

DECLARATION SUBMITTAL FORM

Solicitation No:	Solicitation Title:
Legal Company Name (include d/b/a if applicable):	Federal Tax Identification Number:
Type of Business (Check One): <input type="checkbox"/> Individual Proprietorship <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other: _____	Company Address (If declaring Local Preference, address must be in Santa Clara County):
Company Contact Person:	Company Internet Web Address:
Email Address:	Phone Number:

NON-COLLUSION DECLARATION

The party making the foregoing proposal declares that the proposal is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the proposer has not directly or indirectly induced or solicited any other proposer to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any proposer or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the proposer has not in any manner directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the proposer or any other proposer, or to fix any overhead, profit, or cost element of the bid price, or of that of any other proposer, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the proposer has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

DECLARATION OF LOCAL BUSINESS

The County of Santa Clara gives local businesses a preference in formal solicitations of goods and services as set forth in the Board Policy, Section 5.6.5.2. The local preference policy may only be applied based on the entity submitting a bid or proposal and not a subcontractor or business partner. A bidder or proposer has the option of qualifying for the preference by self-declaring its qualification as a "Local Business", which is a lawful business with a physical address and meaningful "production capability" located within the boundary of Santa Clara County. The term "production capability" means sales, marketing, manufacturing, servicing, provision of services, or research and development capability that substantially and directly enhances the firm's or bidder's ability to perform the proposed contract. Post Office box numbers, residential addresses, a local sales office without any support and/or a local subcontractor hired by the contractor may not be used as the sole basis for establishing status as a "Local Business."

All information submitted is subject to investigation, as well as to disclosure to third parties under the California Public Records Act. Incomplete, unclear, or incomprehensible responses to the following will result in the bid or proposal not being considered for application of Santa Clara County's local preference policy. False or dishonest responses will result in rejection of the bid or proposal and curtail the firm or individual's ability to conduct business with the County in the future. It may also result in legal action.

Check mark here to declare qualification as a local business as defined in County of Santa Clara Board Policy, Section 5.6.5.2. and applying for the local preference.

Check mark here if the address provided is that of the business with meaningful "production capability" which is located within the boundary of the County of Santa Clara. Additional physical addresses in Santa Clara County are provided as an attachment.

DECLARATION OF COMPLIANCE WITH EQUAL OPPORTUNITY/NONDISCRIMINATION AND WAGE THEFT PREVENTION

The County of Santa Clara does not tolerate acts of discrimination or wage theft as defined below. Accordingly, Santa Clara County Board of Supervisors' Policy Manual, Section 5.5.5.4, includes the following:

Equal Opportunity/Nondiscrimination

No party contracting with the County will discriminate against any subcontractor, employee, or applicant for employment, because of age, race, color, national origin, ancestry, religion, sex, gender, sexual orientation, mental disability, physical disability, medical condition, political beliefs, organizational affiliations, or marital status with respect to recruitment, selection for training including apprenticeship, hiring, employment, assignment, promotion, layoff, rates of pay or other forms of compensation. It is further the policy of the County that no party contracting with the County may discriminate in the provision of services under the contract because of age, race, color, national origin, ancestry, religion, sex, gender, sexual orientation, mental disability, physical disability, medical condition, political beliefs, organizational affiliations, or marital status.

It is the policy of the County that parties contracting with the County must comply with all applicable federal, state, and local pay equity laws, including, but not limited to, the Federal Equal Pay Act, Title VII of the Civil Rights Act of 1964, the California Fair Pay Act, and the California Fair Employment and Housing Act. A potential contractor that has submitted a formal bid to provide goods and/or services to the County may be disqualified if the potential contractor has been found, by a court, arbitrator, arbitral panel, or a final administrative action of an investigatory government agency, to have violated applicable pay equity laws in the five years prior to the submission of a bid to provide goods and/or services. A current contractor found by a court, arbitrator, arbitral panel, or final administrative action of an investigatory government agency to have violated applicable pay equity laws, in the five years prior to or during the term of the contract with the County, may be in material breach of its contract with the County if the violation is not fully disclosed and/or satisfied per County guidelines and contract requirements. Such breach may serve as a basis for contract termination and/or any other remedies available under law, including a stipulated remediation plan. Pay equity violations disclosed by a contractor or potential contractor will be assessed on a case-by-case basis in light of the totality of the circumstances, including whether the violation is serious, repeated, willful, and/or pervasive, the size of the contractor, and any mitigating factors.

Wage Theft Prevention

It is the policy of the County that all parties contracting with the County must comply with all applicable federal, state, and local wage and hour laws, including, but not limited to, the Federal Fair Labor Standards Act, the California Labor Code, and any Minimum Wage Ordinance enacted by the County or any city within the County of Santa Clara. A potential contractor that has submitted a formal or informal bid to provide goods and/or services to the County may be disqualified if the potential contractor has been found, by a court or by final administrative action of an investigatory government agency, to have violated applicable wage and hour laws in the five years prior to the submission of a bid to provide goods and/or services. A current contractor found by a court or by final administrative action of an investigatory government agency to have violated applicable wage and hour laws, in the five years prior to or during the term of the contract with the County, may be in material breach of its contract with the County if the violation is not fully disclosed and/or satisfied per County guidelines and contract requirements. Such breach may serve as a basis for contract termination and/or any other remedies available under law, including a stipulated remediation plan.

Please complete the certification below.

- Check mark here if Proposer has no violations to disclose pursuant to Board Policy Manual § 5.5.5.4.
- Check mark here if Proposer has been found by a court or final administrative action of an investigatory government agency to have violated federal, state, or local wage and hour laws within the last five (5) years.
- Check mark here if Proposer has included in the proposal response the following for each violation: (1) a copy of the court order and judgment and/or final administrative decision; and (2) documents demonstrating either that the order/judgment has been satisfied, or, if the order/judgment has not been fully satisfied, a written and signed description of proposer's efforts to date to satisfy the order/judgment.

DECLARATION OF COMPLIANCE WITH THE LEVINE ACT

Proposer certifies that it will comply with California Government Code section 84308 ("Levine Act"), which (1) requires a party to a proceeding involving a contract, including a competitive solicitation process, to disclose on the record of the

proceeding any contribution, as defined by Government Code section 84308(a)(6), of more than \$250 that the party or their agent has made to any member of the County Board of Supervisors, or any Other Elected County Officer (if they may participate in the proceeding), within the prior 12 months, and (2) prohibits a party to a proceeding involving a contract, including a competitive solicitation process, from making a contribution, as defined by Government Code section 84308(a)(6), of more than \$250 to any Elected County Officer participating in the proceeding during the proceeding and for 12 months following the final decision in the proceeding. Levine Act disclosures must be submitted at <https://www.sccgov.org/levineact>.

The undersigned declares that he or she is an official/agent of responding firm or individual and is empowered to represent, bind, and execute contracts on behalf of the firm or individual. The undersigned declares under penalty of perjury, under the laws of the State of California, that all statements in this Submittal Form and response are true and correct, with full knowledge that all statements are subject to investigation and that any incomplete, unclear, false or dishonest response may be grounds for denial or revocation of the accompanying bid or proposal and may result in being barred from doing business with the County of Santa Clara as well as additional legal consequences.

Proposer's Authorized Representative Signature:

Print Name:

Title:

Date: