

**ANDROSCOGGIN TRANSPORTATION RESOURCE CENTER
(ATRC)
REQUEST FOR PROPOSALS
FOR
COURT STREET IMPROVEMENTS STUDY**

The Androscoggin Transportation Resource Center (ATRC), as the designated Metropolitan Planning Organization (MPO) for the urbanized area of Lewiston-Auburn, Maine, is seeking the services of qualified consulting firm(s) to conduct an Engineering Analysis of the Court Street corridor between the Androscoggin River and Goff Street, and Turner Street between Court Street and Hampshire Street.

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

Date Due: **Friday, March 29, 2019**

Local Time: **2:00 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 the 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 RFP and Project name in the subject line.

Jennifer Williams, PE
ATRC
125 Manley Road
Auburn, ME 04210
Fax: (207) 783-5211
Email: jwilliams@avcog.org

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 **Wednesday, March 20, 2019**. 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 emailed, and posted to the ATRC website, www.atrcmpo.org, no later than close of business on **Friday, March 22, 2019**.

4. PROPOSAL REQUIREMENT – SCOPE OF WORK

Project Objective

To make bicycle, pedestrian and parking improvements along Court Street between the Androscoggin River and Goff Street, and Turner Street between Court Street and Hampshire Street while addressing area traffic congestion management.

This project will identify feasible mobility improvement alternatives for bicycle, ADA and pedestrian safety, transit, parking access and circulation, and overall traffic through put of the Court Street corridor, between the Androscoggin River and the Goff Street/Court Street intersection, as well as

along Turner Street from Court Street to Hampshire Street. The ATRC and the City of Auburn are looking for an analysis that includes alternative recommendations to resolve the existing transportation concerns of the public.

The ATRC will be responsible for providing the selected consultant with available turn movement counts, including bicycle and pedestrian volumes as well as vehicle classifications. It is expected that the consultant will supplement this available data with their own “spot check” counts. The consultant will be responsible for analyzing this data with emphasis on the potential suitability of reconfiguring lane assignments, implementation of traffic calming measures, and bicycle and pedestrian safety improvements.

Expected Outcomes:

- (1) Problem identification and statements based on analysis;
- (2) Summary of current traffic generators impacting design considerations;
- (3) Alternatives analysis and recommendations regarding:
 - a. lane configurations & intersection management;
 - b. parking and land use access;
 - c. transit access; and,
 - d. bicycle and pedestrian safety enhancements

TASK 1: Existing Conditions

The consultant will provide both a written description and graphic depiction of issues from the analysis of existing conditions: roadway, traffic movements and volumes, land use-trip-generating uses along road and problem points for traffic distribution. These characteristics shall include, at a minimum:

- **Physical Characteristics** – The number and width of all lanes on Court Street and Turner Street (within the study area) as well as intersecting side streets and driveways, and locations of sidewalks, crosswalks, ADA compliance, transit routes and stops, bike lanes, available right-of-way, on-street parking, and movement controls at intersections.
- **Existing Transportation Performance Measures** – Shall include factors relating to existing service levels, capacity, and safety, such as: intersection and link level of service, volume-to-capacity ratios, crash data, average speeds, on-street parking locations and movements, and travel time and delay studies.

TASK 2: Traffic and All Mode Circulation Analysis

The consultant will review and analyze the turn movement count data provided by ATRC and develop an appropriate traffic model of the Court Street and Turner Street corridors. The Court Street corridor is part of a coordinated traffic signal system from Court/Minot/Union, Auburn, to Main/Sabattus/Hammond, Lewiston. MaineDOT has a Synchro/SimTraffic model from 2015 of this corridor (Court Street/Minot Avenue to Main Street/Hammond Street) which will be provided to the consultant as a starting point. This analysis will be completed for the base year conditions; a projected 10-year build-out, assuming existing development patterns; and a project 10-year build out, assuming redevelopment following the City’s new Form-Based Code standards. City and ATRC staff will work with the consultant to determine appropriate future volumes.

The goal of which is to more fully accommodate bicyclists and pedestrians as well as address congestion and throughput for vehicles in the downtown area. Any traffic calming or lane adjustments along Court Street and Turner Street, including side streets, need to be accompanied by intersection analyses to ensure that conversion(s) will not unduly increase queue lengths, or significantly decrease levels of service, across the roadway network.

TASK 3: Determination of Feasibility and Recommendations

The consultant will evaluate the feasibility of considered traffic improvements and provide several options to achieve a more bicycle/pedestrian friendly corridor, while minimizing negative impacts to automobile circulation. Feasibility should include an implementation element that discusses the costs and benefits of recommendations and/or alternatives. This should include both the fiscal as well as the spatial or policy trade-offs of the design alternatives.

TASK 4: Deliverables

The consultant will provide a technical report outlining and summarizing the work conducted, public and professional input, alternatives considered and recommended improvements. Detailed graphics of the Court Street and Turner Street corridors should include existing conditions and recommended alternative conditions and solutions of the streetscape (including any abutting sidewalks). An Executive Summary should include a problem statement and conclusions. The consultant will provide ATRC with an electronic file as well as five (5) copies of the draft report for review and comment. Following the resolution of comments, the consultant will provide ATRC with all electronic files as well as five (5) copies of the revised final report, as well as full-size plans and graphics.

TASK 5: Meetings

The consultant should anticipate a minimum of six (6) advisory committee meetings and three (3) public meetings.

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 (25) 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 five (5) 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 Knowledge of the City of Auburn and the ATRC area (10) points:** Describe the Proposer's experience and capabilities providing similar services to those required. Identify at least five (5) 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.
- d. **Proposer's ability to control Schedule and Costs on this project (15) points.**
 - i. Methods for controlling costs – quality control – assuring constructability. Provide a brief outline of methods used by the firm to control and monitor client costs, control quality, and if applicable, assure constructability of design plans.

- 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 assignment.
- 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 and used when scoring the Technical Proposal.
- 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. **Potential Work Conflicts:** Proposer will provide information about other work for which they are under contract in the study area to ensure it does not conflict with the work proposed in this RFP.
- j. **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.** The 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. **Hard Copy.** Technical Proposals must be submitted as follows: Five (5) copies of the Technical Proposal must be submitted in hard copy format accompanied by a Flash Drive, DVD or CD in Portable Document Format (PDF), MSWord 2000 Format or greater.
- e. **Price Proposal:** The Price Proposal shall be provided in a separately sealed envelope. Prices shall be outlined for all required items. 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.**

f. **Proposal Package Submittal:** Proposal packages must be mailed/delivered as follows:

Regular Mail Proposal Delivery	Hand Carried Proposer Delivery	Hand Carried Proposals from Federal Express/UPS Delivery
Address to: Jennifer Williams, PE ATRC Director ATRC/AVCOG 125 Manley Rd Auburn, ME 04210	Address to: Jennifer Williams, PE ATRC Director ATRC/AVCOG 125 Manley Rd Auburn, ME 04210	Address to: Jennifer Williams, PE ATRC Director ATRC/AVCOG 125 Manley Rd Auburn, ME 04210

8. **GENERAL INFORMATION**

- a. The contract resulting from this RFP will be governed by the most recent version of the ATRC Consultant General Conditions. A copy of the Consultant General Conditions is available at the ATRC website, www.atrcmpo.org.
- 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; <http://www.maine.gov/mdot/disadvantaged-business-enterprises/dbe-home.php>, or by contacting:

Maine Department of Transportation
ATTN: Sherry Tompkins, Civil Rights Unit
Civil Rights Office
16 State House Station
Augusta, ME 04333
Tel#: 207-624-3066
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 <http://www.maine.gov/osc/travel/addtltravelinfo.shtml> & <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, 2019, 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.

13. DEBARMENT CERTIFICATION

By submitting to this RFP, I certify to the best of my knowledge and belief that the aforementioned organization, its principals, and any subcontractors named in this proposal:

- a. Are not presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from bidding or working on contracts issued by any governmental agency.
- b. Have not within three years of submitting the proposal for this contract been convicted of or had a civil judgment rendered against them for:
 - i. fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state or local government transaction or contract.
 - ii. violating Federal or State antitrust statutes or committing embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - iii. 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 (b) of this certification; and
 - iv. have not within a three (3) year period preceding this proposal had one or more federal, state or local government transactions terminated for cause or default.

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

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.

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.

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.