



CITY AND COUNTY OF SAN FRANCISCO  
San Francisco Municipal Transportation Agency  
Request for Proposals  
THE PROCUREMENT OF  
30-Foot, 40-FOOT AND 60-FOOT LOW FLOOR  
DIESEL HYBRID COACHES

Proposal Section	Title	Bid Submission Requirements
4	Certifications	<p>Proposers must also submit the following certifications with their Price Proposal in order to be considered responsive:</p> <ul style="list-style-type: none"><li>a. Buy America Certificate (Appendix A-1)</li><li>b. Attestation of Compliance (Appendix A-2)</li><li>c. Certification Regarding Lobbying (Appendix A-3)</li></ul>

## 1. BUY AMERICA REQUIREMENTS

Bids or offers that are not accompanied by a completed Buy America certification must be rejected as non-responsive. This requirement does not apply to lower tier subcontractors.

If buses or other rolling stock (including train control, communication, and traction power equipment) are being procured, the appropriate certificate as set forth below shall be completed and submitted by each bidder in accordance with the requirement contained in §661.13(b) of 49 CFR Part 661. Bidder shall only sign one certification.

### ***Certificate of Compliance with Buy America Rolling Stock Requirements***

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

Date: July 22, 2014

Signature: 

Company: New Flyer of America Inc.

Name: Paul Smith

Title: Executive V.P., Sales & Marketing

### ***Certificate of Non-Compliance with Buy America Rolling Stock Requirements***

The bidder or offeror hereby certifies that it cannot comply with the requirements of 49 U.S.C. 5323(j), but may qualify for an exception to the requirement consistent with section 165(b)(2) or (b)(4) of the Surface Transportation Assistance Act, as amended, and the applicable regulations in 49 CFR 661.7.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Company: \_\_\_\_\_

Name: \_\_\_\_\_

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

## 2. ATTESTATION OF COMPLIANCE

**To be completed by all Proposing Firms and All Individual Subcontractors**

*(Please check each box, sign this form and submit it with your response.)*

Name of Individual Completing this Form: Adrian Graca, Technical Sales Manager

The Form is Submitted on Behalf of Firm: New Flyer of America Inc.

Name of RFP: CPT 713 Procurement of 30-Foot, 40-Foot, and 60-Foot Low Floor Diesel Hybrid Coaches

1. I attest that I and all members of the firm listed above will and have complied to date with Section 13.M of the RFP.  Yes
2. I understand that if my firm or any members of the firm listed above are found to be in violation of the Section 13.M of the above RFP, this will disqualify my firm and any Proposal in which my firm is named from further consideration.  Yes

I have entered required responses to the above questions to the best of my knowledge and belief.

Signature: 

Date July 22, 2014

### 3. CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans and Cooperative Agreements  
(To be submitted with each bid or offer exceeding \$100,000)

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 an 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 making lobbying contacts to 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 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 subcontracts, 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 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.

The Consultant or Contractor, New Flyer of America Inc. certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Consultant or Contractor understands and agrees that the provisions of 31 U.S.C. § 3801, et seq., apply to this certification and disclosure, if any.

Executed this 22 day of July, 19 2014.

By: \_\_\_\_\_  
(signature of authorized official)

Paul Smith, Executive V.P., Sales & Marketing  
\_\_\_\_\_  
(title of authorized official)