2. Unless otherwise required by law, the prices that have been quoted in this offer have not been knowingly disclosed by the Offeror and will not knowingly be disclosed by the Offeror prior to opening, in the case of a bid, or prior to award, in the case of a proposal, directly or indirectly to any other Offeror or to any competitor or with any County employee(s) or consultant(s) involved in this or related procurements; and

7.3. No attempt has been made or will be made by the Offeror to induce any other person or firm to submit or not to submit an offer for the purpose of restricting competition.

8. ADDITIONAL DISCLOSURES

Offeror shall report in writing to the County Department of General Services within five business days of discovering or having any reason to suspect any change in status as certified in the preceding paragraphs. Upon County's request, Offeror shall provide additional information supporting Offeror's Representations and Certifications. Offeror's obligations under this Section 8 shall continue until Offeror is no longer under consideration for award of a contract, or until termination or expiration of any resulting contract(s).

CERTIFICATION

The information furnished in Paragraphs 1 through 8 and in the accompanying offer is certified to be factual and correct as of the date submitted and this certification is made under penalty of perjury under the laws of the State of California.

Name: _____ Signature: _____ Date: _____

Title: _____ Company/Organization: _____

SUBMIT THIS FORM AS DIRECTED IN THE SOLICITATION DOCUMENTS OR WITH THE OFFER

County of San Diego

Department of General Services

SMALL-LOCAL BUSINESS SELF-CERTIFICATION FORM

Use this form to self-certify whether Offeror is a Small-Local Business as defined in Board Policy B-53 Small-Local Business Policy (SLBP)

1. BUSINESS REPRESENTATION

1.1. Offeror certifies that:

☐ Offeror qualifies as a Small-Local Business. **(Qualifies as 2(A or B), and 3.)**

☐ Small Business (Qualifies as 2(A) below) OR ☐ Social Equity Enterprise (Qualifies as 2(B) below) AND

☐ Local Business (Qualifies as 3 below)

☐ Offeror does not qualify as a Small-Local Business.

2. SMALL BUSINESS / SOCIAL EQUITY ENTERPRISE (SEE) ELIGIBILITY

Part (A) Small Business Eligibility

2.1. Offeror certifies that (check all that apply):

☐ Offeror qualifies as a Small Business. An eligible Small Business as defined in Board Policy B-53 must meet at least one of the qualifications listed below (1.1.1 through 2.1.4). Check all that apply.

☐ Offeror does not qualify as Small Business.

2.1.1

☐ Offeror is certified by the State of California as a Small Business, Micro Business, or Small Business for the Purpose of Public Works*. **(if checked, confirm qualifying certification information)**

☐ Small Business (SB) – Certificate # _____

☐ Micro Business (MB) – Certificate # _____

☐ Small Business for the Purpose of Public Works (SB-PW)* – Certificate # _____

2.1.2

☐ Offeror meets the revenue and employee count criteria** of a Small Business as defined by the State of California under the Procurement Division of the Department of General Services.

☐ Offeror meets the revenue and employee count criteria of a Small Business for the Purpose of Public Works*, as defined by the State of California under the Procurement Division of the Department of General Services.

(See table below for eligibility criteria as of the publication of this form. The most current criteria in place as of the due date for submissions will be used to evaluate eligibility.)

Small Business (SB)	**Small Business for the Purpose of Public Works* (SB-PW)**
Must meet both criteria	*Must meet both criteria*
100 or fewer employees	200 or fewer employees
An average gross annual receipt of $18 million or less, over the last three tax years (Does not apply to manufacturers)	An average gross annual receipt of $43 million or less, over the last three tax years

* If Offeror does not meet the SB requirements but meets the SB-PW requirements, Offeror qualifies as a Small Business only if submitting to a Public Works procurement as defined by the State of California Labor Codes and/or Public Contracting Code.

**For non-profits, budget is substituted for revenue and the non-profit must be registered in the State of California.

2.1.3

☐ Offeror qualifies as a Veteran-Owned Business (VOB) or Disabled Veterans Business (DVB) in accordance with Board Policy **B-39a Veteran Owned Business (VOB) and Disabled Veterans Business (DVB) Program**.
(if checked, confirm qualifying certification information)

☐ Disabled Veteran Business Enterprise (DVBE) – Certificate # _____
☐ Veteran-Owned Small Business (VOSB) – Certificate # _____
☐ Service-Disabled Veteran Owned Small Business (SDVOSB) – Certificate # _____
☐ Other State of California DVB or VOB certification
Certification Name _____ Certification # / reference _____
☐ Other Federal Government DVB or VOB certification
Certification Name _____ Certification # / reference _____

2.1.4

☐ Offeror is certified as a small business by a public agency whose certification is reciprocally recognized by the County of San Diego Office of Economic Development and Government Affairs (EDGA), as identified via the following https://www.sandiegocounty.gov/content/sdc/cao/edga/small-business/
(if checked, confirm qualifying certification information)

Public Agency Name _____
Certification Name _____ Certification # / reference _____

Part (B) Social Equity Enterprise (SEE) Eligibility

2.2. Offeror certifies that (check all that apply):

☐ Offeror qualifies as a Social Equity Enterprise (SEE). An eligible Social Equity Enterprise (SEE) as defined in Board Policy B-53 must meet at least one of the qualifications listed in 2.1.1 through 2.1.4 below. Check all that apply.
☐ Offeror does not qualify as a Social Equity Enterprise (SEE).

2.2.1

☐ Offeror has its principal place of business or is headquartered in an area of San Diego County designated as qualifying for New Market Tax Credits (NMTC) investments on the Community Development Financial Institutions (CDFI) Fund Map.

List qualifying address: _____
_____

2.2.2

☐ Offeror enhances San Diego County by having primarily provided services to Low-Moderate Income (LMI) populations or justice-involved communities in the previous 12 months.

☐ Offeror enhances San Diego County by having primarily provided services to advance environmental justice and/or climate justice in the previous 12 months.

2.2.3

☐ Offeror provides pro bono services in San Diego County, including

i. Donates a minimum of 1% of products or services to LMI populations, or
ii. Donates a minimum of 1% of gross annual revenue to philanthropy.

2.2.4

☐ Offeror is at least 51% owned by, and whose management and daily operations is controlled by, persons qualifying as LMI and/or that are justice-involved.

3. LOCAL BUSINESS ELIGIBILITY

3.1. Offeror certifies that:

☐ Offeror qualifies as a Local Business. An eligible Local Business as defined in Board Policy B-53 must meet at least one of the qualifications listed below (3.1.1 through 3.1.3). Check all that apply.

☐ Offeror does not qualify as a Local Business.

3.1.1

☐ Offeror maintains its international or domestic headquarters within the geographic boundaries of San Diego County.

List qualifying address: _____

_____

3.1.2

☐ Offeror maintains a location within the geographic boundaries of San Diego County from which it performs work that is normal for the firm's business and functions.

List qualifying address: _____

_____

3.1.3

☐ Offeror is a partnership, joint venture, or other legal entity where at least one of its members meets the qualifications under 3.1.2 or 3.1.3 above, and that member i) will perform a Commercially Useful Function, ii) is an equity member of the entity, and iii) is not a subcontractor. (List a qualifying member below and complete 3.1.1 and/or 3.1.2 above for that member.)

Qualifying Member: _____

Additional Qualifying member(s) (optional): _____

CERTIFICATION

The information furnished in this document is certified to be factual and correct as of the date submitted, and this certification is made under penalty of perjury under the laws of California.

Name: Signature: Date:

Title: Company/Organization: