

Contract/Invitation/Request Number: _____

Name of Bidder

CERTIFICATION REQUIREMENT FOR COMPLIANCE WITH THE CIVIL RIGHTS CLAUSE OF EQUAL EMPLOYMENT OPPORTUNITY

The Recipient hereby agrees to acknowledge its understanding and agreement that it must comply with all applicable Federal civil rights laws and regulations, and follow applicable Federal guidance, except as the Federal Government determines otherwise in writing. Therefore, unless a Recipient or Program is specifically exempted from a civil rights statute, FTA requires compliance with that civil rights statute, including compliance with equity in service of Equal Employment Opportunity. Except as FTA determines otherwise in writing:

(1) Federal Requirements and Guidance. The Recipient agrees to, and assures that each Third Party Participant will prohibit discrimination on the basis of race, color, religion, gender, or national origin, and:

- a. Comply with Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq.,
- b. Facilitate compliance with Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order No. 11246, Relating to Equal Employment Opportunity," 42 U.S.C. § 2000e note,
- c. Comply with Federal transit law, specifically 49 U.S.C. § 5332, as provided in section 13.a of the Master Agreement, and
- d. Follow Federal Guidance pertaining to Equal Employment Opportunity laws and regulations, and prohibitions against discrimination on the basis of disability, except as the Federal Government determines otherwise in writing.

(2) Specifics. The Recipient agrees:

- a. To ensure that applicants for employment are employed and employees are treated during employment without discrimination on the basis of their race, color, religion, gender, disability, age, or national origin, and
- b. Take affirmative action that includes, but is not limited to recruitment advertising, recruitment, employment, rates of pay, other forms of compensation, selection for training, including apprenticeship, upgrading, transfers, demotions, layoffs, and terminations.

(3) Equal Employment Opportunity Requirements for Construction Activities. In addition to the foregoing, when undertaking "construction" as recognized by the U.S. Department of Labor (U.S. DOL), the Recipient agrees to comply, and assures the compliance of each Third Party Participant, with:

- a. U.S. DOL regulations, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 CFR chapter 60, and,
- b. Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order No. 11246, Relating to Equal Employment Opportunity," 42 U.S.C. § 2000e note.

Name of Bidder/Company Name

(Signature of Representative)

(Date of Signature)

(Type or Print Name & Title of Representative)

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CERTIFICATION REQUIREMENT FOR COMPLIANCE WITH THE CIVIL RIGHTS CLAUSE OF DISABILITIES

The Recipient hereby agrees to acknowledge its understanding and agreement that it must comply with all applicable Federal civil rights laws and regulations, and follow applicable Federal guidance, except as the Federal Government determines otherwise in writing. Therefore, unless a Recipient or Program is specifically exempted from a civil rights statute, FTA requires compliance with that civil rights statute, including compliance with equity in service of Non-discrimination on the basis of Disability. Except as FTA determines otherwise in writing, the Recipient agrees to comply with the following Federal prohibitions against discrimination on the basis of disability:

(1) Federal laws, including:

- a. Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794, which prohibits discrimination on the basis of disability in the administration of federally funded programs or activities,
- b. The Americans with Disabilities Act of 1990 (ADA), as amended, 42 U.S.C. § 12101 et seq., which requires that accessible facilities and services be made available to individuals with disabilities, but
 - i. General. Titles I, II, and III of the ADA apply to FTA Recipients
- c. The Architectural Barriers Act of 1968, as amended, 42 U.S.C. § 4151 et seq., which requires that buildings and public accommodations be accessible to individuals with disabilities,
- d. Federal transit law, specifically 49 U.S.C. § 5332, which now includes disability as a prohibited basis for discrimination, and
- e. Other applicable laws and amendments pertaining to access for seniors or individuals with disabilities,

(2) Federal regulations, including:

- a. U.S. DOT regulations, "Transportation Services for Individuals with Disabilities (ADA)," 49 CFR 37,
- b. U.S. DOT regulations, "Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," 49 CFR 27,
- c. U.S. DOT regulations, "Transportation for Individuals with Disabilities: Passenger Vessels," 49 CFR 39,
- d. Joint U.S. Architectural and Transportation Barriers Compliance Board (U.S. ATBCB) and U.S. DOT regulations, "Americans With Disabilities (ADA) Accessibility Specifications for Transportation Vehicles," 36 CFR 1192 and 49 CFR 38,
- e. U.S. DOJ regulations, "Nondiscrimination on the Basis of Disability in State and Local Government Services," 28 CFR 35,
- f. U.S. DOJ regulations, "Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities," 28 CFR 36,
- g. U.S. EEOC, "Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act," 29 CFR 1630,
- h. U.S. Federal Communications Commission regulations, "Telecommunications Relay Services and Related Customer Premises Equipment for Persons with Disabilities," 47 CFR 64(f),

- i. U.S. ATBCB regulations, "Electronic and Information Technology Accessibility Standards," 36 CFR 1194, and
- j. FTA regulations, "Transportation for Elderly and Handicapped Persons," 49 CFR 609, and

(3) Other applicable Federal civil rights and nondiscrimination guidance.

Name of Bidder/Company Name

(Signature of Representative)

(Date of Signature)

(Type or Print Name & Title of Representative)

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**CERTIFICATION REQUIREMENT FOR COMPLIANCE WITH THE
CIVIL RIGHTS CLAUSE OF TITLE VI**

The Recipient hereby agrees to acknowledge its understanding and agreement that it must comply with all applicable Federal civil rights laws and regulations, and follow applicable Federal guidance, except as the Federal Government determines otherwise in writing. Therefore, unless a Recipient or Program is specifically exempted from a civil rights statute, FTA requires compliance with that civil rights statute, including compliance with equity in service of Nondiscrimination – Title VI of the Civil Rights Act.

The Recipient agrees to, and assures that each Third Party Participant will:

- (1) Prohibit discrimination based on race, color or national origin
- (2) Comply with Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d et seq., and U.S. DOT regulations, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964,” 49 CFR 21, and Federal transit law, specifically 49 U.S.C. § 5332, as provided in section 13.a of the Master Agreement, and
- (3) Except as FTA determines otherwise in writing, follow the most recent edition of FTA Circular 4702.1, “Title VI Requirements and Guidelines for Federal Transit Administration Recipients,” to the extent consistent with applicable Federal laws, regulations, and guidance, and the U.S. DOJ, “Guidelines for the enforcement of Title VI, Civil Rights Act of 1964,” 28 CFR 50.3, and other applicable Federal guidance that may be issued.

Name of Bidder/Company Name

(Signature of Representative)

(Date of Signature)

(Type or Print Name & Title of Representative)

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CERTIFICATION TO RESTRICTIONS ON LOBBYING

I, _____, hereby certify on behalf of _____ that:
(Name and title of official) (Name of Bidder/Company Name)

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, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
2. If any funds other than federal appropriated funds have been paid or will be paid to any person influencing or attempting to influence an officer or employee of any agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the 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 at all tiers (including sub-contracts, sub-grants and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). 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.

The undersigned certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provisions of 31 U.S.C. Section 3801, *et seq.*, is applicable thereto.

Name of Bidder/Company Name

(Signature of Representative)

(Date of Signature)

(Type or Print Name & Title of Representative)

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CERTIFICATION TO FEDERAL GOVERNMENT REQUIRED CLAUSES (FTA)

Name of Bidder: _____

BY SIGNING BELOW, the Bidder agrees to comply with all Federal statutes and regulations, and follow applicable Federal directives, and comply with the requirements of these clauses as indicated on the ensuing pages, Federal Government Required Clauses (FTA).

The Bidder affirms the truthfulness of this certification it has made, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR 31 apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal public transportation program authorized in 49 U.S.C. Chapter 53 or any other statute.

In signing this document, I declare that the foregoing certification and any other statements made by me are true and correct.

Name of Bidder/Company Name

(Signature of Representative)

(Date of Signature)

(Type or Print Name & Title of Representative)

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**Certification Requirement for
Access to Third Party Contract Records**

The bidder will require its Third Party Contractor at each tier to provide:

- (1) The US Secretary of Transportation and the Comptroller General of the United States, the Commonwealth of Puerto Rico, the Municipality or their duly authorized representatives, access to all third party contract records (at any tier) as required under 49 U.S.C. § 5325(g), and
- (2) Sufficient access to all third party contract records (at any tier) as needed for compliance with applicable Federal laws and regulations or to assure proper Project management as determined by FTA.

Name of Bidder/Company Name

(Signature of Representative)

(Date of Signature)

(Type or Print Name & Title of Representative)

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**Certification Requirement for Compliance with the
Clause of Employee Protection-
Activities Not Involving Construction**

The bidder will comply, with all of the following:

- (1) Federal laws and regulations providing wage and hour protections for nonconstruction employees, including:
 - a. Section 102 of the Contract Work Hours and Safety Standards Act, as amended, 40 U.S.C. § 3702, and other relevant parts of that Act, 40 U.S.C. § 3701 *et seq.*, and
- (2) U.S. DOL regulations, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction (also Labor Standards Provisions Applicable to Nonconstruction Contracts Subject to the Contract Work Hours and Safety Standards Act),” 29 CFR 5

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(Signature of Representative)

(Date of Signature)

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**Certification Requirement for Compliance with the
Clause of Clean Air**

The bidder agrees to:

- (1) Report the use of facilities placed on or likely to be placed on the U.S. EPA "List of Violating Facilities,"
- (2) Refrain from using any violating facilities,
- (3) Report violations to FTA and the Regional U.S. EPA Office, and
- (4) Comply with the inspection and other requirements of Section 306 of the Clean Air Act, as amended, 42 U.S.C. § 7606, and other requirements of the Clean Air Act, as amended, 42 U.S.C. §§ 7401 – 7671q.

Name of Bidder/Company Name

(Signature of Representative)

(Date of Signature)

(Type or Print Name & Title of Representative)

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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 661.5.

Name of Bidder/Company Name

(Signature of Representative)

(Date of Signature)

(Type or Print Name & Title of Representative)

OR

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 CFR 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 CFR 661.7.

Name of Bidder/Company Name

(Signature of Representative)

(Date of Signature)

(Type or Print Name & Title of Representative)

Contract/Invitation/Request Number: _____

Name of Bidder _____

Certification requirement for procurement of buses, other rolling stock and associated equipment.

Certificate of Compliance with 49 U.S.C. 5323(j)(2)(C).

The bidder or offeror hereby certifies that it will comply with the requirements of 49 U.S.C. 5323(j)(2)(C) and the regulations at 49 CFR 661.11.

Name of Bidder/Company Name

(Signature of Representative)

(Date of Signature)

(Type or Print Name & Title of Representative)

OR

Certificate of Non-Compliance with 49 U.S.C. 5323(j)(2)(C)

The bidder or offeror hereby certifies that it cannot comply with the requirements of 49 U.S.C. 5323(j)(2)(C) and 49 CFR 661.11, but 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 CFR 661.7.

Name of Bidder/Company Name

(Signature of Representative)

(Date of Signature)

(Type or Print Name & Title of Representative)