



**OZARK REGIONAL TRANSIT
INVITATION FOR BIDS**

IFB No. 05-10

FENCING INSTALLATION PROJECT

OZARK REGIONAL TRANSIT

INVITATION FOR BID

IFB No.: 05-10

Subject: FENCING INSTALLATION PROJECT

Ozark Regional Transit invites Proposals for the matters, services and/or items described herein in accordance with the provisions hereof.

Proposals MUST be received on or before the Proposal Opening Date and time set forth herein: **May 26, 2010 @ 2:00pm CST.**

Sincerely,

Henry Lukasik
Assistant General Manager of Maintenance & Operations

Notice of Non-Discrimination: Ozark Regional Transit complies with all civil rights provisions of federal statutes and related authorities that prohibited discrimination in programs and activities receiving federal financial assistance. Therefore, Ozark Regional Transit does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, in the admission, access to and treatment in Ozark Regional Transit's programs and activities, as well as Ozark Regional Transit's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding Ozark Regional Transit's nondiscrimination policies may be directed to Phil Pumphrey, Executive Director, 2423 East Robinson Avenue, 479-756-5901, ppumphrey@ozark.org.

This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape and in Braille.

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PART I SOLICITATION

1.0 SOLICITATION

ORT is soliciting Proposals from qualified firms or individuals who meet the conditions set forth herein to provide bus benches for Ozark Regional Transit Authority, 2423 East Robinson Avenue, Springdale, Arkansas, 72764, hereinafter described in accordance with the provisions hereof.

This project is funded by the Arkansas State Highway Department (AHTD), Federal Transit Administration (FTA), United States Department of Transportation (USDOT), and will include American Recovery Reinvestment Act (ARRA) requirements. Davis Bacon Act & Certified Payrolls, Buy America Certifications, Disadvantaged Business Enterprise, Non-Discrimination Certification, Americans with Disabilities Act and other conditions and procedures are required. Ozark Regional Transit's Invitation For Bid (IFB) & Bidding Requirements, Rules and Regulations, shall be used by all Bidders in preparation of their bid and completion of work.

1.1 SUBMISSION OF PROPOSAL

All Proposals must be delivered to ORT, postage prepaid if mailed, to ORT's Address in a sealed envelope with the words "**IFB #05-10 Response Proposal Enclosed**" prominently marked on both sides of the envelope. All Proposals must be submitted to ORT in accordance with the provisions hereof on or before the Submission Deadline. No Proposal submitted after the Submission Deadline will be considered.

The following forms and documentation must be included with proposal submittal:

1. Proposals in Response to Invitation For Bid #05-10
2. Receipt of Addenda Certification
3. Non-Collusion Assurance Affidavit
4. DBE/WBE Certification
5. EEO Certification
6. Eligible Proposer Certification
7. Restrictions on Lobbying Certification
8. Certificate of Buy America Requirements

1.2 PROPOSAL OPENING

- Proposals submitted to ORT in accordance with the requirements hereof shall be publicly opened and examined on the Proposal Opening Date **May 26, 2010 @ 2:00pm CST**.
- Failure of Bidder to respond to requirements listed on the Bid Form(s) may result in the bid being declared non-responsive and the bid will not be considered for the purposes of awarding a Contract.

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- Bids may be withdrawn on written telegraphic request dispatched by bidder in time for delivery in normal course of business prior to time fixed for opening; provided, that written confirmation of any telegraphic withdrawal over signature of bidder is placed in the mail and postmarked prior to time set for bid opening. Negligence on the part of the bidder in preparing their bid confers no right of withdrawal or modification of their bid after such bid has been opened.

1.3 REQUEST FOR CLARIFICATIONS

Any request for clarifications must be in writing and submitted by the Proposed to ORT by **May 20, 2010**. Responses will be made by ORT on or before **May 24, 2010**. All clarifications/responses will be posted on ORT's website at www.ozark.org under the procurement tab.

1.4 PROPOSAL INQUIRIES

All inquiries regarding this IFB should be directed to Henry Lukasik, (479) 756-5901.

1.5 PRE-PROPOSAL TOUR

A non-mandatory pre-proposal Tour will be conducted on **May 17, 2010 @ 2:00pm CST** at Ozark Regional Transit's Administration Building, 2423 East Robinson Avenue, Springdale, Arkansas. The purpose of the tour is to familiarize proposers with the layout of the property, section of property to be fenced, etc. Also, this time will be dedicated to answer any questions regarding this IFB. **Interested proposers are encouraged to attend or make an appointment for a tour.**

Before submitting a bid proposal, the Contractor will be held to have examined the premises and satisfied themselves as to the existing conditions under which they will be obligated to operate, or that will in any manner affect work under this contract.

It is the bidders responsibility to familiarize themselves with the conditions at the site before bidding the work and to have a full understanding of these conditions. Submittal of a bid for the work is evidence by the Bidder/Contractor that they have a complete and thorough understanding of the site, utilities, local municipal requirements and conditions required to complete the work without additional costs to Ozark Regional Transit.

IF YOU HAVE FURTHERS QUESTIONS RELATED TO SPECIFICATIONS OR DESIGNS, PLEASE CONTACT HENRY LUKASIK AT (479) 756-5901 x245, MONDAY-FRIDAY, 8:00 A.M. – 5:00 P.M. C.S.T.

1.6 BID GUARANTY or BID BOND

- Bid must be accompanied by bid guaranty of not less than five percent (5%) of the amount of bid, and at the option of Bidder may be cashiers check or bid bond secured by surety company and made payable to order of Ozark Regional Transit. Bid guaranty shall insure execution of contract and furnishing of performance and payment of bond or bonds by successful bidder.

PART II SPECIFICATIONS

2.0 PURCHASE AND COMPLETE INSTALLATION OF FENCING:

ORT is currently seeking bidders to install new fencing along the perimeter of the property and to remove & dispose of all fencing and waste materials ORT tags for disposal. The successful bidder will deliver all materials to ORT's address and install all fencing and make repairs to existing fencing allowing complete and full operational capability.

This includes but is not limited to the following: Electrical, pneumatic, hydraulic connections, routing, hookups and provisions allowing full use of all gates and fencing. Installation of all gates and perimeter fencing may require excavation and modification of the property which includes but is not limited to digging, trenching, brush clearing, tree removal, waste removal, etc. and should be included in the final quote.

2.1 SPECIFICATIONS FOR FENCING

2.2 SCOPE

- The purpose of these specifications is to define what is being requested to install new fencing, repair existing fencing and to remove & dispose of all fencing and waste materials ORT tags for disposal.
- Materials shall be of new manufacture and quality and used or demonstrator materials shall not be acceptable.
- The successful bidder will disassemble/tear down all fencing deemed broken, inadequate, or damaged beyond repair. ORT will tag all materials for disposal, which will be removed/salvaged by the successful bidder of this bid.
- Upon award of bid to successful contractor, a date for work to begin must be submitted to ORT.
- Upon beginning work, the successful bidder shall have up to fifteen (15) days to remove old fencing and install new fencing/gates. If project should take more than the time allotted, ORT will have final say with granting time extensions. Extensions due to inclement weather will be considered.
- Disposal of all materials must be made in accordance to all local, state, and federal laws/regulations/agencies and in accordance with this IFB.
- The project will consist of three sections of perimeter fencing in need of replacement. For purposes of this identification the three sections will be known as the following: North Section, West Section, South Section. A Site Plan is attached to this IFB and is labeled accordingly. It is known as ATTACHMENT A.
- ORT reserves the right to select whether all sections will be replaced or certain sections based on priority to property safety and security. Bidders shall quote

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the costs to replace each section separately on the quote form contained in this IFB.

- The project will also consist of upgrading the operator keypad for the electric main gate.

2.3 NORTH SECTION

- Installation of new fencing on what will be referred to as the North Section of the property will be of the chain link fence type material.
- 8' x 9 gauge fabric.
- 2 ½" x .055 x 8 ½ end posts.
- 1 5/8" x .055 x 7 ½" line posts.
- 1 3/8" x .047 x 21' top rail, and 3 strands of gaucho barbed wires.
- Barbed wires shall be mounted angling opposite the fence line.
- North Section to be replaced is approximately 59 feet in length.
- A gate, which is no less than 17 feet in length, shall be incorporated into section to allow for emergency access to and from property.
- Gate shall be the same incorporate the same specifications as the continuous fencing so as to remain consistent.

2.4 WEST SECTION

- Installation of new fencing on what will be referred to as the North Section of the property will be of the chain link fence type material.
- 8' x 9 gauge fabric.
- 2 ½" x .055 x 8 ½ end posts.
- 1 5/8" x .055 x 7 ½" line posts.
- 1 3/8" x .047 x 21' top rail, and 3 strands of gaucho barbed wires.
- Barbed wires shall be mounted vertically on top of fence line.
- West Section to be replaced is approximately 1183 feet in length.

2.5 SOUTH SECTION

- Installation of new fencing on what will be referred to as the South Section of the property will be of the chain link fence type material.
- New South Section of fencing will be tied into previously installed South Sections.
- **NOTE:** 6' x 9 gauge fabric.
- 2 ½" x .055 x 8 ½ end posts.
- 1 5/8" x .055 x 7 ½" line posts.
- 1 3/8" x .047 x 21' top rail, and 3 strands of gaucho barbed wires.
- Barbed wires shall be mounted vertically on top of fence line.
- South Section to be replaced is approximately 220 feet in length.

2.6 EXTERIOR KEYPAD UPGRADE

- An electric gate serves as the main entrance to Ozark Regional Transit property.

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- The gate is opened on the exterior via electronic keypad.
- The keypad is to be upgraded/retrofitted to illuminated to aid in entering codes.
- The keypad is to be upgraded/retrofitted to allow for a manual key override function for the purpose of assisting with entering of emergency personnel onto Ozark Regional Transit property after hours.
- When the key is inserted into the override the gate shall open and remain open until the key is removed from the override.
- The override is to be located on/in the keypad and be easily accessible.

2.7 EXPERIENCE

- The successful bidder shall have been in the business of installing fencing for a minimum of 5 years. References and relevant experience will be part of the final evaluation process.

2.8 SERVICE REQUIREMENTS

- It will be the contractor's responsibility to inspect the site and be responsible for all electric, trenching, back filling, concrete removal, etc. and removing any and all extra material including dirt that is deemed not necessary by ORT.
- The contractor is to supply all necessary information for obtaining and will be responsible for obtaining on behalf of ORT all digging permits, building permits, etc. from both local, state, and federal governmental entities required in order for ORT to be compliant with local, state, and federal codes regarding this project.
- The contractor must hold a current State Contractor's License and is responsible for ensuring that all firms, persons, entities, subcontractors, etc. hold necessary Trade Licenses in order to be compliant with this project.
- State Laws passed requiring notification and marking of underground items before digging on a construction project using mechanized equipment or hand tools are a requirement of this project. Failure to not do so can result in penalties which will not be the responsibility of Ozark Regional Transit. Safety is entirely the responsibility of the Contractor(s) and the Contractor(s) are to comply with all notification laws, regulations or customary requirements of the location, jurisdiction or place in which the work is to be performed. It is not the responsibility of Ozark Regional Transit to indicate laws or applicable regulations for the location of the work and is the responsibility of the Contractor(s) to obtain a full understanding of the conditions and requirements, laws and procedures for the work in the location the work is to be completed.

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- It is the responsibility of the Bidder to contact all City, State and/or Local Jurisdictions, Utilities, and/or other Entities having Jurisdiction over the work during the bid period and to determine any and all requirements, installation instructions, installation details, or other conditions needed for properly providing the work indicated and envisioned in this IFB. After the bid period any adjustment that is needed to complete the work such as, but limited to Utility Transit, Road and Entryway Configurations, Drainage Structures, Utility Installation Configurations, costs or fees or other such similar requirements of Entities with Jurisdiction(s) over the work or any such adjustments in the work that is determined to be different than those shown on in this IFB and needed to meet the demands or requirements of such Utilities or Jurisdictions will be paid for by the Bidder.

2.9 WARRANTY AND SPECIAL REQUIREMENTS

- Length of warranty will be considered during the evaluation and award process.
- Warranty work must cover defects in materials. Defects shall include, but not limited to:
 - Operation: Noisy, rough or substandard operation
 - Parts: Loose, damaged and/or missing parts
 - Finish: Abnormal deterioration

PART III EVALUATION PROCEDURE

3.0 Evaluation Criteria:

Proposals will be evaluated as to their responsiveness to the criteria specified in the contents of this IFB.

Award will be made to the lowest, responsive, responsible bidder meeting specifications, who presents the product or service that is in the best interest of Ozark Regional Transit.

3.1 Right to Reject Proposals:

Submission of a proposal indicates acceptance by the Contractor of the conditions contained in this IFB unless clearly and specifically noted in the proposal submitted and confirmed in the contract between Ozark Regional Transit and the firm selected. The award of this project is subject to Federal Transit Administration (FTA) grant process approval which includes the approval of the Arkansas Highway and Transportation Department. No project shall be awarded without the express written consent of Ozark Regional Transit.

Ozark Regional Transit reserves the right without prejudice to reject any or all proposals.

All forms from following this page must be included in formal proposal. Any omissions of forms or information will constitute a bid being considered non-responsive.

Ozark Regional Transit reserves the right to waive any formalities in a bid or reject any or all bids.

Ozark Regional Transit reserves the right to reject any bid or bidder who, in Ozark Regional Transit's sole discretion, feels is not capable or in a financial position to complete the work.

- ORT is seeking a quality professional company, firm, or individual to provide services of this project. While cost is certainly a very important factor in this procurement, it will not be the sole basis on which proposals are evaluated.
- Candidate proposals will be ranked in accordance with the evaluation criteria.
- All bids submitted shall be good and may not be withdrawn for a period of ninety (90) days after scheduled closing time for receiving bids.
- Ozark Regional Transit's Disadvantaged Business Enterprise (DBE) goal for the contract to be awarded to the successful proposer is two percent (2%).

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- If DBE subcontractors are utilized, the successful proposer will be required to submit certifications for these subcontractors prior to contract award. Any proposer that is not a certified DBE contractor or that does not intend to utilize the services of DBE subcontractors must document its good faith efforts as required by 49 C.F.R. Part 26 to obtain the services of DBE subcontractors.
- A listing of all DBE/WBE contractors/subcontractor certified with the State of Arkansas is available on Ozark Regional Transit's website www.ozark.org under the Business Section tab.

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**RESPONSE TO IFB #05-10 FENCING INSTALLATION PROJECT
(TO BE COMPLETED AND SUBMITTED WITH BID)**

Insert Name of Proposer Here: _____

Insert the Business Address of
the Proposer: _____

Insert the Business Phone Number and Fax
Number of the Proposer: _____ & _____

Insert the Name of the Person
completing this Proposal, who
will be treated as the contact
person for the Proposer _____

If the Proposer's Name inserted above is a trade name, an assumed name or fictitious name, please give proper full name of individual or entity conducting business under that name in the space provided immediately below:

If the Proposer is a general partnership or joint venture, please give the names and personal and business addresses of each partner and/or joint venturer in the space provided immediately below:

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If the Proposer is a limited partnership, please give the names and addresses of the General Partner(s) and the limited partner(s) in the space provided immediately below (and attach to this Proposal that documentation evidencing the General Partners authority to execute this Proposal and evidencing Registration with the Secretary of State of the State of Arkansas:

PLEASE NOTE IF MORE SPACE IS REQUIRED SIMPLY ATTACH SEPARATE PAGE WITH THIS ADDITIONAL INFORMATION.

If the Proposer is a corporation or a limited liability company, please attach to this Proposal (i) a certificate of good standing from the Secretary of State in the state where the company operates in, (ii) a certified copy of the resolution authorizing the execution of the Proposal in the name of the corporation or limited liability company, and (iii) insure that the Proposal is executed by the duly authorized officer of the corporation or limited liability company.

The Proposer named above proposes and offers to fully observe and perform all of the obligations set forth in IFB#05-10 and to do and perform all of the services described in IFB#05-10 in accordance with each and all of the provisions of the IFB.

In compliance with the above, the undersigned offers and agrees to furnish any or all items upon which prices are offered, at the price set opposite each item, delivered to 2423 East Robinson Avenue, Springdale, AR 72764, within the time specified.

Company: _____ Authorized Proposer: _____

Address: _____ Title/Signature: _____

Phone: _____ Fax Number: _____

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NORTH SECTION FENCE **PRICE**
(TO BE COMPLETED AND SUBMITTED WITH BID)

Cost to replace North Section Fence Line	\$ _____ Price
Cost of gate	\$ _____ Price
Other Costs (Please list)	
_____	\$ _____ Price
_____	\$ _____ Price
_____	\$ _____ Price
Applicable Taxes	\$ _____ Price
Final Cost	\$ _____ Final Price

PROPOSER NAME

SIGNATURE

BY: _____

TITLE: _____

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WEST SECTION FENCE **PRICE**
(TO BE COMPLETED AND SUBMITTED WITH BID)

Cost to replace West Section Fence Line \$ _____
Price

Other Costs (Please list)

_____ \$ _____
Price

_____ \$ _____
Price

_____ \$ _____
Price

Applicable Taxes \$ _____
Price

Final Cost \$ _____
Final Price

PROPOSER NAME

SIGNATURE

BY: _____

TITLE: _____

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SOUTH SECTION FENCE **PRICE**
(TO BE COMPLETED AND SUBMITTED WITH BID)

Cost to replace South Section Fence Line \$ _____
Price

Other Costs (Please list)

_____ \$ _____
Price

_____ \$ _____
Price

_____ \$ _____
Price

Applicable Taxes \$ _____
Price

Final Cost \$ _____
Final Price

PROPOSER NAME

SIGNATURE

BY: _____

TITLE: _____

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EXTERIOR KEYPAD UPGRADE **PRICE**
(TO BE COMPLETED AND SUBMITTED WITH BID)

Cost to upgrade/retrofit keypad \$ _____
Price

Other Costs (Please list)

_____ \$ _____
Price

_____ \$ _____
Price

_____ \$ _____
Price

Applicable Taxes \$ _____
Price

Final Cost \$ _____
Final Price

PROPOSER NAME

SIGNATURE

BY: _____

TITLE: _____

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**CERTIFICATE NUMBER ONE
RECEIPT OF ADDENDA
CERTIFICATION
(TO BE COMPLETED AND SUBMITTED WITH BID)**

The Proposer warrants and represents that it has received all Addenda (if any) issued by ORT in connection with this Invitation for Bid.

PROPOSER NAME

BY: _____

TITLE: _____

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**CERTIFICATE NUMBER TWO
NON-COLLUSION ASSURANCE AFFIDAVIT
(TO BE COMPLETED AND SUBMITTED WITH BID)**

The undersigned, having first been duly sworn, on and under oath state and affirm as hereinafter stated:

1. That I am the person responsible for the final decision as to the price (s) and amount of this Proposal or, if not, that I have written authorization, attached to this certification, from that person to make the statements sent forth below on his or her behalf and on behalf of the Proposer.

2. I further attest that:
 - (a) The price(s) and amount of this Proposal have been arrived at independently, without consultation, communication or agreement for the purpose of restricting competition with any other Contractor, Proposer or potential Proposer.
 - (b) Neither the price(s) nor the amount of this Proposal has been disclosed to any other firm or person who is a Proposer or potential Proposer on this project, and will not be so disclosed prior to the Proposal Opening Date.
 - (c) No attempt has been made or will be made to solicit, cause or induce any firm or person to refrain from submitting a proposal on this project, or to submit a Proposal higher than the Proposal of this firm, or any intentionally high or non-competitive Proposal or other form of complementary Proposal.
 - (d) The Proposal of this Proposer is made in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary Proposal.
 - (e) This Proposer has not offered or entered into a subcontract or agreement regarding the purchase of materials or services from any firm or person, or offered, promised or paid cash or anything of value to any firm or person, whether in connection with this or any other project, in consideration for an agreement or promise by any firm or person to refrain from proposing or to submit a complementary Proposal on this project.
 - (f) This Proposer has not accepted or been promised any subcontract or agreement regarding the sale of materials or services to any firm or person, and has not been promised or paid cash or anything of value by any firm or person, whether in connection with this or any other project, in consideration for this Proposer submitting a complementary Proposal, or agreeing to do so, on this project.
 - (g) I have made a diligent inquiry of all members, officers, employees, and agents of this Proposer with responsibilities relating to the preparation, approval or submission of this Proposer's Proposal on this project and have been advised by each of them that he or she has not participated in any communication, consultation, discussion, agreement, collusion, act or

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other conduct inconsistent with any of the statements and representations made in this affidavit.

3. Further Affiant sayeth not.

Made and executed this _____ day of _____, 200__.

Affiant's name

SUBSCRIBED AND SWORN to before me a Notary Public of and for the County and State aforesaid on this _____ day of _____, 200__.

Notary Public

My Commission Expires:

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**CERTIFICATE NUMBER THREE
DISADVANTAGED/WOMEN BUSINESS ENTERPRISE
CERTIFICATION
(TO BE COMPLETED AND SUBMITTED WITH BID)**

The undersigned, having first been duly sworn, on and under oath state and affirm as hereinafter stated:

1. That I am the Proposer or I have been duly authorized by the Proposer to make the statements set forth below on behalf of the Proposer.
2. I further attest that:
 - a) I understand that for this Contract Ozark Regional Transit's **DBE/WBE goal is 2.00%** of the total dollar value of the Work.
 - b) The Bidder has included in their bid _____% of the total dollar value of the work complying with the Arkansas Highway and Transportation Department's DBE/WBE program. The selected DBE(s)/WBE(s) are listed below:

 - c) If the Bidder is unable to meet the DBE/WBE goal of 2.00% of the total dollar value of the work the Bidder has included documentation of good faith efforts with their submitted bid.
 - d) The Bidder will further complete all forms and paperwork required either during the bid award or during the completion of the work needed to document and fulfill this Goal.
3. Further Affiant sayeth not.

Made and executed this _____ day of _____, 200__.

Affiant's name

SUBSCRIBED AND SWORN to before me a Notary Public of and for the County and State aforesaid on this _____ day of _____, 200__.

Notary Public

My Commission Expires:_____

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**CERTIFICATE NUMBER FOUR
EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION
(TO BE COMPLETED AND SUBMITTED WITH BID)**

The undersigned, having first been duly sworn, on and under oath state and affirm as hereinafter stated:

1. That I am the Proposer or I have been duly authorized by the Proposer to make the statements sent forth below on behalf of the Proposer.

2. I further attest that:

(a) the policy of the Proposer is to insure equal opportunity and non-discrimination, and require that all employees and applicants for employment be treated equally regardless of race, color, sex, national origin, religion, age and physical handicap not related to the ability to perform a particular job or occupation, and,

(b) that the Proposer agrees to treat each person fairly without regard to race, color, sex, national origin, religion, age and physical handicap not related to the ability to perform a particular job or occupation, with respect to employment, upgrading, promotion, demotion, transfer, layoffs, termination, rates of pay or other forms of compensation, selection for training, and other terms and conditions of employment and further agrees to include in all recruitment advertising the notation that it is "An Equal Opportunity Employer, " and to register its employment advertisements with such minority and female community organizations as may be recommended by the Contract Compliance Division of the Jurisdictions Attorneys Office.

3. Further Affiant sayeth not.

Made and executed this _____ day of _____, 200__.

Affiant's name

SUBSCRIBED AND SWORN to before me a Notary Public of and for the County and State aforesaid on this _____ day of _____, 200__.

Notary Public

My Commission Expires:_____

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CERTIFICATE NUMBER FIVE

ELIGIBLE PROPOSER CERTIFICATION
(TO BE COMPLETED AND SUBMITTED WITH BID)

The Proposer warrants and represents that neither the Proposer, any of its employees or its subcontractors:

- (1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (2) Have not within a three-year period preceding this Proposal 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;
- (3) Are not presently 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 (2) of this certification; and
- (4) Have not within a three-year period preceding this application/Proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

The person executing this certification further represents, warrants and affirms the truthfulness and accuracy of the contents of the statements submitted on or with this Certification and understand that the provisions of 31 U.S.C. Sections 3801 Et Seq are applicable thereto.

PROPOSER NAME

BY: _____

TITLE: _____

SUBSCRIBED AND SWORN to before me a Notary Public of and for the County and State aforesaid on this _____ day of _____, 200__.

Notary Public

My Commission Expires: _____

CERTIFICATE NUMBER SIX
CERTIFICATION OF RESTRICTIONS ON LOBBYING
(TO BE COMPLETED AND SUBMITTED WITH BID)

The undersigned, having first been duly sworn, on and under oath state and affirm as hereinafter stated:

1. That I am the Proposer or I have been duly authorized by the Proposer to make the statements sent forth below on behalf of the Proposer.
2. I further attest that:
 - (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Proposer, to any person for influencing or attempting to influence an officer or employee of any agency, 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, and,
 - (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Proposer shall complete and submit the Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions, and,
 - (c) that the Proposer shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including subcontracts, sub grants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.
 - (d) The undersigned acknowledges that this certification is a material representation of fact upon which reliance is placed when this transaction is made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. 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.
3. Further Affiant sayeth not.

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Made and executed this _____ day of _____, 200__.

Affiant's name

SUBSCRIBED AND SWORN to before me a Notary Public of and for the
County and State aforesaid on this _____ day of _____, 200__.

Notary Public

My Commission Expires:

**INSTRUCTIONS FOR COMPLETION OF SF-LLL,
DISCLOSURE OF LOBBYING ACTIVITIES**

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence 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 a covered Federal action. Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or sub-award recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFB) number; Invitation

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for Proposal (IFB) number, grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "IFB-DE-90-001."

9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the federal amount of the award, loan commitment for the prime entity identified in item 4 or 5.

10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).

11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.

12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.

13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.

14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.

15. Check whether or not a SF-LLL-A Continuation Sheet(s) is attached.

16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C., 20503.

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**DISCLOSURE OF LOBBYING ACTIVITIES
(TO BE COMPLETED AND SUBMITTED WITH BID)**

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(Substitute Form SF-LLL)

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. Proposal/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name & Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known:		5. If Reporting Entity in #4 is Subawardee, Enter Name & Address of Prime: Congressional District, if known:
6. Federal Department/Agency:	7. Federal Program Name/Description:	
8. Federal Action Number if known:	9. Award Amount, if known: \$	
10. a. Name & Address of Lobbying Entity (if individual, last name, first name, MI)	b. Individuals Performing Services (including address if different from #10a; last name, first name, MI):	
(attach Continuation Sheet(s) if necessary)		
11. Amount of Payment (check all that apply): <input type="checkbox"/> actual <input type="checkbox"/> planned \$ _____	13. Type of Payment (check all that apply): <input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-time fee <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent fee <input type="checkbox"/> e. deferred <input type="checkbox"/> f. other, specify: _____	
12. Form of Payment (check all that apply): <input type="checkbox"/> a. cash <input type="checkbox"/> b. in-kind; specify: _____ nature: _____ value: _____		

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14. Brief description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employees(s), or Member(s) contacted for Payment indicated in Item 11:

(attach continuation sheet(s) if necessary)

15. Continuation Sheet(s) attached: Yes No

16.

Signature: _____

Print

Name: _____

Title: _____

Telephone No.: _____

Date: _____

DISCLOSURE OF LOBBYING ACTIVITIES CONTINUATION SHEET
(Substitute Form SF-LLL-A)

Reporting Entity: _____
Page ____ **of** ____

CERTIFICATE NUMBER SEVEN
CERTIFICATION OF BUY AMERICA REQUIREMENTS
(TO BE COMPLETED AND SUBMITTED WITH BID)

Buy America - The contractor agrees to comply with 49 U.S.C. 5323(j) and 49 C.F.R. Part 661, which provide that Federal funds may not be obligated unless steel, iron, and manufactured products used in FTA-funded projects are produced in the United States, unless a waiver has been granted by FTA or the product is subject to a general waiver.

Buy America Preference—Title 49 United States Code, Chapter 501 & Section 1605 of the American Recovery and Reinvestment Act states that:

“None of the funds appropriated or otherwise made available by this Act may be used for a project for the construction, alteration, maintenance, or repair of a public building or public work place unless all of the iron, steel, and manufactured goods used in the project are produced in the United States.”

A bidder or offeror must submit to Ozark Regional Transit the appropriate Buy America certification (below) with all bids or offers on FTA-funded contracts, except those subject to a general waiver. Bids or offers that are not accompanied by a completed Buy America certification must be rejected as nonresponsive. This requirement does not apply to lower tier subcontractors.

Certification requirement for procurement of steel, iron, or manufactured products.

Certificate of Compliance with 49 U.S.C. 5323(j)(1)

The bidder or offeror hereby certifies that it will meet the requirements of 49 U.S.C. 5323(j)(1) and the applicable regulations in 49 CFR Part 661.5, Title 49 United States Code, Chapter 501 & Section 1605 of the American Recovery and Reinvestment Act

Date _____

Signature _____

Company Name _____

Title _____

Certificate of Non-Compliance with 49 U.S.C. 5323(j)(1)

The bidder or offeror hereby certifies that it cannot comply with the requirements of 49 U.S.C. 5323(j)(1) and 49 C.F.R. 661.5, but it may qualify for an exception pursuant to 49 U.S.C. 5323(j)(2)(A), 5323(j)(2)(B), or 5323(j)(2)(D), and 49 C.F.R. 661.7.

Date _____

Signature _____

Company Name _____

Title _____

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Addendum to IFB

The following terms and conditions have been added to this project. Successful bidders must abide and agree to the terms as outlined below.

Required Use of American Iron, Steel, and Manufactured Goods--Section 1605 of the American Recovery and Reinvestment Act of 2009.

This award term and condition implements Section 1605 of the American Recovery and Reinvestment Act of 2009 (Recovery Act) (Pub. L. 111-5), by requiring that all iron, steel, and manufactured goods used in the project are produced in the United States except as provided in paragraph 2 CFR 176.140 (b)(3) and 2 CFR 176.140 (b)(4). This requirement does not apply to the material listed by the Federal Government under 2 CFR 176.140(b)(2).

Notice of Required Use of American Iron, Steel, and Manufactured Goods--Section 1605 of the American Recovery and Reinvestment Act of 2009.

A prospective applicant requesting a determination regarding the inapplicability of section 1605 of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5) (Recovery Act) should submit the request to the U.S. Federal Transit Administrator in time to allow a determination before submission of applications or proposals. The prospective applicant shall include the information and applicable supporting data required by paragraphs at 2 CFR 176.140(c) and (d) in the request. If an applicant has not requested a determination regarding the inapplicability of 1605 of the Recovery Act before submitting its application or proposal, or has not received a response to a previous request, the applicant shall include the information and supporting data in the application or proposal.

Paid Wages & Rates

Section 1606 of the Recovery Act requires that all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to the Recovery Act shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code.