**ITP Form I**

**PROPOSER CERTIFICATION & QUESTIONNAIRE**

INSTRUCTIONS:

* + 1. **Submit one copy of ITP Form I for (i) the Proposer; (ii) any entity identified in ITP Form H; and (iii)** **any other entity if such company’s experience was used in ITP Form K.** For the avoidance of doubt, only one copy of each such ITP Form I is required despite a Proposer submitting Proposals for multiple NEVI Zones. Proposer should delete any bracketed and italicized text and replace with the information requested therein.
		2. If a question is answered “yes,” attach additional documentation as necessary to fully describe and explain the circumstances.
		3. Failure to respond to the questions or to provide adequate explanations may preclude consideration of the Proposal and result in its rejection.
		4. As used in this ITP Form I, “Affiliate” means, in relation to any Person, an entity that, directly or indirectly, through one or more intermediaries: (1) has a 10% or more voting or economic interest in such Person, or (2) controls, is controlled by, or is under common control with such Person, but only if the entity either (A) has or is engaged in business or investment in North America in the last ten years, or (B) is or was involved, directly or indirectly, in any project listed on ITP Form K. In addition, in the context of the Proposer, “Affiliate” includes the Developer.
		5. “**Reporting Period**” means the number of years indicated in each question before the Proposal Due Date through the date that is five days before the Proposal Due Date.
		6. There is no page limit for ITP Form I.

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| **Proposer:** |  |
| **Firm:** |  |
| Within the Reporting Period beginning 10 years before the Proposal Due Date, has the firm or any Affiliate, or the owners, officers, or managing employees of either the firm or any Affiliate, ever failed to complete any work it agreed to perform, or had a contract terminated because it was in default? If yes, describe.[ ]  Yes [ ]  No |
| Within the Reporting Period beginning five years before the Proposal Due Date, has the firm or any Affiliate or any director, officer, or employee of either the firm or any Affiliate been indicted or convicted of bid or other contract-related crimes or violations (e.g., fraud, bribery, collusion, conspiracy, antitrust) or any felony or misdemeanor related to performance under a contract? If yes, describe.[ ]  Yes [ ]  No |
| Has the firm or any Affiliate sought protection under any provision of any bankruptcy act or been subject to a receivership or involuntary bankruptcy proceeding during the Reporting Period beginning 10 years before the Proposal Due Date? If yes, describe, and provide information concerning any work completed by a surety as a result of the bankruptcy or receivership.[ ]  Yes [ ]  No |
| Has the firm or any Affiliate been debarred, disqualified, removed, or suspended from performing work for the federal government, any state or local government, or any foreign government during the Reporting Period beginning five years before the Proposal Due Date? If yes, describe.[ ]  Yes [ ]  No |
| Has the firm or any Affiliate been found liable in a civil suit or found guilty in a criminal action for making any false claim or other material misrepresentation to a public entity (including any foreign government) during the Reporting Period beginning 10 years before the Proposal Due Date? If yes, as to each such inquiry, state the name of the public agency, the date of the inquiry, the grounds on which the public agency based the inquiry, and the result of the inquiry.[ ]  Yes [ ]  No |
| Has any construction project performed or managed by the firm or, to the knowledge of the undersigned, any Affiliate, involved repeated or multiple failures to comply with safety laws, regulations, rules, or requirements (including those of a foreign government) during the Reporting Period beginning 10 years before the Proposal Due Date? If yes, please identify the team members and the projects, provide an explanation of the circumstances, and provide owner contact information including telephone numbers.[ ]  Yes [ ]  No |
| Within the Reporting Period beginning five years before the Proposal Due Date, has there been any instance where the firm or any Affiliate, or its owners, officers, or managing employees submitted a bid or proposal on a public works project and were found to be nonresponsive or were found by an awarding body not to be a responsible bidder? If yes, describe.[ ]  Yes [ ]  No |
| During the Reporting Period beginning 10 years before the Proposal Due Date, has the firm or any Affiliate been found, adjudicated, or determined by any state court, state administrative agency, including, but not limited to, the Industrial Commission of Arizona, federal court or federal agency, to have violated or failed to comply with any law or regulation of the United States or any state governing prevailing wages (including, but not limited to, payment for health and welfare, pension, vacation, travel time, subsistence, apprenticeship or other training, or other fringe benefits) or overtime compensation? If yes, describe.[ ]  Yes [ ]  No |
| Have any adverse claims between the owner of a public works project and the firm or any Affiliate, in which the claim exceeds $100,000, settled or been the subject of a judgment during the Reporting Period beginning five years before the Proposal Due Date? If yes, describe, including the amount of each claim, the amount of each settlement or judgment, the total amount of such claims and settlements, and the sum of the original contract prices for all projects on which you are reporting the claims. “Claim” means any request or demand, in any written form, including correspondence, from the firm or any Affiliate to a project owner, or from a project owner to the firm or any Affiliate, for payment of money or damages to the claimant, except for changes in scope or requirements directed by the project owner.[ ]  Yes [ ]  No |
| Has the firm or any Affiliate been convicted of violating a state or federal law relating to the employment of undocumented aliens during the Reporting Period beginning five years before the Proposal Due Date? If yes, describe.[ ]  Yes [ ]  No |
| During the Reporting Period beginning 10 years before the Proposal Due Date, has the firm or any Affiliate been found, adjudicated, or determined by any federal or state court or agency (including, but not limited to, the Equal Employment Opportunity Commission, the Office of Federal Contract Compliance Programs, and any applicable Arizona governmental agency) to have violated any laws or Executive Orders relating to employment discrimination or affirmative action, including, but not limited to, Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000 et seq.); the Equal Pay Act (29 U.S.C. 206(d)); and any applicable or similar Arizona law? If yes, describe.[ ]  Yes [ ]  No |
| During the Reporting Period beginning 10 years before the Proposal Due Date, have there been any citations, assessed penalties or settlements against the firm or any Affiliate for any serious, willful or repeat violations of A.R.S. Title 23, Chapter 2, Article 10 (commencing with § 23-401) or the federal Occupational Safety and Health Act of 1970 (Public Law 91-596)? If yes, describe.[ ]  Yes [ ]  No |

*(Must be signed by an officer of the firm)*

Under penalty of perjury, I certify that the foregoing is true and correct, and that I am a duly authorized representative of the entity named in this form:

Firm:

By:

Name:

Title: