FORM E: DECLARATION OF ELIGIBILITY TO CONTRACT

[Labor Code §§ 1777.1, 1777.7]

[Public Contract Code § 6109]

[Public Contract Code §§ 2202, et seq.]

The undersigned, a duly authorized representative of the Design-Builder, certifies and declares that:

1. The Design-Builder is aware of Sections 1777.1 and 1777.7 of the California Labor Code, which prohibit a contractor or subcontractor who has been found by the Labor Commissioner or the Director of Industrial Relations to be in violation of certain provisions of the Labor Code from submitting a Proposal on or being awarded a contract for a public works project or performing work as a subcontractor on a public works project for specified periods of time.

2. The Design-Builder is not ineligible to submit a Proposal on or be awarded a contract for a public works project or perform work as a subcontractor on a public works project by virtue of the foregoing provisions of Sections 1777.1 or 1777.7 of the California Labor Code or any other provision of law.

3. The Contractor is aware of California Public Contract Code Section 6109, which states:

1. "A public entity, as defined in Section 1100 [of the Public Contract Code], may not permit a contractor or subcontractor who is ineligible to bid or work on, or be awarded, a public works project pursuant to Section 1777.1 or 1777.7 of the Labor Code to bid on, be awarded, or perform work as a subcontractor on, a public works project. Every public works project shall contain a provision prohibiting a contractor from performing work on a public works project with a subcontractor who is ineligible to perform work on the public works project pursuant to Section 1777.1 or 1777.7 of the Labor Code."
2. "Any contract on a public works project entered into between a contractor and a debarred subcontractor is void as a matter of law. A debarred subcontractor may not receive any public money for performing work as a subcontractor on a public works contract, and any public money that may have been paid to a debarred subcontractor by a contractor on the project shall be returned to the awarding body. The contractor shall be responsible for the payment of wages to workers of a debarred subcontractor who has been allowed to work on the project."

4. The Contractor has investigated the eligibility of each and every subcontractor the contractor intends to use on this public works project, and determined that none of them is ineligible to perform work as a subcontractor on a public works project by virtue of the foregoing provisions of the Public Contract Code, Sections 1777.1 or 1777.7 of the Labor Code, or any other provision of law.

5. The Contractor is aware of Sections 2202, et seq. of the California Public Contract Code, known as the Iran Contracting Act of 2010, which Act renders a contractor ineligible to bid or propose on a contract for goods or services of one million dollars ($1,000,000) or more with an awarding body if the contractor is identified on a list created pursuant to subdivision (b) of Section 2203 of the California Public Contract Code as a person engaging in investment activities in Iran as described in subdivision (a) of Section 2202.5 or engages in investment activities in Iran as described in subdivision (b) of Section 2202.5.

6. The Contractor certifies that it is not identified on a list created pursuant to subdivision (b) of Section 2203 of the California Public Contract Code as a person engaging in investment activities in Iran as described in subdivision (a) of Section 2202.5. The Contractor further certifies that it does not engage in investment activities in Iran as described in subdivision (b) of Section 2202.5.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [date], at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [city], \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [state].

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Signature

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Printed Name

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