

REQUEST FOR PROPOSAL
For
DESIGN AND ENGINEERING SERVICES FOR
TACNA, ARIZONA



Requested by:

Yuma County Administration
I.D. No. 2017-02 (Tacna Water)
198 S. Main Street
Yuma, AZ 85364

November 10, 2020

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RECEIPT ACKNOWLEDGEMENT FORM

Project Name: Tacna Water Infrastructure Project

In order to be placed on the Plan Holder's list and receive notification regarding addenda, respondent[s] must submit this form to:

Diana Veloz (Grants Administrator) Email: Diana.Veloz@yumacountyaz.gov

Please use the project name in the subject line

Yuma County Administration-Grants

198 South Main Street

Yuma AZ 85364

The Proposer identified below may have an interest in being selected for the services described in the above-noted infrastructure project, and requests notification in the event that any addenda or other notices are published.

Firm Name: _____

Signature: _____ Date: _____

Title: _____

Printed Name: _____

Email: _____

Address: _____ Phone: _____

City: _____ State: _____ ZIP Code: _____

PUBLIC NOTICE
YUMA COUNTY
I.D. No. 2017-02 (Tacna Water)
REQUEST FOR PROPOSAL

NOTICE IS HEREBY GIVEN THAT sealed proposals will be received at the Yuma County Administration Building, 198 South Main Street, Yuma, Arizona 85364 until 4:00 P.M (M.S.T.) on November 10, 2020, to provide engineering services for design, survey, land acquisition, permitting, bid documents, bid support services, and construction management concerning the **Colonia of Tacna, Arizona Water Infrastructure Project**. The water infrastructure project includes the design of a new water system, a new well, 150,000-gallon water storage tank, and a new distribution system.

Interested parties may obtain a copy of the Request for Proposals by visiting the Yuma County Administration Office, 198 South Main Street, Yuma, AZ 85364, and telephone (928) 373-1112, or also online at www.yumacountyaz.gov/rfp. To be placed on the list and receive addenda and other notices, prospective Proposers on this project MUST register by submitting the “Receipt Acknowledgement Form” within the Proposal Pamphlet.

All proposals must be in a sealed opaque envelope and marked: “Tacna Water Infrastructure Project” and must be submitted to Yuma County Administration Attention: Diana Veloz, Grants Administrator.

This announcement does not commit Yuma County Improvement District No. 2017-02 (Tacna Water) to award a contract or to pay any costs incurred in the preparation of proposals. The District reserves the right to accept or reject, in whole or in part, all proposals submitted and/or to cancel this announcement.

Yuma County
Administration - Grants

Nancy Ngai
Community Planning Supervisor

Published in Yuma Daily Sun: October 12 and 19, 2020

GENERAL INFORMATION

This Request for Proposal (RFP) package contains necessary instructions related to submitting a proposal for a contract with Yuma County Improvement District 2017-02 (Tacna Water). Interested parties are encouraged to review the RFP package in detail before contacting the Grants Administrator. The RFP may be retrieved from the Yuma County Website www.yumacountyaz.gov/rfp, the Consultant must register their firm with the Grants Administrator by filling out the “Receipt Acknowledgement Form” within the Proposal Pamphlet providing their contact information to receive any modification or addendums to the RFP.

For Purposes of this RFP, the term “Project” refers to the Tacna Water Infrastructure Project. Copies of the approved Preliminary Engineering Report (PER) and Environmental Report (ERR) may be obtained on the County’s website and at the Yuma County Administration Building. Written questions concerning this RFP package should be addressed by email to:

Diana Veloz (Grants Administrator), diana.veloz@yumacountyaz.gov
Yuma County Administration - Grants
198 S. Main Street, Yuma, AZ 85364, (928) 373-1112

Objective

The objective of this project is to provide engineering services for design, survey, land acquisitions, permitting, bid documents, bid support services, and construction for the development of a new water treatment system with new distribution lines for the community of Tacna, Arizona. The engineering services will be divided into phases: 1) Engineering Design: The design will include, but not be limited to, providing Engineering Design for a new water system in accordance with the recommended alternative within the current approved Preliminary Engineering Report and acquisition of land needed for the treatment facility and right of way; and 2) Construction Engineering: the construction phase will be negotiated and contracted separately depending on the availability of funds for the construction phase. The qualifications of the firm’s knowledge and experience with County Improvement District processes in Arizona will be considered for the project.

Federal Fund Usage

Proposers are hereby notified that federal funds are being used to assist in the design of this project and, accordingly, all Consultants will be required to comply with all applicable federal laws, including but not limited to, the Copeland “Anti-Kickback” Act (18 U.S.C. 874) as supplemented by Department of Labor Regulations (29CFR, Part 3). Consultant, Sub-consultant, and associates shall comply with any state or local EEO requirements, where applicable, to this project.

Federal Sources for this Project include, without limitation, the Community Development Block Grant Colonia Set-Aside fund through the Arizona Department of Housing funded by the U.S. Department of Housing & Urban Development (HUD) for engineering design services related to the construction of a new water treatment and distribution system to include by not limited to legal description of water treatment facility site, the acquisition of land and right-of-way that might be identified, and if needed, connections from the street to the dwelling. The U.S. Department of Agriculture (USDA) Rural Development funds is projected for the construction cost and the construction management engineering

services related to the Water Infrastructure Improvements. The Yuma County Improvement District No. 2017-02 (Tacna Water) intends to enter into one or more contracts with the selected consultant concerning certain portions of the services funded in whole or in part by the sources identified. These portions of services so identified will be performed subject to and in accordance with applicable requirements of the funding sources.

Agency

Yuma County Improvement District No. 2017-02 (Tacna Water) hereby referred to as “District” is the agency sponsoring the Project and will be contracting for the first phase, Engineering Design. The Construction Phase of the project will be contracted pending on available funding. All liaison and correspondence will be between the Consultant and the contracting Agency or its representative.

Sub-consultant and Associates

Any sub-consultants or associates proposed to perform services on this Project must be listed and made a part of the Consultant's proposal. The Consultant is responsible for notifying the District of any additional sub-consultants or associates after contracting with the District. Written approval of all Consultants, sub-consultants, or associates is required from the District before the start of work.

Compensation and Insurance

Subsequent to the selection of the Consultant, an agreement is to be executed by and between the Consultant and the District. This agreement will include the fee provisions, payment period, insurance, and additional contract requirements. The District will require statutory workers' compensation insurance, professional and general liability insurance in ten times the contract amount, and auto insurance in the amount of \$1,000,000/\$300,000/\$1,000,000 (per person/per accident/property damage).

Project Documents

All documents including the PER, ERR, field investigation reports and notes, field survey notes, photographs, DVD's, flash drives, mapping, right-of-way maps and descriptions, engineering calculations, original plans, cost estimates, meeting notes and minutes, the computer runs, reference information supplied by the District, and all other information generated by the Consultant for this project are to be the property of the District and are to be delivered before final payment. Documents can be viewed by contacting the Yuma County Administration Office, Grants Administrator, at 198 S. Main Street, Yuma, AZ 86364.

Project Related Correspondence

The Consultant shall furnish copies of all written correspondence between the Consultant and his sub-consultants and any other party pertaining specifically to the owner for their records within one (1) week of the receipt or mailing of said correspondence. The Consultant is not to submit plans to utilities or agencies when it is for relocation, approval, or requesting permits without the District's knowledge and review of the request.

Quality Control

The Consultant shall be responsible for the accuracy and completeness of all information gathered. The information obtained must be reviewed and verified by a qualified individual other than the originator.

Protest Procedure

The interested party shall file the protest in writing to Diana Veloz, Yuma County Administration, 198 South Main Street, Yuma, AZ 85364. Protests shall include the following information:

1. The name, address, and telephone number of the interested party;
2. The signature of the interested party or the interested party's representative;
3. Identification of the solicitation or contract number;
4. A detailed statement of the legal and factual grounds of the protest including copies of relevant documents; and
5. The form of relief requested.

If the protest is based upon alleged improprieties in a solicitation that are apparent before the offer due date and time, the interested party shall file the protest before the offer due date and time. Otherwise, the interested party shall file the protest within 10 days after the county makes the procurement file available for public inspection.

The District reserves the right to reject any or all proposals; to waive irregularities of information in any proposal; to re-advertise the request for proposal; and /or to take any steps determined prudent to resolve the protest.

Questions

If there are questions regarding the proposal, they can be directed to Diana Veloz, Yuma County Administration-Grants at (928) 373-1112.

PROJECT INFORMATION

Project Location:

Colonia of Tacna, Arizona

Project Description:

In 2020, the Yuma County completed a Preliminary Engineering Report (PER) along with an Environmental Report (ERR) of the Tacna Water Infrastructure System. Several needed improvements were identified for the community of Tacna. It was determined that the existing Tacna water system would need to be abandoned and a new water treatment and distribution system would need to be constructed. The Consultant must use the existing approved PER recommended alternative to provide engineering design, including plans and specifications along with a full legal description of the selected site of the water treatment facility site as well as acquiring any land needed for the treatment facility and right-of-way. Design Plans will be reviewed by USDA, Rural Development and must meet USDA requirements. Construction phases will be contracted separately by the District as funds become available.

Project Background:

The community of Tacna is in Yuma County, located on 40E, and within a few miles east of the Town of Wellton limits. This community is a residential area currently served by a private water company and individual on-lot septic systems. The current distribution system is more than 40 years old and deemed unfeasible to rehabilitate. The residents of Tacna recognized that they would need to find a solution to address the ongoing issues with the existing water distribution system. The residents were left with no other alternative and formed the Yuma County Improvement District No. 2017-02 (Tacna Water) to apply for funding to construct a new water infrastructure system that will be in compliance. The District is seeking Engineering Design for a brand new system to include the construction of a new water treatment facility and distribution system at a new location site. They plan to abandon the services of the old system once the new water treatment facility and distribution lines are constructed and activated.

The PER and ERR for the Project have been prepared and approved by USDA, Rural Development. These documents are available for review. The chosen Consultant must use the existing PER and the recommended alternative within the document when designing the engineering plans.

SCOPE OF WORK

The following Scope of Work is intended to be a general description of the major tasks that are to be completed by the Consultant pursuant to this RFP and include, without limitation, the following engineering services concerning the Project (collectively, the “Services”): The Consultant must use the preferred alternative found in the approved PER.

Engineering Design

- Complete design topographical surveys.
- Conduct acquisition of land for the treatment plant and necessary right-of-ways in accordance with federal acquisition rules.
- Preparation of draft and final engineering design documents including plans, specifications, contract documents, and cost estimates.
- Draft plans shall be submitted to the County, the District, and USDA, Rural Development at 60% 90% and 100% completion with cost estimates of all line items matching in the Bid Schedule of the specifications for review and comments. The Consultant shall allow at least two (2) weeks for review of each plan submittal.
- Submit final design plans, specifications, and other documents to The District, Yuma County and applicable agencies for review and approval.
- Prepare all permit and approval applications for the project as required, including without limitation, all applicable Arizona Department of Environmental Quality, Wellton-Mohawk Irrigation District permits, Bureau of Reclamation permits, and /or Yuma County permits.
- The Consultant shall prepare the entire Project Bid Specifications in MS Word format. Include all required technical specification sections and forms.
- Final Construction Cost Estimate – Prepare a final itemized construction cost estimate in MS Excel format pursuant to the final design. Line items shall correspond to the bid items in the specifications.
- Provide bid assistance.

Construction Engineering (Pending on availability of funds)

- Attend a pre-bid conference, respond to technical questions from potential bidders, and issue addenda, as required.
- Assist in bid opening, provide recommendations to the District for bid award, and assist in contract development.
- Attend a pre-construction meeting(s).
- Provide engineering support during construction including submittal reviews, contract administration, applications for payment, change order pre-operations, etc.
- Review the selected contractor’s progress payment request and certify that amounts/quantities claimed accurately reflect work performed and materials supplied during the payment period.
- Provide services related to change orders such as preparation of change order proposal description and justification documentation, assistance with negotiation of change orders with the contractor, making recommendations to the District regarding any change orders, and processing the formal change order documents.

- Provide construction observation as provided in the consultant's contract.
- Complete contract closeout process including substantial completion walk-through, development of a "punch list", final completion walk-through, and recommendation for final payment.
- Advise the District of the dates for any warranty periods established in contract documents.
- Maintain files and document tracking system throughout the entire project.
- Coordinate with the contractor and the District for final testing and startup of facilities.
- Prepare and submit to Yuma County and the District as-built drawings upon completion of construction.
- Assist the bond counsel and the District to determine the best method to assess for the cost of the improvement.

B. Other Items.

- It is anticipated that other Project-related tasks could arise during the design engineering phases. These tasks may include, without limitation, geotechnical explorations, conditional use permits, site-specific reports, and other evaluation. The District will provide a project manager per phases of the Project. The Project Manager will work closely with the consultant team and answer any questions, make decisions, provide guidance, and assist in coordination as needed. All available information the District has will be available to the Consultant team selected to perform the Services. Information may include, without limitation, tax maps, and aerial photos. The selected Consultant will be required to coordinate at a minimum monthly progress meetings.

C. Other Technical Information - The Consultant shall review, compile, and/or analyze the following technical information to provide a turn-key completed Project:

- Geotechnical Investigations - The Consultant shall review and interpret available geotechnical documentation relative to the project site and develop appropriate design criteria (e.g. consolidation and allowable bearing capacity). If existing geotechnical information is not sufficient to develop the required design criteria, the Consultant shall propose geotechnical field explorations and analyses deemed necessary to develop design criteria. The results of the geotechnical investigation shall be contained in the Geotechnical Report. The geotechnical investigation shall include all necessary laboratory testing of materials for design purposes.
- Topographical Information - The Consultant shall perform surveying, as necessary, to obtain the topographical information required to complete the engineering design of the upgrade to the Water System. The Consultant may perform either a topographical survey or aerial surveying to obtain this information. Access to land for surveying activities is the responsibility of the Consultant.
 - i. If an aerial survey is performed, the survey shall be flown in accordance with National Map Accuracy Standards at a photo-scale of 1"-300' for 1' contour intervals. For the aerial survey, the Consultant shall provide survey and control services in preparation for the survey that shall encompass the existing townsite limits and extends 1/8 mile beyond the

limits. The aerial surveyor shall also provide the digital terrain model developed in conjunction with the aerial survey and all topographical information provided shall be in digital format to allow use in AutoCAD14.

- Base Map Preparation - The Consultant shall prepare a base map for the planning area that illustrates the extent of the service area and the overall layout of the proposed improvements. The base map shall have a scale of 1"-100' and shall accurately represents the existing right-of-ways, roads (paved and unpaved), ditches and canals, bridges, utility lines, etc. and all other normal planimetric features.
- Cost Estimates - The Consultant shall prepare a detailed estimate of probable construction costs for the construction of the proposed improvements. The Consultant is advised to take any precautionary measures necessary to maintain the confidential nature of the detailed cost estimate prepared under this task. All estimates of construction costs shall reflect the current unit and unit prices at the time of submittal. Quantity surveys shall present separate quantities for each line item broken down into individual facilities and components thereof. The surveys shall be in sufficient detail to permit proper owner and USDA, Rural Development review, and shall not include lump-sum bid items that cannot be easily analyzed. The quantity surveys shall be priced with unit costs for labor, materials, and equipment, presented separately, currently prevailing in the vicinity of the project. The Consultant must ensure the cost analysis includes cost pertaining to County Improvement District processes and all connection charges required by the Colonia of Tacna.
- Field Investigation - Perform all necessary field investigations that need to be done to verify and confirm compatibility and use in the design.
- Field Surveying – The Consultant is to complete all additional field surveying, provide horizontal and vertical control necessary for the project, provide maps and legal descriptions if necessary and required easement and right-of-ways, for engineering plan preparation and baseline control and benchmark data including benchmark circuits, topographic surveys, cross-sections, and detailed surveys for proposed improvements. Benchmarks are to be based on U.S.G.S. datum.

PROPOSAL GUIDELINES

SUBMITTAL INFORMATION

Four (4) copies of the proposal are to be submitted by 4:00 p.m. on November 10, 2020 in accordance with the RFP to Yuma County Administration, 198 S. Main Street, Yuma, AZ 85364, and clearly marked "Tacna Water Infrastructure Project" Attention: Diana Veloz.

PROPOSAL CONTENT

Proposals are not to be more than twenty (20) pages of content excluding other requirements identified on the checklist. Transmittal sheet and table of contents shall be limited to one (1) page each and will not be included within the twenty (20) page limit. The proposal shall contain the following information to aid in the selection of the best-qualified firm:

- A. Experience (20%): Itemize and briefly describe similar projects and work which have been successfully completed by your firm. Describe the size and experience of the professional and technical staff. Include names and phone numbers of client contacts. If sub-consulting associates are proposed, provide experience information. Provide names of in house or subcontractors who are / who have familiarity with County Improvement Districts and the assessments process under Arizona Revised Statute.
- B. Qualifications (20%): Provide the name of the person who will be in charge of the project, and provide names of people who would be doing the majority of the work in addition to the names of other key personnel that will work on the project. Provide the name of all sub-consulting associates who would be involved in completing the work. Provide qualifications of all personnel.
- C. Issues and Objectives (15%): Provide a description of the project issues and needs and the work necessary to meet the project's objective.
- D. Project Approach (15%): Provide a methodology of how you would approach the project and the scope of work you would intend to perform if awarded the contract.
- E. Time (5%): Provide a schedule to complete the work after a notice to proceed is issued. The amount of the fees is not a consideration for selection and is to be submitted only after the selection review committee has ranked the proposals.
- F. Familiarity with the Project Area (10%): Indicate the firm's familiarity with the general area and its knowledge of the particular work area.
- G. Prior and Current Work (15%): List any prior or current work you performed for any small community wastewater systems the past five (5) years which are funded through the USDA, Rural Development. List any previous County Improvement District projects completed by the current working staff in the past seven (7) years. Due to the grant funding timeline, the Consultant must be available to start the project immediately after the issuance of notice to proceed.

EVALUATION & SELECTION

The District will designate a Proposal Review Committee to evaluate the proposals. In an effort to reach a decision concerning the best-qualified Proposer, the District reserves the right to evaluate any additional factors it deems appropriate, whether or not such factors have been stated on this page. Discussions with Proposers may be held at any time, either formally

or informally as necessary to clarify proposals or portions of proposals. The expected estimated timeline for the award of the contract is within ninety (90) days after the submission of proposals or pending available grant funds. If a Proposer considers certain information confidential or proprietary, a statement identifying such information shall accompany the proposal. The Procurement Officer shall make a ruling before releasing said information. The District will not be held accountable if parties other than the District obtain material from responses with the written consent of the Proposer. The District reserves the sole right to conduct the evaluation and selection of the successful proposal.

After the final selection of the best-qualified Proposer for the project, contract negotiations will be initiated with the highest-ranking Proposer. If a satisfactory contract cannot be negotiated, Yuma County may at its sole discretion, terminate negotiations with the selected Proposer and begin contract negotiations with the next highest ranking Proposer. Proposals are to be submitted to Yuma County with the complete understanding that evaluation and selection by Yuma County are final and not subject to review. The District may, at its sole discretion, reject any or all proposals submitted in response to this RFP.

SUBMITTAL CHECKLIST

This page identifies all the portions of this RFP package that **must be** completed and returned. To speed the processing of your response, please return the required items in the same order indicated on the checklist. **If any applicable items are missing from the submitted proposal, Yuma County retains the right to immediately reject the proposal from further consideration.**

- _____ BUSINESS INFORMATION

- _____ CERTIFICATION STATEMENT

- _____ PROPOSAL CONTENT
(in the order identified under Proposal Guideline)

- _____ ADDENDUM (if applicable)

PROPOSER BUSINESS INFORMATION

Proposer's legal name: _____

DBA if different from above: _____

Name of contact person: _____ Phone #: _____

Address: _____

City: _____ State: _____ Zip: _____

The proposer is: (check one)

1. Limited Partnership, attach a copy of the Certificate of Limited Partnership.
2. Sole Proprietor, attach a resume.
3. Corporation, attach a copy of the Certificate of Good Standing from Arizona Corporation Commission or the most recent copy of your Annual Report submitted to the Arizona Corporation Commission or proof of registration with the Arizona Corporation Commission if a foreign corporation (i.e., not incorporated in Arizona).

Federal Employer Identification (FEIN) or Social Security No.: _____

DUNS Number: _____

Updated registration with SAM.gov?

- Yes
 No

Is this a minority or women-owned / controlled organization?

- Yes
 No

The proposer is subject to licensing or certification:

- Yes - if yes, submit a copy of your current license/certification with your proposal.
 No

The number of years Proposer has been providing this service: _____

CERTIFICATIONS

CIVIL RIGHTS

The undersigned is fully aware that this contract is wholly or partially federally funded, and further, agrees to abide by the:

Civil Rights Act of 1964, Title VI, as amended, that provides no person on the basis of Race, Color, or National Origin shall be excluded from participation, denied program benefits, or subjected to discrimination.

And, Civil Rights Act of 1968, Title VIII, as amended, will not discriminate in housing on the basis of Race, Color, Religion, Sex, or National Origin.

And, Rehabilitation Act of 1973, Section 504, as amended, that no otherwise qualified individual shall solely by reason of his or her handicap be excluded from participation and/or employment, denied program benefits, subjected to discrimination under any program receiving federal funds;

And, Housing and Community Development Act of 1974, Section 109, as amended, that no person shall be excluded from participation (including employment), denied program benefits, or subjected to discrimination on the basis of Race, Color, National Origin, Sex, Age, and Handicap under any program or activity funded in whole or part under Title I (CDBG) of the Act.

And, Age Discrimination Act of 1975, as amended, that no person shall be excluded from participation, denied program benefits, or subjected to discrimination on the basis of age under any program or activity receiving federal funds.

And, Americans with Disabilities Act of 1990, as amended, that there shall be no employment discrimination against "qualified individuals with disabilities."

And, Executive Order 11063, that no person shall, on the basis of race, color, religion, sex, or national origin, be discriminated against in housing and related facilities provided with federal assistance, or lending practices with respect to residential property when such practices are connected with loans insured or guaranteed by the federal government.

And Executive Order 11246, as amended, that no person shall be discriminated against, on the basis of race, color, religion, sex, or national origin, in any phase of employment during the performance of federal or federally assisted construction contracts in excess of \$10,000.

EQUAL EMPLOYMENT OPPORTUNITY

During the performance of the contract, the PROPOSER agrees as follows:

1. The Proposer will not discriminate against any employee or applicant for employment because of race, creed, sex, color, national origin, familial status, religious affiliation or handicap. The Proposer will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, sex, color, national origin, familial status, religious affiliation or handicap. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Proposer agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by Yuma County setting forth the provisions of this non-discrimination clause.
2. The Proposers will, in all solicitation or advertisements for employees placed by or on behalf of the Proposers for Yuma County, state that all qualified applicants will receive consideration for employment without regard to their race, creed, sex, color, national origin, familial status, religious affiliation or handicap.
3. The Proposer will cause the foregoing provisions to be inserted in all subcontracts for any work covered by this contract so that such provisions will be binding upon each subcontractor, provided that the foregoing provisions shall not apply to contracts or subcontracts for standard commercial supplies or raw materials.
4. The Proposer will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his/her books, records, and accounts by Yuma County and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations and orders.
5. In the event of the Proposer's non-compliance with any provision of this contract or with any of such rules, regulations or orders, this Agreement may be canceled, terminated, or suspended in whole or in part and the Proposer may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
6. The PROPOSER will include the provisions of the subparagraphs 12 (a) through (f) in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, so that such provision will be binding upon each subcontractor or vendor. The Proposer will take such action with respect to any subcontract or purchase order as Yuma County may direct as a means of enforcing such provisions including sanctions for non-compliance; provided, however, that in the even the Proposer becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by Yuma County, the Proposer may request the United States to enter into such litigation to protect the interests of the United States.

AFFIRMATIVE ACTION FOR HANDICAPPED WORKERS
SECTION 503

(if contract \$25,000 or over)

1. The Proposer will not discriminate against any employee or applicant for employment because of physical or mental handicap in regard to any position for which the employee or applicant for employment is qualified. The Proposer agrees to take affirmative action to employ, advance in employment and otherwise treat qualified handicapped individuals without discrimination based upon their physical or mental handicap in all employment practices such as the following: employment, upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.
2. The Proposer agrees to comply with the rules, regulations, and relevant orders of the Secretary of Labor issued pursuant to the Act.
3. In the event of the Proposer's non-compliance with the requirements of this clause, actions for non-compliance may be taken in accordance with the rules, regulations, and relevant orders of the Secretary of Labor issued pursuant to the Act.
4. The Proposer agrees to post in conspicuous places, available to employees and applicants for employment, notices in a form to be prescribed by the Director, provided by or through the contracting officer. Such notices shall state the Proposer's obligation under the law to take affirmative action to employ and advance in employment qualified handicapped employees and applicants for employment, and the rights of applicants and employees.
5. The Proposer will notify each labor union or representative of workers with which it has a collective bargaining agreement or other contract understanding, that the Proposer is bound by the terms of Section 503 of Rehabilitation Act of 1973, and is committed to take affirmative action to employ and advance in employment physically and mentally handicapped individuals.
6. The Proposer will include the provisions of this clause in every subcontract or purchase order of \$2,500 or more unless exempted by rules, regulations, or orders of the Secretary issued pursuant to Section 503 of the Act, so that such provisions will be binding upon each subcontractor with respect to any subcontract or purchase order as the Director of the Office of Federal contract Compliance Programs may direct to enforce such provisions, including action for non-compliance.

ACCESS TO RECORDS AND RECORDS RETENTION

The undersigned certifies, to the best of his or her knowledge and belief that:

1. The individual, sole proprietor, partnership, corporation, and/or association agrees to permit Yuma County, U.S. Department of Commerce, and the Office of the Inspector General and/or their designated representatives to have access to all records for review, monitoring, and audit during normal working hours.
2. The individual, sole proprietor, partnership, corporation, and/or association agrees to retain all records for at least five years following the official "Closeout" date of the grant or the resolution of all audit findings, whichever is later.

CONFLICT OF INTEREST

The undersigned is fully aware that this contract is wholly or partially federally funded, and further, by submission of the bid or proposal that the individual or firm, certifies that:

1. There is no substantial interest, as defined by Arizona Revised Statute §§38-503 through 505, with any public official, employee, agency, commission, or committee with Yuma County.
2. Any substantial interest, as defined by Arizona Revised Statute §§38-503 through 505, with any public official, employee, agency, commission, or committee (including members of their immediate family) with Yuma County that develops at any time during this contract will be immediately disclosed to Yuma County.

ANTI-LOBBYING CERTIFICATION

The undersigned certifies, to the best of his or her knowledge and belief that:

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 any 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 Federally appropriated funds have been paid or will be paid to any person 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 this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this Certification be included in the award documents for all sub-awards to all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

CERTIFICATIONS SIGNATURE FORM

Return this page with the proposal.

These Certifications (Civil Rights, Equal Employment Opportunity, Affirmative Action for Handicapped Workers - Section 503(Fly Ash), Access to Records and Records Retention, Conflict of Interest, Lobbying) are a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of these Certifications 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 Certifications shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

(Typed name of Firm)

(Typed name of Official)

(Signature of Official)

(Date)