

**Androscoggin Transportation Resource Center (ATRC)
REQUEST FOR PROPOSALS
FOR
2045 METROPOLITAN TRANSPORTATION PLAN**

The Androscoggin Transportation Resource Center (ATRC), as the designated Metropolitan Planning Organization (MPO) for the urbanized area of Lewiston-Auburn, Maine, is seeking proposals for consultant services to manage a Metropolitan Transportation Plan update that guides the region's transportation policy and capital investments through 2045.

1. PROPOSALS ARE TO BE RECEIVED AT ATRC NO LATER THAN:

Date Due: **Thursday, August 18, 2022**

Local Time: **4:00 p.m.**

Proposals must be received prior to the time and date for which they are due.

Late Proposals. Any proposal, portion of a proposal, or unrequested proposal revision received at ATRC after the time and date specified on the cover page of this RFP **will not** be accepted.

2. COMMUNICATIONS IN REFERENCE TO THIS RFP

Any communication in reference to this RFP shall be in writing by fax or email and directed to the RFP Coordinator listed below. All correspondence must reference the Project name in the subject line.

Jennifer Williams, PE

ATRC

125 Manley Road

Auburn, ME 04210

Email: jwilliams@avcog.org

Project Name: 2045 Metropolitan Transportation Plan

3. REQUEST FOR CLARIFICATION/RFP AMENDMENTS

During the proposal preparation period, all requests for clarification and/or additional information must be submitted via e-mail to the RFP Coordinator referenced in Section 2 of this RFP by no later than **4:00 p.m. on Monday, August 8, 2022**. ATRC reserves the right to answer or not answer any question received. Late requests for clarification will not be accepted. When appropriate, responses to clarification requests will be posted to the ATRC website, www.atrcmpo.org, no later than close of business on Thursday, August 11, 2022.

4. PROPOSAL REQUIREMENT – SCOPE OF WORK

In General

The Androscoggin Transportation Resource Center (ATRC), the Lewiston-Auburn Metropolitan Planning Organization (MPO), is seeking consultant services to assist staff with development of a 2023-2045 Metropolitan Transportation Plan (MTP) that integrates roads and bridges, cyclists and pedestrians, freight systems, and transit; and reflects consideration of the MPO municipalities' comprehensive land use plans and overall social, economic, and environmental goals and objectives. The MTP must meet all requirements of 23 CFR Part 450 and other federal requirements. The last MTP, *Connecting the Future, Metropolitan Transportation Plan for 2019-2040*, was adopted in July 2019, and can be found [here](#).

Regional Context and Existing Conditions

ATRC was established pursuant to the Federal Aid Highway Act of 1962 to address transportation planning in the Lewiston-Auburn urbanized area. Today, the ATRC MPO is comprised of the cities of Auburn and Lewiston, and the towns of Lisbon and Sabattus, with a 2020 population of approximately 76,000.

The cities of Auburn and Lewiston serve as the Service Center for employment, medical, services, shopping, etc. for the greater Androscoggin, Oxford and Franklin Counties area. The cities are separated by the Androscoggin River and there are four bridges for motor vehicle travel, and one bridge for non-vehicular travel. The Maine Turnpike runs through the ATRC area, with interchanges in Auburn, Lewiston and Sabattus.

The ATRC area has a variety of challenges related to safe, continuous bicycle and pedestrian networks. ATRC communities have made considerable investments in developing off-road bicycle and pedestrian facilities over the past 30 years. Gaps exist between these facilities, as well as safe on-road networks. The most recent bicycle-pedestrian plan for the ATRC area is *BRIDGING THE GAPS: A Long-Range Facilities Plan for Bicycling and Walking in the ATRC Region: Auburn/Lewiston/Lisbon/Sabattus*, adopted in July 2019, found [here](#).

Freight rail service through the ATRC area is provided by CSX and the St. Lawrence & Atlantic Railroad (SLR). The ATRC area is a transportation, distribution and logistics hub. Planning for passenger rail service into and through the ATRC communities has been ongoing for more than 20 years.

The cities of Auburn and Lewiston are served by *citylink*, the fixed route public transit service with complementary ADA paratransit that is jointly owned by the cities of Auburn and Lewiston. In 1976, the cities established the Lewiston-Auburn Transit Committee (LATC) by interlocal agreement; LATC oversees the *citylink* bus system. The Lisbon Connection is a municipally funded deviated fixed route transit service that operates generally along Route 196 between Lewiston and Lisbon Falls. In August 2021, ATRC completed the *Lewiston-Auburn Transit Study*, found [here](#).

The Auburn-Lewiston Airport is a regional Reliever General Aviation facility located in Auburn. The cities of Auburn and Lewiston jointly own and operate this public aviation facility.

Objective

The overall objective of this effort is to develop a fiscally constrained Metropolitan Transportation Plan (MTP) for the period of 2023-2045 for the ATRC MPO, which is consistent with the FAST Act and other applicable federal transportation legislation. A final draft of the MTP must be completed no later than October 2023.

Scope of Work and Tasks

As outlined in Tasks 10 and 11 of the ATRC 2022-2023 Unified Planning Work Program (UPWP), the ATRC MTP is a key tool in improving and maintaining the MPO's surface transportation system. The MTP will evaluate needs, set priorities and coordinate improvements within the four ATRC communities. It will do this while being fiscally constrained, and environmentally and socially sensitive.

The scope of work to be performed by the selected consultant or consultant team may include, but is not limited to the following:

- Develop long-range facilities plan for cycling and walking, which focuses on connectivity and safety. This should address the needs and issues identified in the 2019 *BRIDGING THE GAPS* plan while providing new recommendations arising out of an existing conditions evaluation, opportunities, discussions with stakeholders and staff, and the public
- Assess existing and future conditions, trends and opportunities of the multimodal transportation system, which addresses safety and security, system management and operations, resiliency, environmental justice, land use and zoning, and other planning factors to determine both short and long-term opportunities for the region
- Address emerging focal points in our transportation system from the federal and state level, including equitable transportation practices and vehicle miles traveled (VMT) reduction
- Data collection and coordination
- Perform an analysis of the existing conditions of the transportation network using updated land use and zoning information, data from state, regional, and local plans and studies, updated population and employment forecasts, and current trends in travel demand modeling
- Utilize emerging technologies within the data collection and analysis process, such as StreetLight data
- Forecast regional and local socio demographic and traffic data trends, for all transportation modes using the 2020 Census data, as applicable, when available
- Utilizing the findings of an existing conditions analysis to develop a vision for the region's transportation network
- Integrate other plans such as municipal plans, statewide and regional plans, etc.
- Attend and assist with the preparation and presentation of materials for public meetings as well as meetings with the ATRC Policy Committee and ATRC Technical Committee, as needed
- Public engagement and meeting facilitation. Develop a robust, inclusive and creative outreach approach that is utilized throughout the development of the ATRC MTP, and follows the requirements of the FAST Act, Title VI, Environmental Justice,

and other applicable non-discriminatory legislation. Outreach methods should be tailored based upon stakeholder and demographic profiles of the ATRC area, should include both in-person as well as online resources, and should comply with the procedures outlined in ATRC's 2022 Public Participation Plan (PPP), found [here](#). Survey questions should be easy to understand, and short but meaningful. We encourage proposers to expand on the public participation task, including methods for identifying and involving typically underserved and underrepresented groups.

- Work with ATRC staff and member communities to ensure that the fiscally constrained project list meets the needs and priorities of the region
- Identify project funding resources, including both public and private sources (federal, state, and local), develop cost estimates required to implement the projects listed in the plan (including detailed design concept and estimate engineering and construction costs)
- Analyze potential new or innovative funding approaches and how they might be implemented
- Evaluate the impact of new and upcoming trends on the future of transportation (e.g. autonomous vehicles, electric vehicle infrastructure, remote work/work from home, intelligent transportation systems, alternative fuels, and advance technology) as well as addressing challenges (e.g. demographic changes, funding, planning for unforeseen events and impacts this can have on transportation (e.g. COVID pandemic), etc. and develop a set of recommendations for ATRC to be better equipped in preparing for the future
- Oversee the production and formatting of all components and contents of the MTP, including a draft plan, executive summary, and final plan. The plan should be easy to read, incorporating maps and infographics throughout the plan.
- Development of a public-facing online dashboard for the purpose of engaging the community on the results of the planning process and tracking the process of the plan
- Traditionally, the MTP has been a printable document; however, the trend is moving more towards web-based, or a hybrid format. ATRC is open to various format options that meet the federal/state requirements, are ADA compliant, and accessible to all.

5. PROPOSAL RATING AND SELECTION PROCESS

- a. Proposal Rating. Proposals will be reviewed and rated using the responses to the Proposer Information outlined in this RFP.
- b. This is a Qualifications Based Selection (QBS) process, and therefore Technical Proposals alone will be used to select the successful proposer. Once the successful proposer has been selected, the government estimate will be compared against the successful proposer's Price Proposal and contract negotiations will begin.

6. PROPOSER INFORMATION

- a. **Proposer's Qualifications (30) points:** Identify the **key** staff your company will assign to fulfill the contract requirements (Contract Managers, contact people, or assigned technicians). Provide resumes describing the educational and work experiences for those **key** staff.

- b. **Proposer's Experience (50) points:** Describe the Proposer's experience and capabilities providing similar services to those required. Identify at least three (3) projects with whom your company has done business similar to that required in this RFP in the last five (5) years. Include points of contact (client's company name, contact name, address, and telephone number), a brief description of the project, dates of the project and results.
- c. **Proposer's ability to control Schedule and Costs on this project (10) points.**
 - i. Methods for controlling costs – quality control. Provide a brief outline of methods used by the firm to control and monitor client costs and control quality
 - ii. Schedule/Workload/Communication. Provide a brief outline of your firm's methods of schedule control and ability to handle projected workload. Discuss project coordination with ATRC. Describe how your firm will manage its role in this project and how it intends to maintain effective communication for the duration of the assignment.
- d. **Proposer's Knowledge of the ATRC area (10) points.** A summary of the background, local presence, and knowledge of the ATRC MPO area including work experience in the ATRC area.
- e. **Proposer's References:** Provide at least 3 work references including points of contact (person's name, company name, address and telephone number), and a brief description of the projects with dates. If contacted, all references must verify that a high level of satisfaction was provided. ATRC will determine which, if any, references are contacted. The results of any reference checks will be provided to the scoring committee.
- f. **Contact Information:** Provide the name, address, phone number, FAX number, and e-mail address of Proposer in the proposal.
- g. **Signature Page:** A signature page must be included with the Technical and Price Proposals stating that "I certify that all of the information contained in this Technical/Price Proposal to be true and accurate.
- h. **Schedule:** Include a schedule outlining project deliverables and any other relevant milestones.
- i. **Acknowledgement of Amendments:** The Proposer shall include reference to all amendments in their response to this RFP.

7. **PACKAGING AND SUBMITTING YOUR TECHNICAL AND PRICE PROPOSALS**

- a. **Organization and Format.** Your Technical Proposal, which should be organized as closely as practicable to the format and sequence indicated in these proposal instructions must be submitted as outlined below.
- b. **Font Type and Size:** Times New Roman – 12 Font
- c. **RFP Title.** The Proposer's full business name and address as well as the RFP title must be written on your Proposal Package.

- d. **Electronic Submittal.** Technical Proposals must be submitted as follows: Electronic submittal, via email, to Jennifer Williams at jwilliams@avcog.org, in Portable Document Format (PDF), MSWord 2000 Format or greater.
- e. **Price Proposal:** Upon review of the Technical Proposals, and a recommendation by the selection committee, a Price Proposal will be requested, via email, from the recommended consultant. Each proposal will be evaluated for all criteria, and then costs shall be evaluated independently. **NO MENTION OF PRICE SHALL BE INCLUDED IN OTHER SECTIONS OF THE PROPOSAL; OTHERWISE THAT PROPOSAL SHALL BE REJECTED.**

8. GENERAL INFORMATION

- a. The contract resulting from this RFP will be governed by the most recent version of ATRC's Consultant General Conditions. A copy of the Consultant General Conditions is available at the ATRC website: <http://www.avcog.org/1046/Policies>
- b. This RFP does not commit ATRC to pay any costs incurred in submitting your proposal, making studies or designs for preparing the proposal or in procuring or sub-contracting for services or supplies related to the proposal.

9. CERTIFIED DISADVANTAGED BUSINESS ENTERPRISE

Certified DBE

MaineDOT Certified Disadvantaged Business Enterprise (DBE) consultants are encouraged to apply as the prime consultant for this work. It is important the DBE consultants take advantage of this RFP to at least gain entry to the MaineDOT Prequalification List for transportation project related services. Non -DBE consultants shall ensure that DBEs have the maximum opportunity to participate in the performance of any project contract in accordance with MaineDOT current requirements for DBE utilization when utilizing subconsultants. Consultants certified by another state's transportation agency must be certified by MaineDOT.

Current requirements may be found at the MaineDOT website, "Certified Disadvantaged and Women Business Enterprise" directory available at <https://www.maine.gov/mdot/civilrights/dbe/> or by contacting:

**Maine Department of Transportation
ATTN: Stacie Haskell, Civil Rights Unit
Civil Rights Office
16 State House Station
Augusta, ME 04333
Tel#: 207-624-3056
Fax#: 207-624-3021**

10. PROPOSAL PRICING

Price Proposal, Elements of Supporting Data consist of the following:

- 1) **Direct Labor.** Please list all employees including their classifications for the employees who are expected to perform services on this project. Please provide a breakdown of each employee's salary rate including direct labor, indirect labor, and profit. Please show all calculations in detail, and include payroll records supporting these rates.
- 2) **Indirect Labor (Overhead).** Please provide a copy of your latest audited corporate overhead rate report with supporting documentation
- 3) **Profit.** The percentage of profit is based on criteria specific to a project including, degree of risk, relative difficulty of work, size of job, etc.
- 4) **Direct Expenses.** Please provide a breakdown of direct expenses, including mileage, lodging, photocopying costs, etc. anticipated for this project. Direct expenses shall be reimbursed at cost, and travel expenses shall be reimbursed in accordance with the current per diem/mileage rates located at <https://www.maine.gov/osc/travel> <http://www.gsa.gov/portal/category/21287>
- 5) **Subconsultants.** Please identify each effort to be subcontracted. List the selected sub-consultant's name, location, amount proposed and type of contract. Describe the cost or price estimates for each subcontract. Please note that there is no mark up allowed on subconsultant costs.

11. CONTRACT TERM, TYPE AND PAYMENT METHOD

The contract term shall be through December 31, 2023, commencing upon approval of the contract documentation.

The contract type utilized for this project shall be Fixed Burdened Hourly Rate, and the method of payment shall be monthly.

12. CONFIDENTIALITY

The information contained in proposals submitted for ATRC's consideration will be held in confidence until all reviews are concluded and the award notification has been made. At that time, the full content of the proposals becomes public record and is therefore available for public inspection upon request.

According to State procurement law, the content of all proposals, correspondence, addenda, memoranda, working papers, or any other medium which discloses any aspect of the request for proposals process will be considered public information when the award decision is announced. This includes all proposals received in response to this RFP, both the selected proposal and the proposal(s) not selected, and includes information in those proposals which a Proposer may consider to be proprietary in nature.

FHWA-1273 REQUIRED CONTRACT PROVISIONS FOR FEDERAL-AID CONTRACTS

GENERAL

These contract provisions shall apply to all work performed on the contract by the contractor's own organization and with the assistance of workers under the contractor's immediate superintendence and to all work performed on the contract by piecework, station work, or by subcontract.

Except as otherwise provided for in each section, the contractor shall insert in each subcontract all of the stipulations contained in these Required Contract Provisions, and further require their inclusion in any lower tier subcontract or purchase order that may in turn be made. The Required Contract Provisions shall not be incorporated by reference in any case. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with these Required Contract Provisions.

A breach of any of the stipulations contained in these Required Contract Provisions shall be sufficient grounds for termination of the contract.

CERTIFICATION REGARDING USE OF CONTRACT FUNDS FOR LOBBYING

1. The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:
 - a. 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 Federal 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.

- b. 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 Federal 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.
2. 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 31 U.S.C. 1352. 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.
3. The prospective participant also agrees by submitting its bid or proposal that the participant shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such recipients shall certify and disclose accordingly.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, consultant contracts or any other covered transaction requiring FHWA approval or that is estimated to cost \$25,000 or more – as defined in 2 CFR Parts 180 and 1200.

1. Instructions for Certification – First Tier Participants:
 - a. By signing and submitting this proposal, the prospective first tier participant is providing the certification set out below.
 - b. The inability of a person to provide the certification set out below will not necessarily result in denial of participation in this covered transaction. The prospective first tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective first tier participant to furnish a certification or an explanation shall disqualify such a person from participation in this transaction.
 - c. The certification in this clause is a material representation of fact upon which reliance was placed when the contracting agency determined to enter into this transaction. If it is

later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the contracting agency may terminate this transaction for cause of default.

- d. The prospective first tier participant shall provide immediate written notice to the contracting agency to whom this proposal is submitted if any time the prospective first tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- e. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).
- f. The prospective first tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
- g. The prospective first tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," provided by the department or contracting agency, entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.
- h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded

Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.

- i. Nothing contained in the foregoing shall be construed to require the establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of the prospective participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- j. Except for transactions authorized under paragraph (f) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

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2. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – First Tier Participants:

a. The prospective first tier participant certifies to the best of its knowledge and belief, that it and its principals:

- (1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
- (2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (a)(2) of this certification; and
- (4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

- b. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

3. Instructions for Certification - Lower Tier Participants:

(Applicable to all subcontracts, purchase orders and other lower tier transactions requiring prior FHWA approval or estimated to cost \$25,000 or more - 2 CFR Parts 180 and 1200)

- a. By signing and submitting this proposal, the prospective lower tier is providing the certification set out below.
- b. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department, or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
- c. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous by reason of changed circumstances.
- d. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).
- e. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

- f. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.
- g. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.
- h. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- i. Except for transactions authorized under paragraph e of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

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Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Participants:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Failure to provide this certification may result in the disqualification of the Bidder's proposal, at the discretion of ATRC.