

INSTRUCTIONS FOR NON-COLLUSION AFFIDAVIT

This Non-Collusion Affidavit is material to any contract awarded pursuant to the Request for Proposal (RFP). According to the Pennsylvania Antirigging Act, 62 Pa.C.S.A. § 4501, *et seq.*, governmental agencies may require Non-Collusion Affidavits to be submitted together with proposals.

This Non-Collusion Affidavit must be executed by a manager, member, officer, director, owner or employee of the Proposer who is authorized to legally bind the Proposer.

Bid rigging and other efforts to restrain competition, and the making of false sworn statements in connection with the submission of bids, are unlawful and may be subject to criminal prosecution. The person who signs the Affidavit should examine it carefully before signing and assure himself/herself that each statement is true and accurate, making diligent inquiry, as necessary, of all other persons employed by or associated with the Proposer with responsibilities for the preparation, approval or submission of the proposal.

The term “complementary proposal” as used in the Affidavit has the meaning commonly associated with that term in the RFP process, and includes the knowing submission of proposals higher than the proposal of another firm, any intentionally high or noncompetitive proposal, and any other form of proposal submitted for the purpose of giving a false appearance of competition.

Failure to file an Affidavit in compliance with these instructions will result in disqualification of the proposal.

NON-COLLUSION AFFIDAVIT

State of _____

County of _____

Company Name: _____

Being duly sworn or affirmed according to law, I, _____ depose and
(Name of Affiant)
say that:

(1) I am _____ of _____
(Title) (Name of Company)

and that I am authorized to make this Affidavit on behalf of my company, and its managers, members, officers, directors, and/or owners. I am fully informed of the preparation and contents of the attached proposal.

(2) The price(s) and amounts contained in this proposal have been arrived at independently and without consultation, communication or agreement with any other contractor, proposer or potential proposer.

(3) Neither the price(s) nor the amounts contained in this proposal, and neither the approximate price(s) nor approximate amounts contained in this proposal, have been disclosed to any other company or person who is a proposer or potential proposer, and they will not be disclosed before the proposal submission date.

(4) No attempt has been made or will be made to induce any company or person to refrain from submitting a proposal on this contract, or to submit a proposal higher than this proposal, or to submit any intentionally high or non-competitive proposal or other form of complementary proposal.

(5) The proposal of my company is made in good faith and not pursuant to any agreement or discussion with, or inducement from, any company or person to submit a complementary or other non-competitive proposal.

(6) _____, its affiliates, subsidiaries, officers, directors
(Name of Company)

and employees are not currently under the investigation by any governmental agency and have not in the last four years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction, involving conspiracy or collusion with respect to proposing and/or bidding on any public contract, except as follows:

ALCOSAN RFP/RFQ Number and Title:

(7) _____ understands and acknowledges that
(Name of Company)
the above representations are material and important, and will be relied on by the Allegheny County Sanitary Authority in awarding the contract(s) for which this proposal is submitted. I understand and my firm understands that any misstatements in this Affidavit is and shall be treated as fraudulent concealment from the Allegheny County Sanitary Authority of true facts relating to the submission of proposals for this contract.

Name: _____

Signature: _____

Title: _____

SWORN TO AND SUBSCRIBED
BEFORE ME THIS _____ DAY
OF _____, 20____

Notary Public
My Commission Expires: