

SRF FRONT-END SPECIFICATIONS FOR NONPOINT SOURCE & SPONSORED PROJECTS

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NOTE: Attachments 2 and 5 must be signed by the Prime Contractor and submitted with the bid.

ATTACHMENT 2: SRF REQUIRED FRONT-END SPECIFICATIONS

This form must be signed by the Prime Contractor and submitted with the bid.

Debarments and Suspensions

Any bidder or equipment supplier whose firm or affiliate is listed in on the U.S. General Services Administration Excluded Parties List will be prohibited from the bidding process. The excluded parties records search engine is located at the System for Award Management (SAM) website: <https://www.sam.gov/SAM/>. Pursuant to 2 CFR Part 180, as supplemented by 2 CFR 1532, any entity submitting a bid while the SAM website lists that entity as having an active exclusion will be determined by the DNR to be a non-responsive bidder and will not be able to receive SRF funding.

United States Environmental Protection Agency Washington, DC 20460

Certification Regarding Debarment, Suspension, and Other Responsibility Matters

The prospective participant certifies to the best of its knowledge and belief that it and the principals:

- a Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b 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;
- c Are not presently indicted or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
- d 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.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 U SC Sec. 10 01, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Signature of Authorized Representative

Date

Printed Name

Title

I am unable to certify to the above statements. My explanation is attached.

ATTACHMENT 3: SRF REQUIRED FRONT-END SPECIFICATIONS

Other Federal Requirements Language

A. RESERVED

B. RESERVED

C. Historical and Archeological Finds

Should any cultural, historical, or paleontological resources including but not limited to deposits of charcoal or ash, animal bones, pottery sherds, or stone tools be exposed as part of proposed project activities, the owner shall stop ground-disturbing activities within 100 feet of the discovery and immediately notify the State Revolving Fund Environmental Review Specialist (SRF). No further disturbance of the deposits shall ensue until the SRF determines that the project activities in that area may proceed.

If human remains are accidentally discovered, Iowa burial law [[Iowa Code Sections 263B, 523I.316(6), and 716.5; 685 IAC 11.1] requires that all work in the vicinity of the finding be halted, the remains left in place and protected, local law enforcement officials notified, and the bioarchaeology director at the Office of the State Archaeologist (OSA) contacted immediately (319-384-0740). Photographs are only to be taken at the direction of the bioarchaeology director and must not be shared publicly.

In all cases of inadvertent discovery, the SRF shall determine the applicability of the Protection of Historic Properties regulations of the Advisory Council on Historic Preservation [36 CFR Part 800.13(b)] and, when applicable, shall notify the State Historic Preservation Office (SHPO) and consult with the SHPO, OSA, and other interested parties to determine the proper course of action regarding the discovery.

Compensation to the contractor, if any, for lost time or changes in construction to avoid the find, shall be determined in accordance with changed conditions or change order provisions of the specifications.

D. Prohibitions on Procurement from Violating Facilities (Section 306, Clean Air Act; Section 508, Clean Water Act; Executive Order 11738)

Both the Clean Water Act and the Clean Air Act prohibit federal agencies from extending assistance by way of loans or contracts to persons who have been convicted of violations of either law. Executive Order 11738 was issued to coordinate enforcement by the U.S. Environmental Protection Agency, which shall designate facilities which have given rise to a conviction for an offense under the criminal provisions of the Clean Air Act and the Clean Water Act.

The Executive Order also prohibits agencies from extending assistance to facilities that are not in compliance with either Act.

SRF assistance recipients may not procure goods, services, or materials from suppliers listed by the EPA as violators.

The Excluded Parties Listing search engine is located at the System for Award Management (SAM) website: <https://sam.gov>.

ATTACHMENT 4: SRF REQUIRED FRONT-END SPECIFICATIONS

Right of Entry and Records Retention

The recipient shall provide access at all times for the Department of Natural Resources, the Iowa Finance Authority, the state auditor, and the U.S. EPA Office of the Inspector General to all project records and documents for inspection and audit purposes for a period of three years after the date of last loan payment. The same access to the project site(s) shall be provided for inspection purposes.

567 Iowa Administrative Code paragraph 92.8(2).e. State inspections. Personnel of the department shall have the right to examine all construction aspects of the project, including materials and equipment delivered and stored on site for use on the project.

ATTACHMENT 5: SRF REQUIRED FRONT-END SPECIFICATIONS

This form must be signed by the Prime Contractor and submitted with the bid.

Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment

This term and condition implements 2 CFR 200.216 and is effective for obligations and expenditures of EPA financial assistance funding on or after 8/13/2020. EPA recipients and subrecipients, including borrowers under EPA funded revolving loan fund programs, are prohibited from obligating or expending loan or grant funds to:

- a Procure or obtain, extend or renew a contract to procure or obtain;
- b Enter into a contract (or extend or renew a contract) to procure; or
- c Obtain the equipment, services, or systems that use “covered telecommunications equipment or services” identified in the regulation as a substantial or essential component of any system, or as critical technology as part of any system.

Certain equipment, systems, or services, including equipment, systems, or services produced or provided by entities subject to the prohibition are recorded in the System for Award Management exclusion list, website: <https://sam.gov>.

1. As described in Public Law 115-232, section 889, covered telecommunications equipment or services includes:
 - i. Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).

- ii. Telecommunications or video surveillance services provided by such entities or using such equipment.
 - iii. Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.
2. Consistent with 2 CFR 200.471, costs incurred for telecommunications and video surveillance services or equipment such as phones, internet, video surveillance, and cloud servers are allowable except for the following circumstances:
 - i. Obligating or expending EPA funds for covered telecommunications and video surveillance services or equipment or services to procure (enter into, renew or extend contracts) or obtain the equipment, services, or systems as described in 2 CFR 200.216.

I understand the above prohibitions and certify that the project will be in compliance with all the requirements.

Signature of Authorized Representative

Date

Printed Name

Title