

DOCUMENT 00 4516

**DESIGN-BUILD TEAM CERTIFICATIONS**

TO BE EXECUTED BY DESIGN-BUILD TEAM AND SUBMITTED WITH PROPOSAL

**The undersigned Design-Build Team certifies to Owner as set forth in sections 1 through 12 below.**

**1. Certification Regarding Key Personnel**

The undersigned Design-Build Team certifies and affirms to the City of Santa Clarita, a public entity ("Owner"), that if awarded this Contract, Design-Build Team will prosecute the work with the key personnel identified in its Pre-Qualification Process submittals and acknowledges that if there are any substitutions to said key personnel that are not approved by Owner prior to submission of Proposal, they may result in (a) Owner's determination that this Proposal is non-responsive, and/or (b) the imposition of Liquidated Damages.

**2. Statement of Convictions**

By my signature hereunder, I hereby swear, under penalty of perjury, that no more than one final, unappealable finding of contempt of court by a Federal Court has been issued against Proposer within the past two years because of failure to comply with an order of a Federal Court or to comply with an order of the National Labor Relations Board.

**3. Certification of Worker's Compensation Insurance**

By my signature hereunder, as the Design-Build Team, I certify that I am aware of California Labor Code Section 3700, which requires every employer to be insured against liability for worker's compensation or to undertake self-insurance in accordance with the California Labor Code, and I will comply with such provisions before commencing the work of this Contract.

**4. Certifications of Prevailing Wage Rates, Records, and Apprentices**

By my signature hereunder, as the Design-Build Team, I certify that I am aware of the provisions of California Labor Code Section 1773, which requires the payment of prevailing wage on public projects. Also, that the Design-Build Team and any subcontractors under the Design-Build Team, shall comply with California Labor Code Section 1776, regarding wage records, and with California Labor Code Section 1777.5, regarding the employment and training of apprentices. Design-Build Team acknowledges its responsibility to ensure compliance by any and all subcontractors performing work under this Contract. I further certify that I am aware that this Project is subject to the requirements of California Labor Code Sections 1720, et seq. (Division 2, Part 7, Chapter 1, Public Works), and the requirements of California Code of Regulations, Compliance Monitoring and Enforcement by Department of Industrial Relations, Title 8, Division 1, Chapter 8, Subchapter 4.5, Sections 16450, et seq., including the obligation to furnish certified payroll records directly to the Labor Commissioner in accordance with 8 CCR § 16461.

**5. Certification of Compliance With Public Works Chapter of Labor Code**

By my signature hereunder, as the Design-Build Team, I certify that I am aware of California Labor Code Sections 1777.1 and 1777.7, and that Design-Build Team and subcontractors are eligible to bid and work on public works projects.

**6. Certification of Adequacy of Contract Amount**

By my signature hereunder, as the Design-Build Team, pursuant to Labor Code Section 2810(a), I certify that, if awarded the Contract based on the undersigned's Proposal, the Contract will include funds sufficient to allow the Design-Build Team to comply with all applicable local, state, and federal laws or regulations governing the labor or services to be provided. I understand that Owner will be relying on this certification if it awards the Contract to the undersigned.

**7. Certification of Acceptability of Contract Documents**

By my signature hereunder, as the Design-Build Team, I certify that Proposer has carefully reviewed the Contract Documents and certifies as follows:

**[Please check and/or complete one of the following]**

\_\_\_\_\_ If the undersigned is selected to be the Design-Build Team, following issuance of Notice of Conditional Award to the undersigned, the undersigned will sign the Agreement form and provide the other required forms that have been included within the Contract Documents in the same form as drafted as of the date hereof, including all Addenda identified in the undersigned's Proposal, if applicable, and with applicable information from the undersigned's Proposal inserted, without seeking revisions to the Agreement form or any other Contract Document.

\_\_\_\_\_ If the undersigned is selected to be the Design-Build Team, following issuance of Notice of Conditional Award to the undersigned, the undersigned will sign the Agreement form and provide the other required forms that have been included within the Contract Documents in the same form as drafted as of the date hereof, including all Addenda identified in the undersigned's Proposal, if applicable, and with applicable information from the undersigned's Proposal inserted, with only the revisions to the Agreement form or other Contract Documents shown in underline and ~~strikeout~~, format, attached to these Certifications as Appendix \_\_, consisting of \_\_\_\_\_ pages. (Proposer must attach an Appendix if this item is checked.)

**8. Certification Regarding Adherence to Bridging Documents**

By my signature hereunder, on behalf of the Design-Build Team, I certify that Design-Build Team understands that any proposed adjustments, modifications, or changes in the design shown in the Bridging Documents must retain the functional, aesthetic, and technical quality of the Project as intended in the Bridging Documents, and that all proposed variations to the Project as shown in the Bridging Documents shall be clearly identified in the *Adherence to Bridging Documents Form* attached to this Document 00 4516.

**9. Certification Of Skilled Labor Force Availability**

By my signature hereunder, on behalf of the Design-Build Team, I certify that the Proposer has committed to Owner that Proposer and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the Project that falls within an apprenticeable occupation in the building and construction trades, as required by Public Contract Code Section 22164(c). I further certify that Proposer understands that: (a) an "Apprenticeable occupation" means an occupation for which the Chief of the Division of Apprenticeship Standards has approved an apprenticeship program pursuant to Labor Code Section 3075 prior to January 1, 2014, and (b) "Skilled and trained workforce" means a workforce that meets all of the following conditions:

(i) All the workers are either skilled journeypersons or apprentices registered in an apprenticeship program approved by the Chief of the Division of Apprenticeship Standards.

(ii) (I) As of January 1, 2016, at least 20 percent of the skilled journeypersons employed to perform work on the contract or project by the entity and each of its subcontractors at every tier are graduates of an apprenticeship program for the applicable occupation that was either approved by the Chief of the Division of Apprenticeship Standards pursuant to Section 3075 of the Labor Code or located outside California and approved for federal purposes pursuant to the apprenticeship regulations adopted by the federal Secretary of Labor.

(II) As of January 1, 2017, at least 30 percent of the skilled journeypersons employed to perform work on the contract or project by the entity and each of its subcontractors at every tier are graduates of an apprenticeship program for the applicable occupation that was either approved by the Chief of the Division of Apprenticeship Standards pursuant to Section 3075 of the Labor Code or located outside California and approved for federal purposes pursuant to the apprenticeship regulations adopted by the federal Secretary of Labor.

(III) As of January 1, 2018, at least 40 percent of the skilled journeypersons employed to perform work on the contract or project by the entity and each of its subcontractors at every tier are graduates of an apprenticeship program for the applicable occupation that was either approved by the Chief of the Division of Apprenticeship Standards pursuant to Section 3075 of the Labor Code or located outside California and approved for federal purposes pursuant to the apprenticeship regulations adopted by the federal Secretary of Labor.

(IV) As of January 1, 2019, at least 50 percent of the skilled journeypersons employed to perform work on the contract or project by the entity and each of its subcontractors at every tier are graduates of an apprenticeship program for the applicable occupation that was either approved by the Chief of the Division of Apprenticeship Standards pursuant to Section 3075 of the Labor Code or located outside California and approved for federal purposes pursuant to the apprenticeship regulations adopted by the federal Secretary of Labor.

(V) As of January 1, 2020, at least 60 percent of the skilled journeypersons employed to perform work on the contract or project by the entity and each of its subcontractors at every tier are graduates of an apprenticeship program for the applicable occupation that was either approved by the Chief of the Division of Apprenticeship Standards pursuant to Section 3075 of the Labor Code or located outside California and approved for federal purposes pursuant to the apprenticeship regulations adopted by the federal Secretary of Labor.

## 10. Certification of Acceptable Safety Record

**[Please check and/or complete one of the following]**

\_\_\_\_\_ By my signature hereunder, as the Design-Build Team, I certify that: (1) the Proposer's experience modification rate for the most recent three-year period is an average of 1.00 or less, and (2) its average Total Recordable Injury/Illness rate and average lost work rate for the most recent three-year period does not exceed the applicable statistical standards for its business category or the Proposer is a party to an alternative dispute resolution system as provided for in Labor Code Section 3201.5.

\_\_\_\_\_ By my signature hereunder, as the Design-Build Team, except as provided in Appendix \_\_, consisting of \_\_\_\_\_ pages, attached hereto, I certify that: (1) the Proposer's experience modification rate for the most recent three-year period is an average of 1.00 or less, and (2) its average Total Recordable Injury/Illness rate and average lost work rate for the most recent three-year period does not exceed the applicable statistical standards for its business category or the Proposer is a party to an alternative dispute resolution system as provided for in Labor Code Section 3201.5. Proposer must attach an Appendix, identifying and explaining all exceptions to this certification, if this item is checked.

**11. Certifications Regarding Selection Process**

**[Please check and/or complete one of the following]**

\_\_\_\_\_ The undersigned confirms it has no objections or protests to any Design-Build Team selection procedure, process, or requirement, or any other any aspect of the Design-Build Team selection process.

\_\_\_\_\_ Attached as Appendix \_\_, consisting of \_\_\_\_\_ pages, is a detailed description of all objections and protests the undersigned has regarding any aspect of the Design-Build Team selection process. Proposer must attach an Appendix if this item is checked.

**12. Certification Regarding Material Changes**

**[Please check and/or complete one of the following]**

\_\_\_\_\_ The undersigned certifies that all information it submitted to Owner in the Pre-Qualification Process including, without limitation, any modifications, amendments, or supplements thereto ("Pre-Qualification Information"), remains true and correct in all material respects as of the date of submitting its Proposal.

\_\_\_\_\_ Except as provided on the Material Changes List, submitted as provided in Document 00 1119 (Request for Proposals), the undersigned certifies that all information it submitted to Owner in the Pre-Qualification Process including, without limitation, any modifications, amendments, or supplements thereto ("Pre-Qualification Information"), remains true and correct in all material respects as of the date of submitting its Proposal. Proposer must include a Material Changes List with its Proposal if this item is checked.

**13. Definitions**

All capitalized terms not otherwise defined in these Design-Build Team Certifications shall have the meanings provided in Document 00 1119 (Request for Proposals) or Section 01 4200 (References and Definitions).

**DESIGN-BUILD TEAM:**

\_\_\_\_\_  
(Name of Design-Build Team)

Date: \_\_\_\_\_, 2016

By: \_\_\_\_\_  
(Signature)

Name: \_\_\_\_\_  
(Print Name)

Its: \_\_\_\_\_  
(Title)

**END OF DOCUMENT**

## **ADHERENCE TO BRIDGING DOCUMENTS**

Design-Build Team identifies here the following proposed variations to the Project as shown in the Bridging Documents. Design-Build Team understands and acknowledges the following are proposals only, and Owner reserves the right to insist on adherence to the Bridging Documents.