

Test Management System Project**Affirmative Statements - Sworn to by the Bidder****Bidder Name-** **DO NOT ADD, REMOVE OR REARRANGE ANY COLUMNS OR ROWS.****An authorized signatory for the bidder must initial the fields in yellow.**

Affirmative Statement	Response
1. Bidder affirms that the proposal was signed and executed by an individual with the capacity and legal authority to bind the Bidder in its offer to the State.	
2. Bidder affirms that it accepts all of the terms and conditions set forth in this RFP, including all amendments, appendices and attachments, and must agree to enter a contractual agreement containing, at a minimum, the terms and conditions identified in this RFP.	
3. Bidder affirms that its Administrative, Technical and Financial Proposals remain open and valid for at least 270 days from the due date of this RFP, unless the time for awarding the Contract is extended by mutual consent of OGS and the Bidder.	
4. Bidder affirms that its Administrative, Technical and Financial Proposals shall continue to remain an effective offer, firm and irrevocable, subsequent to such 270 day period until either tentative award of the Contract by OGS is made or withdrawal of the proposal in writing by Bidder. Tentative award of the Contract shall consist of written notice to that effect by OGS to a successful Bidder, who shall thereupon be obligated to execute a formal Contract.	
5. Bidder affirms that in its fulfillment of obligations as proposed in its response to the RFP, it does not violate any existing contracts or agreements between the Bidder and the State.	
6. Bidder affirms that, in its fulfillment of obligations as proposed in its response to the RFP, it does not or will not create any conflict of interest, or perception thereof, with any current role or responsibility the Bidder has with regard to any existing contracts or agreements between the Bidder and the State.	
7. Bidder affirms that, in its fulfillment of obligations as proposed in the response, it does not and will not compromise the Bidder's ability to carry out its obligations under any existing contracts between the Bidder and the State.	
8. Bidder affirms that during the negotiation and execution of any contract resulting from this RFP, the Bidder will not knowingly take any action or make any decision which creates a potential for conflict of interest or might cause a detrimental impact to the State as a whole, including but not limited to, any action or decision to divert resources from one State project to another.	
9. Bidder affirms that in fulfilling obligations under each of its State contracts, including any contract which results from this RFP, the Bidder will act in accordance with the terms of each of its State contracts and will not knowingly take any action or make any decision which might cause a detrimental impact to the State as a whole including but not limited to, any action or decision to divert resources from one State project to another.	
10. Bidder affirms that the Bidder commits to obtaining all necessary proof of insurance with their proposal (see Sections 7.29 and 7.30 for detailed insurance requirements).	
11. Bidder affirms that if awarded a contract, the Bidder must provide proof of current insurance, certifications, licensing, etc. throughout the contract term.	
12. Bidder affirms that it shall be fully responsible to ITS for the acts and omissions of, and the performance of Project Services by, all subcontractors and/or persons either directly or indirectly employed by such subcontractors. This statement must acknowledge that the Bidder shall not in any way be relieved of any programmatic or financial responsibility under the Contract by the terms of its agreement with any subcontractor.	
13. Bidder affirms that if selected, the successful Bidder is prepared to commence performance of services described herein.	
14. Bidder affirms that it will comply with Federal Executive Order 11246, the Copeland "Anti-Kickback Act" (18 USC 874), Section 508 of the Federal Clean Air Act, and Section 306 of the Federal Clean Water Act.	
15. Bidder affirms that neither it nor its principals are debarred or suspended from Federal financial assistance programs and activities.	
16. Bidder affirms that it will comply with the provisions of Section 5151-5160 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 701 et seq.).	
17. Bidder affirms that no Federal funds will be used to lobby or influence a Federal officer or a Member of Congress.	
18. Bidder affirms that the solution proposed in its technical proposal meets all 126 mandatory requirements in Attachment 2.01 Functional Requirements Matrix, and the solution is duly identified as COTS, Customization, Configuration .	