



Schedule B-1 – Arizona Resolution

To be completed by Business Owner

Declaration of Compliance with the Arizona Resolution #82727

(1) Business Name _____

(2) Business Contact Person: (Name/Title) _____

(3) Business Contact Person: (Phone/E-mail) _____

(4) Business Headquarters Address _____

(5) Existing contracts with the City? Yes No If Yes, please list title and agency below:

(6) The above named company is currently responding to the following contract opportunity:

Title: _____

Project Number: _____

Name of City Contact/Project Manager/Agency/Department _____

Phone/ e-mail _____

A

I declare under penalty of perjury that my company is **NOT** headquartered in Arizona

Signed (Business Owner) _____ **Date** _____

B

* I declare under penalty of perjury that my company **is** headquartered in Arizona and my proposal/bid should be considered because

(Please use attachments if additional space is needed).

Signed (Business Owner) _____ **Date** _____

* Excerpt: (Resolution #82727) RESOLVED: That unless and until Arizona rescinds SB 1070, the City of Oakland urges City departments (1) to the extent where practicable, and in instances where there is no significant additional cost to the city or conflict with law, to refrain from entering into any new or amended contracts to purchase goods or services from any company that is headquartered in Arizona, (2) to not send City officials or employees to conferences in Arizona, and (3) to review existing contracts for the purchase of goods and services with companies headquartered in Arizona and explore opportunities to discontinue those contracts consistent with the terms of those contracts and principles of fiscal responsibility, and

SCHEDULE W
BORDER WALL PROHIBITION

(This form is to be completed by Contractors and their sub-contractors, and all Vendors seeking to do business with the City of Oakland)

I, _____, the undersigned, a
(Name)
_____ of _____
(Title) (Business Entity)

(hereinafter referred to as Business Entity am duly authorized to attest on behalf of the business Entity)

- I. Neither this Business Entity nor any of its subsidiaries, affiliates or agents are under contract with any branch of the federal government to plan, design, build, support, repair and/or maintain any part of the border wall nor do we anticipate entering or competing for such work for the duration of a contract or contracts with the City of Oakland.
- II. The appropriate individuals of authority are cognizant of their responsibility to notify the city contact person/Project Manager, invoice reviewer or the City Administrator’s Office of Contracts and Compliance if any of the identified above decide to compete, plan, design, build, support, repair and/or maintain any part of work or servicing the border wall.
- III. To maintain compliance, upon review and approval of invoices, the contractors/vendors hereby agree to submit attached to each invoice, a declaration on company stationery that the company remains in compliance with the Border Wall Prohibition and will not seek or secure a contract related to all aspects of the Border Wall
- IV. Upon close out or completion of deliverables and prior to issuance of final payment (while honoring the Prompt Payment Ordinance) I agree to submit a statement attached to the final invoice, under penalty of perjury, declaring full compliance with the Border Wall Prohibition. I understand that an invoice is not declared fully complete and accepted unless and until the declaration of compliance is accepted.
- V. I declare under penalty of perjury that the above will not, have not and do not plan to participate in the building, servicing, maintenance of the operations of the so called “Border Wall”.

- I declare that I understand Ordinance #13459 C.MS. Based on my understanding the above is true and correct to the best of my knowledge.
- I declare that I understand Ordinance #13459 C.MS. Based on my understanding all or a portion of the above is not true and correct to the best of my knowledge.

(Printed Name and Signature of Business Owner) (Date)

(Name of Business Entity) (Street Address City, State and Zip Code)

(Name of Parent Company)

Title:		Policy No.:	PP-051
NON-COLLUSION AFFIDAVIT		Submitted By:	Jimmie Jackson
		Approved By:	
Effective Date:	February 6, 2012	Supersedes No.:	Page No.:
			1 of 3

I. PURPOSE

To provide procedures for using non-Purchasing bids submitted by departments.

II. SCOPE

This procedure applies to all non-Purchasing bids submitted for consideration of an award.

III. GENERAL

1. The department is responsible for making sure that the following documents are completed:
 - a. Any department that solicits bid without Purchasing intervention must have each bidder sign and complete an affidavit of Non-Collusion.
 - b. Each department must sign the affidavit of Non-Collusion that the bids were solicited in accordance with all current Federal, state and local laws and other laws related thereto.
2. The Purchasing Buyer is responsible for:
 - a. Attaching the Non-Collusion Affidavit to the purchase order, for any bid submitted by the department for consideration.
 - b. Include the following statement on all purchase orders issued from department bids, **“This contract is awarded to the lowest responsible bidder in response to department bids submitted to Purchasing.”**
3. When circumstances warrant the solicitation of competitive bids inappropriate, the Buyer shall document the facts for inclusion in the purchase order file, and obtain the specific approval of the Purchasing Supervisor.

Any problem of interpretation should be referred to the Purchasing Supervisor.



Non-Collusion Affidavit

To Be Completed and Submitted With Bid
Part A, Bidder

Legislation Oakland Municipal Code, 2.04.140 Collusion with bidder--Effect on officer.

Any officer of the city, or of any department thereof, who shall aid or assist a bidder in securing a contract to furnish labor, material or supplies at a higher price than that proposed by any other bidder, or who shall favor one bidder over another by giving or withholding information or who shall willfully mislead any bidder in regard to the character of the material or supplies called for, or who shall knowingly accept materials or supplies of a quality inferior to those called for by the contract, or who shall knowingly certify to a greater amount of labor performed than has been actually performed or to the receipt of a greater amount or different kind of material or supplies than has been actually received, shall be deemed guilty of malfeasance and shall be removed from office, and be forever ineligible to hold any office or employment. (Ord. 12634 § 1 (part), 2004: Ord. 7937 § 14, 1969)

State of (State: _____)

County of (County: _____) ss.

(Bidder's Name: _____), being first duly sworn, deposes and says that he or she is Owner of (Contractor Name: _____) the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the Bidder has not directly or indirectly induced or solicited any other Bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any Bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the Bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the Bidder or any other Bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other Bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and further, that the Bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid."

(Date) (Signed at (Place))

Bidder Name Authorized Representative
(Person, Firm, Corp.)

Address Representative's Name

City, State, Zip Representative's Title



Non-Collusion Affidavit

To Be Completed and Submitted With Bid
Part B, City Staff

Must be completed by authorized City staff:

The undersigned swears under penalty of perjury that all bids submitted to Purchasing for consideration complies with current federal, state and local laws, codes, ordinances, regulations, resolutions, administrative instructions and other laws relative thereto.

Name print/signature

Title

Date