

Attachment II: CARB FRIP Declarations and Attestations

1. CONFLICT OF INTEREST DECLARATIONS

All applicants must disclose any conflict of interest that could be perceived to impact their ability to fulfill the duties of a Subcontractor. An applicant selected as the Subcontractor will not be allowed to also be a Technical Grantee for FRIP Program funds. Summarize your organization or any subcontractor's current, ongoing, or pending direct or indirect interests that do or could pose an actual, apparent, or potential conflict of interest with your ability to fulfill the duties of a Subcontractor. These may include, but are not limited to, financial arrangements with or interest(s) with refrigerant manufacturers, equipment dealers, infrastructure installers, refrigeration or appliance retailers, equipment component manufactures or related organizations as well as membership in or financial arrangements with community-based organizations. CARB may consider the nature and extent of any actual, potential, perceived, or apparent conflict of interest, including those discovered outside of the application, in evaluating, considering, or scoring the application, and may disqualify the applicant based on such actual, potential, perceived, or apparent conflict of interest at CARB's sole discretion.

Applicant represents, warrants and agrees that all conflicts of interest, if any, have been disclosed to CARB and its FRIP Third-Party Administrator, the North American Sustainable Refrigeration Council, in its Subcontractor Application.

The undersigned declares under penalty of perjury, under the laws of the State of California, that all statements in this Declaration and response are true and correct to the best of their ability, with full knowledge that all statements are subject to investigation and that any incomplete, unclear, false, or dishonest response may be grounds for denial or revocation of the accompanying bid or proposal and may result in being barred from doing business with the State of California as well as additional legal consequences.

COMPANY NAME (APPLICANT)

SIGNATURE OF DESIGNATED AUTHORIZED REPRESENTATIVE

NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

DATE OF SIGNATURE

2. COMPLIANCE WITH THE LAW

All applicants must disclose any claims against it of noncompliance with any U.S. EPA, CARB, or California air district laws, including a Notice of Violation, Citation, or litigation alleging noncompliance by the applicant, along with a copy of any of the government documents you have received alleging noncompliance. The applicant may explain the nature of the allegations against it and present any defenses. If the applicant has no such claims of noncompliance against it, the applicant shall so attest in its application.

CARB may consider the nature and extent of any alleged or proven noncompliance with U.S. EPA, CARB, or California air district law, or failure to disclose any alleged noncompliance with U.S. EPA, CARB, or California air district laws, including those discovered outside of the application, in evaluating, considering, or scoring the application, and may disqualify the applicant based on such noncompliance, at CARB's sole discretion.

Applicant represents, warrants, and agrees that all claims of noncompliance, if any, have been disclosed to CARB in its Application.

The undersigned declares under penalty of perjury, under the laws of the State of California, that all statements in this Declaration and response are true and correct to the best of their ability, with full knowledge that all statements are subject to investigation and that any incomplete, unclear, false, or dishonest response may be grounds for denial or revocation of the accompanying bid or proposal and may result in being barred from doing business with the State of California as well as additional legal consequences.

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3. INSURANCE ENDORSEMENT

With the application, provide evidence of existing insurance (e.g., certificate of insurance) that covers the minimum insurance requirements set out in the Grant Agreement (Attachment I).

4. ATTESTATION OF READINESS

Applicant's acknowledgement that applicant is ready, willing, and able to meet and comply with all the terms and conditions of the Grant Agreement (Attachment I).

Applicant accepts the terms and conditions in the Grant Agreement (Attachment I) in the same form and is ready, willing, and able to comply with all such terms and conditions.

The undersigned declares that they are a designated official/agent of responding entity (the applicant) and is empowered to represent, bind, and execute contracts and other agreements on behalf of said entity.

The undersigned declares under penalty of perjury, under the laws of the State of California, that all statements in this Declaration and response are true and correct to the best of my ability, with full knowledge that all statements are subject to investigation and that any incomplete, unclear, false, or dishonest response may be grounds for denial or revocation of the accompanying bid or proposal and may result in being barred from doing business with the State of California as well as additional legal consequences.

COMPANY NAME (APPLICANT)

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5. NON-COLLUSION DECLARATION

I, _____ (insert name of person signing), _____ (insert title of person signing), on behalf of _____ (insert Name of Applicant), affirmatively state the following to be true and correct to the best of their ability: the application is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; the application is genuine and not collusive or a sham; the submittal of the application has not directly or indirectly been induced by or solicited from any other applicant to put in a false or sham proposal; the applicant has not directly or indirectly colluded, conspired, connived, or agreed with any other applicant or anyone else to put in a sham application; the applicant has not in any manner directly or indirectly, sought by agreement, communication, or conference with anyone to fix the proposed fees or terms of the application or of any other application, or to fix any overhead, profit, or cost elements of the proposed fees or fee structure, or of that of any other applicant, or to secure any advantage against CARB or other applicants; all statements contained in the application are true and correct.

The undersigned declares that they are a designated official/agent of responding applicant and are empowered to represent, bind, and execute contracts and other agreements on behalf of the applicant. The undersigned declares under penalty of perjury, under the laws of the State of California, that all statements and responses in this Declaration are true and correct to the best of their ability, with full knowledge that all statements and responses are subject to investigation and that any incomplete, unclear, false, or dishonest statements or responses may be grounds for rejection of the application, disqualification from this Solicitation process, termination of any or all executed Grant Agreements, and/or other legal consequences.

COMPANY NAME (APPLICANT)

SIGNATURE OF DESIGNATED AUTHORIZED REPRESENTATIVE

NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

DATE OF SIGNATURE