CERTIFICATION BY PROPOSED SUBCONTRACTOR REGARDING EQUAL EMPLOYMENT OPPORTUNITY

Name of Prime Contractor _____ Project Number _____

GENERAL

In accordance with Executive Order 11248 (30 F.R. 12319-25), the implementing rules and regulations thereof, and orders to the Secretary of Labor, a Certification regarding Equal Opportunity is required of bidders of prospective contractors and their proposed subcontractors prior to the award of contracts and sub-contracts.

SUBCONTRACTOR'S CERTIFICATION

Subcontractor's Name: _____

Address/Phone: _____

Internal Revenue Service Employee Identification Number: _____

Dun's Number: _____

EQUAL OPPORTUNITY CLAUSE

During the performance of this contract, the contractor agrees as follows:

1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, familial status (persons with children 18 years of age, including pregnant women), disability, and also to persons with special needs, sexual orientation or gender identity. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, national origin, familial status (persons with children under 18 years of age, including pregnant women), disability, and also to persons with special needs, sexual orientation or gender identity. Such action shall include, but not be limited to, the following: Employment, upgrading, demotion, or transfer, recruitment, or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.
2) The contractor will in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin familial status

(persons with children 18 years of age, including pregnant women), disability, and also to persons with special needs, sexual orientation or gender identity.

3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract of understanding, notice advising the labor union or worker's representative of the contractor's commitments under Section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
4) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and by the rules, regulations, and order of the Secretary of Labor.
5) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and order of the Secretary of Labor pursuant thereto, and will permit access of his books, records, and accounts by the Department and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and order.
6) In the event of the contractor's non-compliance with the nondiscrimination clauses of this contract or with any such rules, regulations or orders, this contract may be cancelled, terminated, or suspended in whole or in part and in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
7) The contractor will include the provisions of paragraph (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or such provisions including sanctions or noncompliance: Provided, however, that in the event the contractor becomes involved in, or is threatened with litigation with the subcontractor or vendor as a result of such direction by the Department, the contractor may request of the United States to enter into such litigation to protect the interest of the United States.

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1. Participation in a previous contract or subcontract.
    a. Subcontractor has participated in a previous contract or subcontract subject to the Equal Opportunity Clause… Yes_____ No_____
    b. Compliance reports were required to be filled in connection with such contract or subcontract… Yes_____ No_____
    c. Subcontractor has filed all compliance reports required by Executive Order 10925, 11114, 11246, or by regulations of the Equal Employment Opportunity Commission issued pursuant to Title VII of Civil Rights Act of 1964…
        Yes____ No____ N/A___
    d. If answer to Item 'c' is "No" please explain in detail on reverse side of this certification.
2. Dollar amount of proposed subcontract $_____
3. Anticipated performance period _____
4. Minority owned business. Yes_____ No_____
5. Female owned business. Yes_____ No_____
6. Expected total number of employees who will perform the proposed subcontract_____

7. Description of work to be performed._____

_____

8. Non-segregated facilities.
   a. Notice to Prospective Subcontractors of Requirement for Certification.
      Contractor receiving subcontract awards exceeding $10,000 which are not exempt from the provisions of the Equal Opportunity Clause will be required to provide for the forwarding of this notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed $10,000 and are not exempt from the provisions of the Equal Opportunity Clause.
   b. Certification of non-segregated facilities.
      The federally assisted construction contractor certifies that he/she does not maintain or provide for his/her employees any segregated facilities at any of his/her establishments, and that services at any location, under his/her control, where segregated facilities are maintained. The federally-assisted construction contractor certifies further that he/she will not maintain or provide for his/her employees any segregated facilities at any of his/her establishments, and that he/she will not permit his/her employees to perform their services at any location under this control, where segregated facilities are maintained. The federally-assisted construction contractor agrees that a breach of this certification is a violation of the Equal Opportunity Clause in the contract. As used in the certification, the term "segregated facilities" means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms, and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment area, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise. The federally assisted construction contractor agrees that (except where he/she has obtained identical certifications from proposed subcontractors prior to the award of subcontracts exceeding $10,000 which are not exempt from the provisions of the Equal Opportunity Clause, and that he/she will retain the duplicate of such certifications in his/her files. The subcontractor will include the originals in his/her Bid Package.

9. Race or ethnic group designation of subcontractor. Identify race or ethnic group in the appropriate blank:

_____Black
_____Black who are Hispanic
_____American Indian
_____American Indian who are Hispanic
_____American Indian/AK Native/White
_____American Indian/AK Native/Black
_____American Indian/AK Native/Hispanic
_____American Indian/AK Native/White/Non-Hispanic
_____White (other than Spanish American)
_____White who are Hispanic
_____Black and White
_____Black and White who are Hispanic

_____Asian
_____Asian who are Hispanic
_____Asian/Pacific Islander/Hispanic
_____Asian and White
_____Asian/White who are Hispanic
_____Hispanic
_____Other Multi-racial
_____Other Multi-racial who are Hispanic

REMARKS: _____

Certification – The information above is true and complete to the best of my knowledge and belief.

_____

Name and Title of Signer (Please Type/Print)

_____ _____

Signature Date

Note: The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.