



**NEW CASTLE COUNTY
DEPARTMENT OF PUBLIC WORKS
187-A OLD CHURCHMANS ROAD
NEW CASTLE, DE 19720**

**CONTRACTOR/SUBCONTRACTOR
RESPONSIBILITY CERTIFICATION**

CONTRACTORS: This form must be executed and submitted to the New Castle County Department of Public Works as soon as possible for review, but no later than the advertised date of the bid opening. If a bidder fails to provide the Contractor Responsibility Certification, the bidder shall be disqualified from bidding the special services contract.

SUBCONTRACTORS: Must submit this form to requesting contractor.

**CONTRACTOR/SUBCONTRACTOR RESPONSIBILITY CERTIFICATION
FOR CONTRACTS EXPECTED TO EXCEED \$500,000.00 AND FOR
SUBCONTRACTORS OF \$500,000.00 OR MORE**

Name of Company: _____

Address: _____

Contract/Project Name: _____

Contract/Project Number: _____

As a condition of performing work under Public Works contracts/projects for New Castle County, Delaware, contractors and subcontractors (hereinafter referred to as "Bidders") must meet certain responsible contractor qualifications and criteria specified in *New Castle County Code*, Section 2.05.303. Pursuant to this law, the Company named above certifies the following:

PLEASE INITIAL EACH ITEM TO INDICATE COMPLIANCE

_____ 1. The Bidder has valid federal, state, county or local licenses, registrations or certificates required by federal, state, county or local law including but not limited to licenses, registrations or certifications required to:

- (a) do business in New Castle County and the State of Delaware and comply with all tax laws thereof; and
- (b) perform the labor and supply the material involved in the performance of the public works contract, including but not limited to, licenses for any type of trade work or specialty work which the bidder proposes to self-perform.

_____ 2. The Bidder meets all:

- (a) bonding requirements as required by applicable law or contract specifications; and
- (b) insurance requirements per applicable law or contract specifications including general liability insurance, workers' compensation insurance, and unemployment insurance.

_____ 3. The Bidder has not within the past three (3) years:

- (a) been debarred by a federal government agency;
- (b) been debarred by a state government agency;
- (c) been debarred by a local government agency;
- (d) defaulted on a project;
- (e) had any type of business license, registration or certification revoked or suspended;
- (f) had any type of contracting license, registration or certification revoked or suspended; or
- (g) had any type of trade license, registration or certification revoked or suspended.

_____ 4. The Bidder is not currently delinquent in any tax obligations

_____ 5. The Bidder has not within the past three (3) years been found by a final decision of a court or administrative body of competent jurisdiction in violation of any law applicable to its contracting business, including but not limited to those laws listed below, where the penalty for such violation resulted in the imposition of a fine, back pay damage or any other type of penalty in the amount of \$5,000 or more:

- (a) licensing laws
- (b) tax laws
- (c) prompt payment laws
- (d) wage and hour laws
- (e) prevailing wage laws
- (f) environmental laws
- (g) antitrust laws, or
- (h) labor laws

- _____ 6. The Bidder has not within the past three (3) years been found by a final decision of a court or administrative body of competent jurisdiction to have committed a willful violation of federal or state workplace safety laws.
- _____ 7. In the event the Bidder employs any of the following craft workers on the public works contract: carpenters, electricians, elevator constructors, boilermakers, insulators, iron workers, laborers, plumbers, sheet metal workers, sprinkler fitters, bricklayers, operating engineers or millwrights, certification that the Bidder:
- (a) participates in a Class A Apprenticeship Program; or
 - (b) participates in an apprenticeship program that has been approved by the U.S. Department of Labor or a state apprenticeship agency within the past three (3) years; or
 - (c) commits that, at the time the Bidder executes the public works contract, it will be participating in an apprenticeship program that has been approved by the U.S. Department of Labor or a state apprenticeship agency.
- _____ 8. The Bidder will fully abide by the equal employment opportunity requirements of all applicable laws and that it will maintain equal employment opportunity policies in the recruitment, hiring and retention of all workers, including minority and women workers, employed in its performance of public works contracts. Such policies shall be designed, developed, and administered in a manner to promote diversity in the workplace and to strive toward having the composition of the workforce employed by the bidder on public works contracts be generally representative of the demographics of New Castle County.
- _____ 9. Within fourteen (14) calendar days following the date of receipt of notice that they are the apparent low bidder, Bidder will provide a list of subcontractors it will use in the performance of the public works contract, a brief description of their scope of work, and completed Subcontractor Responsibility Certifications for the identified subcontractors containing the information equivalent to that required for the Bidder in the Contractor Responsibility Certification. This subsection shall apply only to subcontractors with subcontracts of five hundred thousand (\$500,000.00) dollars or more.
- _____ 10. If at any time during the past three (3) years the Bidder has controlled or has been controlled by another corporation, partnership or other business entity operating in the construction industry, it will disclose such facts by attaching a detailed statement to its Contractor Responsibility Certification explaining the nature of the relationship.
- _____ 11. Bidder acknowledges that it shall be required to provide appropriate documentation of the conditions specified in this Contractor/Subcontractor Responsibility Certification. The Bidder also understands that New Castle County may request additional information or documents at any time as New Castle County deems necessary to evaluate the responsibility of Bidder. Bidder agrees to provide such additional information or supporting documentation for this Certification.

_____ 12. The Bidder has the necessary experience, technical qualifications and resources, including but not limited to, equipment, tools, financial resources and personnel resources to successfully perform the public works contract or will obtain the same through the use of qualified subcontractors.

_____ 13. If Bidder is awarded the public works contract, upon completion of its work under the contract, it will provide the Department of Public Works with a verification that it continued to participate in its apprenticeship program as certified above until the issuance of conditional acceptance of the work by the Department of Public Works.

If a bidder fails to provide the Contractor Responsibility Certification, the bidder shall be disqualified from bidding the public works contract. If a bidder fails to provide other information or documentation required by the Department of Public Works, it may be disqualified from being awarded the public works contract.

Under the penalty of perjury, the Bidder's authorized representative hereby certifies that all information included in the Contractor Responsibility Certification or otherwise submitted for purposes of determining the Bidder's status as a responsible contractor is true, complete and accurate and that he/she has knowledge and authority to verify the information in this certification or otherwise submitted on behalf of the Bidder by his or her signature below.

Authorized Signature

Date

(PRINT)

Name: _____

Title: _____

Witness Signature

Date

*PLEASE SUBMIT **SIGNED ORIGINAL** VERSION OF THIS FORM TO:*

**NEW CASTLE COUNTY
PUBLIC WORKS
ATTN: CONTRACTS OFFICER
187-A OLD CHURCHMANS ROAD
NEW CASTLE, DE 19720**

If you have any *questions* regarding this form contact:
Public Works - 302-395-5749