

**APPENDIX C**  
**CLEAN WATER STATE**  
**REVOLVING FUND**  
**LOAN PROGRAM**  
**FORMS**



State of Oregon Department of Environmental Quality  
**Certificate of Independent Price  
Determination**

Contact: Lee Ann Lawrence  
700 NE Multnomah St, Suite 600  
Portland, OR 97232  
Tel. 503-229-5696

The prime contractor must:

- Sign and submit this form as part of the bid/proposal to the loan recipient
- Include a signed copy in their contract
- Retain a signed copy of this form from each subcontractor

**Bidder's Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

a. The bid offeror certifies that:

1. The prices in this offer have been arrived at independently without, for the purpose of restricting competition, any consultation, communication or agreement with any other offeror or competitor relating to:
  - i. Those prices
  - ii. Intention to submit an offer
  - iii. Methods or factors used to calculate the prices offered
2. The prices in this offer have not been and will not be knowingly disclosed by the offeror, directly or indirectly, to any other offeror or competitor before bid opening (in the case of a sealed bid solicitation) or contract award (in the case of a negotiated solicitation) unless otherwise required by law
3. No attempt has been or will be made by the offeror to induce any other concern to submit or not to submit an offer for the purpose of restricting competition.

b. Each signature on the offer is considered to be a certification by the signatory that the signatory:

1. Is the person in the offeror's organization responsible for determining the prices being offered in this bid or proposal, and that the signatory has not participated and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above; or
2. Has been authorized, in writing, to act as agent for the following principals in certifying that those principals have not participated, and will not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) above;
3. As an authorized agent, certifies that the principals named below have not participated, and will not participate, in any action contrary to subparagraph (a)(1) through (a)(3) above; and

4. As an agent, has not personally participated, and will not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) above.
5. If the offeror deletes or modifies subparagraph (a)(2) above, the offeror must furnish with its offer a signed statement setting forth in detail the circumstances of the disclosure.

Insert full name of person(s) in the offeror's organization responsible for determining the prices offered in this bid or proposal, and the title of his or her position in the offeror's organization:

Full Name of Person(s) in the Offeror's Organization	Title	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____

Signature of Prime Contractor \_\_\_\_\_

### Alternative formats

Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696; or email [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us)



State of Oregon Department of Environmental Quality

# Fair Share Objectives, Six Good Faith Efforts, Contract Administration and Contract Language

Contact: Jennifer Kenny

503-229-6312

[Kenny.jennifer@deq.state.or.us](mailto:Kenny.jennifer@deq.state.or.us)

This form must be completed by the loan recipient, prime contractor and any subcontractor who will further subcontract on the Clean Water State Revolving Fund project within the scope of the loan. All boxes in this attachment must be initialed and the bottom signed.

- One completed attachment for the prime contractor must be submitted as part of the bid/proposal to the loan recipient.
- One completed attachment for each subcontractor who will further subcontract must be submitted before the contract award.
- A copy of those must be included in the contract copy to DEQ, along with one attachment initialed and signed by the loan recipient.

## Fair Share Objectives

The loan recipient accepts the following Fair Share Objectives for the CWSRF-funded project and must employ the six good-faith efforts to achieve these percentages in disadvantaged business enterprises participation:

Supplies:	0.43% MBE	1.28% WBE
Services:	2.58% MBE	4.45% WBE
Equipment:	1.08% MBE	2.69% WBE

## MBE/WBE Certification

All Minority Business Enterprises and Woman Business Enterprises must be certified by Oregon's [Office of Minority, Women and Emerging Small Businesses](#) or by the state in which they are located. This office administers the Disadvantaged Business Enterprise, Minority Business Enterprise/Women Business Enterprise, and Emerging Small Business programs.

## Six Good-Faith Efforts

The good-faith efforts are required methods to ensure that all DBEs have the opportunity to compete for procurements funded by the Clean Water State Revolving Fund. The loan recipient and their prime contractor are required to:

1. Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian tribal, state and local government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they're potential sources.

2. Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
3. Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian tribal, state and local government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.
4. Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
5. Use the services and assistance of the federal Small Business Administration, Minority Business Development Agency of the U.S. Department of Commerce, and the state Office of Minority, Women and Emerging Small Business.
6. If the prime contractor awards subcontracts, require the prime contractor to take steps 1 through 5 above.
7. Native American provisions 40 CFR, Section 33.304  
The recipient agrees to comply with the contract administration provisions of 40 CFR, Section 33.304. Any recipient, whether or not Native American, of an EPA financial assistance agreement for the benefit of Native Americans, is required to solicit and recruit Indian organizations and Indian-owned economic enterprises and give them preference in the award process prior to undertaking the six good faith efforts. If the efforts to solicit and recruit Indian organizations and Indian-owned economic enterprises is not successful, then the recipient must follow the six good faith efforts.

## Contract Administration

- \_\_\_\_\_ The Loan Recipient must require its prime contractor to employ the six good faith efforts even if the prime contractor has achieved its fair share objectives.
- \_\_\_\_\_ If a DBE subcontractor fails to complete work under the subcontract for any reason, the Loan Recipient must require the prime contractor to employ the six good faith efforts if soliciting a replacement subcontractor.
- \_\_\_\_\_ The Loan Recipient must require its prime contractor to pay its subcontractor for satisfactory performance no more than 30 days from the prime contractor's receipt of payment from the Loan Recipient.
- \_\_\_\_\_ The Loan Recipient must require written notification from its prime contractor prior to any termination of a DBE subcontractor for convenience by the prime contractor.

\_\_\_\_\_ **Specific Contract Language**

All contracts between the Loan Recipient and prime contractor, and prime contractor and subcontractors must include the following statement required by 40 CFR Part 33:

"The contractor shall not discriminate on the basis of race, color, national origin or sex in the performance of this contract. The contractor shall carry out applicable requirements of 40 CFR part 33 in the award and administration of contracts awarded under EPA financial assistance agreements. Failure by the contractor to carry out these requirements is a material breach of this contract which may result in the termination of this contract or other legally available remedies."

The undersigned has initialed the items above and understands the resulting responsibility for each item.

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Signature	Date
<hr/>	
Title	
<hr/>	
Company	

**Accessibility**

Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696; or email [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us).



State of Oregon Department of Environmental Quality

# List of Contacted Disadvantaged Business Enterprises

Contact: Jennifer Kenny  
700 NE Multnomah St, Suite 600  
Portland, OR 97232  
Tel. 503-229-6312

Name of Business	Certification #	Contact Person	Phone Number	Date of Contact	Reason for Non-participation

List of Disadvantaged Businesses Contacted

<b>Name of Business</b>	<b>Certification #</b>	<b>Contact Person</b>	<b>Phone Number</b>	<b>Date of Contact</b>	<b>Reason for Non-participation</b>

List of Disadvantaged Businesses Contacted



## **Alternative formats**

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List of Disadvantaged Businesses Contacted



State of Oregon Department of Environmental Quality  
**Prevailing Wage Agreement**

Contact: Lee Ann Lawrence  
700 NE Multnomah St, Suite 600  
Portland, OR 97232  
Tel. 503-229-5696

The loan recipient, prime contractor and subcontractors all must initial and sign this form.

- The prime contractor copy must be submitted as part of the bid/proposal to the loan recipient.
- A copy of this form signed by the loan recipient and the prime contractor must be submitted with the contract copy to DEQ.
- The prime contractor must obtain a signed copy of this form from each subcontractor and retain them in the prime contractor's contract file.

The undersigned understands that this public works project is funded in whole or in part by the Clean Water State Revolving Fund and is subject to the prevailing wage requirements of Oregon's Bureau of Labor and Industry and the requirements of the Davis-Bacon Act.

\_\_\_\_\_ The undersigned agrees that, notwithstanding any other provision of law, all laborers and mechanics employed on the project must be paid wages at rates not less than those prevailing on projects of a similar character in the locality, as determined by the United States Secretary of Labor, or the Commissioner of the Oregon Bureau of Labor and Industries, whichever is higher, per ORS 279C.838; OAR 839-025-0035(2).

When a public works project is subject to both the state and federal prevailing wage rate laws, contractors and subcontractors must pay the higher of either the state or federal prevailing wage rates for the type of work being performed, per ORS 279C.838; OAR 839-025-0035(2).

### **Davis Bacon (federal law)**

\_\_\_\_\_ Davis-Bacon applies to all treatment works construction projects for the entirety of the construction activities financed by a CWSRF loan through the completion of construction, no matter when construction commences.

\_\_\_\_\_ The Loan Agreement includes specific Davis-Bacon terms and conditions contract language that must be passed through to the prime contractor and all subcontractors in their contracts over \$2,000.

\_\_\_\_\_ The Secretary of Labor's determination, regarding the prevailing wages applicable in the state of Oregon, are located at: <http://www.wdol.gov/> The prevailing wages are those in effect at the time of contract award. Wages obtained through this web link should be printed at the time of contract award and included in procurement documents and all contracts resulting from the procurements.

\_\_\_\_\_ The loan recipient or the prime contractor on behalf of the loan recipient maintains on-going wage information as a requirement of the Clean Water State Revolving Fund loan for a project subject to Davis-Bacon. The program suggests using the [wage matrix](#). You may find the [instructions](#) helpful.

\_\_\_\_\_ The loan recipient conducts at least one set of wage interviews with a representative group of workers during the project construction. The loan recipient must conduct additional interviews if there is

any reason to suspect a contractor or their subcontractor is at risk for violating wage requirements. As provided in 29 CFR 5.6(a)(6), all interviews must be conducted in confidence. The loan recipient must use Standard Form 1445 or equivalent documentation to memorialize the interviews.

### **Oregon Bureau of Labor and Industry (state law)**

\_\_\_\_\_ Bureau of Labor and Industry prevailing wage rates apply to projects over \$50,000. Oregon prevailing wage rate regulations require every contractor or subcontractor employing workers on a public works project must pay to such workers no less than the applicable prevailing rate of wage for each trade or occupation, as determined by the commissioner, in which the workers are employed, per OAR 839-025-0035.

\_\_\_\_\_ The wage rates identified by the Commissioner of the Oregon Bureau of Labor and Industry are available [online](#).

\_\_\_\_\_ The prevailing wage rates in effect at the time the bid specifications are first advertised are the Oregon wage rates that apply for the duration of the project. Prevailing wages obtained through the Bureau of Labor and Industry websites must be included in the bid solicitation and incorporated in all contracts resulting from the procurements.

\_\_\_\_\_ All contractors and subcontractors shall file, with the Construction Contractors Board, a \$30,000 public works bond with a corporate surety authorized to do business in this state, per ORS 279C.836. The bond must provide that the contractor or subcontractor will pay claims ordered by Bureau of Labor and Industry to workers performing labor upon public works projects. It must be filed before starting work on a contract or subcontract for the project.

### **Payroll/Certified Statement (form WH-38)**

Form WH-38 may be used by contractors for reporting their payroll as required by ORS 279C.845 on public works projects subject to the Prevailing Wage Rate Law. This form has not been officially approved by the United States Department of Labor, however it is designed to meet the requirements of the federal Davis-Bacon Act as well. Prevailing wage rate [forms](#) are available online.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Company

## **Alternative formats**

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State of Oregon Department of Environmental Quality  
**Sworn Statement of Compliance**

Contact: [Regional Project Officer](#)

## Sworn Statement of Compliance with Small, Women and Minority Business Utilization Requirements

To be eligible for award of this contract, each bidder must execute, and submit, as part of their proposal, and together with their bid, the following certification relating to SBE/WBE/MBE participation. The certification below shall be deemed a part of the resulting contract.

The bidder has taken the following affirmative steps in awarding subcontracts:

- (1) Include qualified small, minority and women's businesses on solicitation lists
- (2) Insure that small, minority and women's businesses are solicited whenever they are potential sources
- (3) Divide total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation of small, minority and women's businesses
- (4) Use the services and assistance of the Small Business Administration and the Minority Business Development Agency of the U.S. Department of Commerce as appropriate.

Contract # \_\_\_\_\_

Contract Title: \_\_\_\_\_

Name of Company: \_\_\_\_\_

Signature of Authorized Official \_\_\_\_\_

Date \_\_\_\_\_

Name and Title of Signer \_\_\_\_\_

### Alternative formats

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us).

## Certification Regarding Lobbying Activities



This form must be signed by the prime contractor and submitted by the loan recipient by the time the contract is award. A copy must be included in the contract copy to DEQ. The prime contractor must obtain a signed copy of this form from each subcontractor, and retain them in the prime contractor's contract file.

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 Federal 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 of Lobbying Activities," 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 subcontracts, subgrants, 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 *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.

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Signature

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Date

# DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

0348-0046

(See reverse for public burden disclosure.)

<b>1. Type of Federal Action:</b> <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	<b>2. Status of Federal Action:</b> <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<b>3. Report Type:</b> <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change <b>For Material Change Only:</b> year _____ quarter _____ date of last report _____
<b>4. Name and Address of Reporting Entity:</b> <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, <i>if known</i> :  <b>Congressional District, if known:</b>	<b>5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:</b>   <b>Congressional District, if known:</b>	
<b>6. Federal Department/Agency:</b>	<b>7. Federal Program Name/Description:</b>  CFDA Number, <i>if applicable</i> : _____	
<b>8. Federal Action Number, if known:</b>	<b>9. Award Amount, if known:</b> \$ _____	
<b>10. a. Name and Address of Lobbying Registrant</b> <i>(if individual, last name, first name, MI):</i>	<b>b. Individuals Performing Services</b> <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i>	
<b>11.</b> Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____	
<b>Federal Use Only:</b>		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

## 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. 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 followup 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 subaward 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 (RFP) number; Invitation for Bid (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., "RFP-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 registrant under the Lobbying Disclosure Act of 1995 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. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 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, DC 20503.



## Contractor's Compliance Statement Executive Order #11246



State of Oregon  
Department of  
Environmental  
Quality

This form must be signed by the prime contractor and submitted by the time of contract award from the Loan Recipient. A copy must be included in the contract copy to DEQ.

Date \_\_\_\_\_

This statement relates to a proposed contract with \_\_\_\_\_

(Name of CWSRF loan recipient)

who expects to finance the contract with assistance from the Environmental Protection Agency. I am the undersigned bidder or prospective contractor. I represent that:

I have  I have not  participated in a previous contract or subcontract subject to *Executive Order 11246* of September 24, 1965 (regarding equal employment opportunity) or a preceding similar Executive Order. I agree to comply with all the provisions of this Executive Order and the rules, regulations, and relevant orders of the Secretary of Labor. (*41 CFR 60-1.4(b); 41 CFR 60 1.7 (b)*)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Name and Title of signer (please type)

## Certification of Non-Segregated Facilities

This form must be signed by the prime contractor and submitted by the time of contract award from the Loan Recipient. A copy must be included in the contract copy to DEQ. The prime contractor must obtain a signed copy of this form from each subcontractor, and retain them in the prime contractor's contract file.

Applicable to federally-funded construction contracts and related subcontracts exceeding \$10,000 which are not exempt from the Equal Opportunity clause.



State of Oregon  
Department of  
Environmental  
Quality

The federally-assisted construction contractor certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The federally-assisted construction contractor certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments, and that he will not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The federally-assisted construction contractor agrees that a breach of this certification is a violation of the Equal Opportunity Clause in this contract.

As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are, in fact, segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise. The federally-assisted construction contractor agrees that (except where he has obtained identical certifications from proposed contractors for specific time periods) he will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity Clause, and that he will retain a copy of such certification.

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Signature

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Date

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Name and Title of signer (please type)

Note: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.



State of Oregon Department of Environmental Quality
Non-discrimination in Employment

Notice to Labor Unions or Other Organizations of Workers

Contact: Lee Ann Lawrence
Lawrence.LeeAnn@deq.state.or.us
700 NE Multnomah St, Suite 600
Portland, OR 97232
Tel. 503-229-5696

The CWSRF loan recipient must provide this notice to the contractor and subcontractor(s) advising the labor union or workers' representative of the contractor's commitments under Executive Order No. 11246. The contractor will send a signed notice to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

TO: \_\_\_\_\_
NAME OF UNION OR ORGANIZATION OF WORKERS

The undersigned currently holds contract(s) with \_\_\_\_\_
NAME OF LOAN RECIPIENT

Using funds or credit of the U.S. government, or one or more subcontractors with a prime contractor holding such contracts.

\*\*\*\*\*

You are advised that under the provisions of the above contract(s) or subcontract(s) and in accordance with Section 202 of Executive Order 11246 dated Sept. 24, 1965, as amended, the undersigned is obliged not to discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. This obligation not to discriminate in employment includes, but is not limited to, the following:

- EMPLOYMENT, UPGRADING, TRANSFER OR DEMOTION
- RECRUITMENT OR RECRUITMENT ADVERTISING
- RATES OF PAY OR OTHER FORMS OF COMPENSATION
- SELECTION FOR TRAINING INCLUDING APPRENTICESHIP, LAYOFF OR TERMINATION

\*\*\*\*\*

This notice is furnished to you pursuant to the provisions of the above contract(s) or subcontract(s) and Executive Order #11246.

\_\_\_\_\_  
CONTRACTOR OR SUBCONTRACTOR(S) DATE

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**State of Oregon Department of Environmental Quality**  
**Debarment and Suspension**

Contact: Lee Ann Lawrence  
[Lawrence.leeann@deq.state.or.us](mailto:Lawrence.leeann@deq.state.or.us)  
 700 NE Multnomah St, Suite 600  
 Portland, OR 97232  
 Tel. 503-229-5622

The recipient must complete, sign and submit this to the DEQ project officer before the loan project contract is awarded, along with a System for Award Management report for each contractor and subcontractor proposed to perform work within the scope of the loan. Every contractor paid under this loan agreement with a contract equal to or greater than \$25,000, including professional services, must be registered on the [System for Award Management](#). Award approval by DEQ is contingent on ***none*** of the contractors and subcontractors being excluded on the System for Award Management.

The recipient and all subsequent prime and subcontractors must fully comply with Subpart C of 2 Code of Federal Regulations Part 180 and 2 CFR Part 1532, entitled “Responsibilities of Participants Regarding Transactions (Doing Business with Other Persons).” The following contractors and subcontractors are proposed to perform work within the scope of the loan agreement. Use additional pages if necessary.

Loan recipient: \_\_\_\_\_ Loan number: \_\_\_\_\_

Project: \_\_\_\_\_

Contractor name and mailing address	Phone number and email address	DUNS and CAGE number codes for contracts equal to or greater than \$25,000	Contract \$ Amount

Signature of Authorized Loan Recipient Representative

Date

Name and Title of Authorized Representative (type or print clearly)

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State of Oregon  
Department of  
Environmental  
Quality

## Clean Water State Revolving Fund

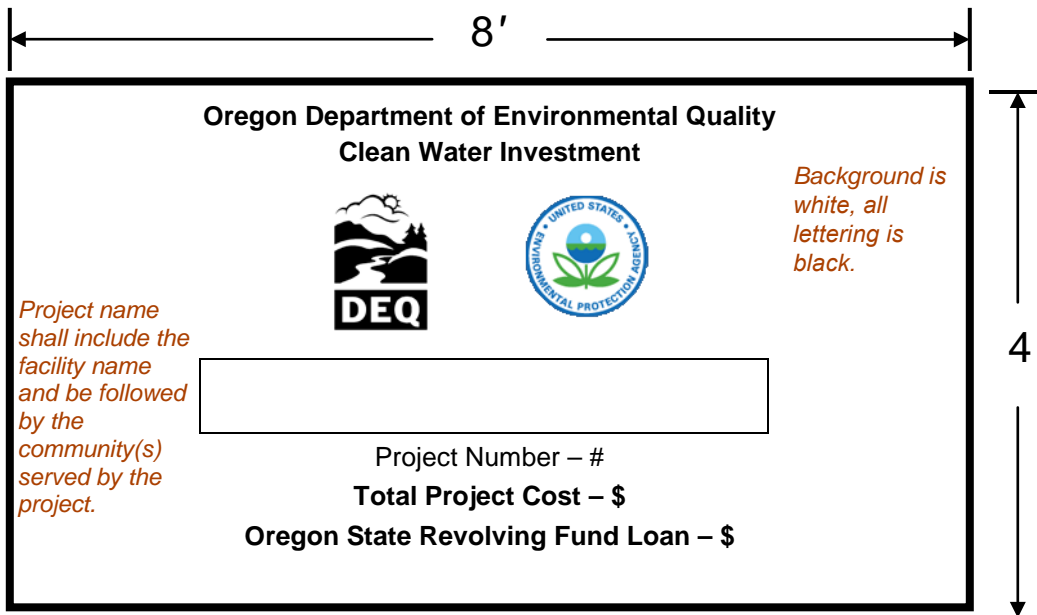
# CWSRF Project Sign Requirements

Contact: [Regional Project Officer](#)

The sign must be posted on the project site throughout the course of construction to permit public viewing. Sign requirements are described on the example below. DEQ allows the borrower to add their logo to the project sign, but not that of other funders.

Vinyl stickers of the DEQ logo and the EPA seal are supplied by your DEQ Project Officer.

*Sign borders shall be equal on either side, with the longest line centered in the sign.*



*DEQ logo placed to the left of center, and the EPA Seal placed to the right of center in the space between “Clean Water Investment” and Project Name.*

*Provide adequate supports for sign as site conditions may require. Keep sign a proper distance above prevailing grade to allow for public viewing.*

**The following information is provided as a sample letter of step certification for American Iron and Steel compliance. Documentation must be provided on vendor's company letterhead.**

\*\*\*\*\*

Date

Company Name

Company Address

City, State Zip

Subject: American Iron and Steel Step Certification for Project (XXXXXXXXXX)

I, (company representative), certify that the (melting, bending, coating, galvanizing, cutting, etc.)

process for (manufacturing or fabricating) the following products and/or materials shipped or provided for the subject project is in full compliance with the American Iron and Steel requirement as mandated in EPA's State Revolving Fund Programs.

Item, Products and/or Materials:

1. XXXX
2. XXXX
3. XXXX

Such process took place at the following location:

\_\_\_\_\_

If any of the above compliance statements change while providing material to this project, we will immediately notify the prime contractor and the engineer.

Signed by company representative







## State of Oregon Department of Environmental Quality American Iron and Steel Waiver Request

Contact: [Regional Project Officer](#)  
503-229-LOAN

Complete this form and submit with a letter detailing the request category and the justifications for the waiver. Submit the letter with signatures on the borrower's official letterhead.

**Loan Recipient:** \_\_\_\_\_

**Project Name:** \_\_\_\_\_ **Loan Number:** \_\_\_\_\_

Prior to submitting a waiver request, the borrower has determined the following:

- The American Iron and Steel provision applies to this project, and
- The waiver request items are not included in an existing national waiver

### WAIVER REQUEST REQUIREMENTS

The waiver request letter *must* include the following information:

- Description of the foreign and domestic construction materials
- Unit of measure
- Quantity
- Price
- Time of delivery or availability
- Location of the construction project
- Name and address of the proposed supplier
- A detailed justification for the use of foreign construction materials

Provide documentation of a good faith effort to solicit bids for domestic iron and steel products, as demonstrated by language in all of the following items:

- Requests for proposals
- Contracts
- Communications with the prime contractor

Put a check mark next to the category below that corresponds to the reason for the waiver request. Next, put a check mark next to the corresponding justification for that category. Describe the justification in the waiver request letter and include supporting documentation.

**Category: Availability Waiver**

Waiver request letter includes the following supporting documentation necessary to demonstrate the availability, quantity and/or quality of the materials related to the waiver (*only check those that apply*):

- Supplier information or pricing information from a reasonable number of domestic suppliers indicating availability/delivery date for construction materials
- Documentation of the assistance recipient's efforts to find available domestic sources, such as a description of the process for identifying suppliers and a list of contacted suppliers
- Project schedule
- Relevant excerpts from project plans, specifications, and permits indicating the required quantity and quality of construction materials
- Waiver request includes a statement from the prime contractor and/or supplier confirming the non-availability of the domestic construction materials for which the waiver is sought

**Category: Cost Waiver**

Waiver request letter includes the following information (*only check those that apply*):

- Comparison of overall cost of project with domestic iron and steel products to overall cost of project with foreign iron and steel products
- Relevant excerpts from the bid documents used by the contractors to complete the comparison
- Supporting documentation indicating that the contractor made a reasonable survey of the market, such as a description of the process for identifying suppliers and a list of contacted suppliers

**Category: Public Interest Waiver**

Waiver request letter should detail why the purchase of the domestic iron and steel product is not in the public's interest.

Submit this completed form, the waiver request letter on official letterhead and other supporting documents to your project officer.

**Alternative formats**

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us)