

CWA ATTACHMENT 'A' LETTER OF ASSENT

INSTRUCTIONS

1. Each Bidder must submit this signed two-page form to ODOT prior to Bid Closing. The signature line is located at the bottom of the second page.
2. After the ODOT Contract is awarded, the Prime Contractor must also provide to ODOT this form signed by each of its Subcontractors, prior to or at the time of requesting ODOT consent to subcontract.
3. Terms used within this document are as defined within the Community Workforce Agreement entered into between the ODOT and the Unions or as defined in the ODOT Contract.

Assent

The undersigned, on behalf of the below identified Bidder, if awarded the below identified Contract, for and in consideration of the award of the Contract, or the undersigned on behalf of the below identified Subcontractor, and in further consideration of the terms, conditions and obligations within the Community Workforce Agreement included in the advertisement documents for the below identified ODOT Contract (CWA):

- 1) Certifies that I am duly authorized to legally bind the below identified Bidder by this Letter of Assent;
- 2) Certifies that said Bidder has received a copy of the CWA, and acknowledges receipt;
- 3) Said Bidder agrees to be bound by the terms and conditions of the CWA, together with any and all amendments and supplements now existing or which are later made to the CWA;
- 4) Certifies that said Bidder has no commitments or agreements which preclude its full compliance with the terms and conditions of the CWA;
- 5) Said Bidder agrees to secure a duly executed Letter of Assent on an identical form to this, from each Subcontractor that will perform Covered Work for the Project; and
- 6) Certifies that said Bidder meets the Responsible Contractor Certification requirements set forth in this document.

The authorized representative of a Bidder for an ODOT Contract who is signing this Letter of Assent thereby makes the foregoing certifications and representations on behalf of that Bidder.

The authorized representative of a Subcontractor signing this Letter of Assent thereby makes the foregoing certifications and representations on behalf of that Subcontractor.

The CWA applies to this Contract and Project only until the ODOT Contractor receives final Second Notification from ODOT.

Responsible Contractor Certification

The ODOT Contractor is required to execute this Letter of Assent prior to Bid Closing and Subcontractors are required to execute this Letter of Assent prior to the ODOT Contractor's request for ODOT's consent to subcontract. The undersigned, as the authorized representative to legally bind the below identified Bidder or Subcontractor, hereby certifies that the Bidder or Subcontractor (as applicable) meets the following requirements and shall maintain compliance throughout performance of Covered Work:

- a. Will be an Oregon Bureau of Labor and Industries (BOLI) Registered Training Agent by the time they commence Covered Work, with this requirement waived for any Subcontractor with an estimated subcontract value of \$200,000 or less, if the subcontract does not include Covered Work for an Apprenticeable Trade, or if they are utilizing 23 CFR Part 230.111 to fulfill the requirement;
- b. At the time of execution of the ODOT Contract, the ODOT Contractor will hold current licenses that businesses or service professionals operating in the State of Oregon must hold in order to undertake or perform the work specified in the ODOT Contract and will be in compliance with all requirements of the State of Oregon Construction Contractor's Board and the State of Oregon's requirements for workers compensation insurance;
- c. At the time of the request for ODOT consent to a subcontract, the Subcontractor will hold current licenses that businesses or service professionals operating in the State of Oregon must hold in order to undertake or perform the work specified in the subcontract and will be in compliance with all requirements of the State of Oregon Construction Contractor's Board and the State of Oregon's requirements for workers compensation insurance;

- d. Participate or is willing to participate in a pre-hire drug screen for all employees to ensure the highest standard of safety as outlined in the **CWA**;
- e. Compensates workers in full compliance with applicable compensation and benefits requirements, including BOLI Prevailing Wage Rates and/or federal Davis-Bacon requirements, or if applicable, the compensation and benefits requirements in applicable collective bargaining agreements and master agreements which are incorporated in the CWA;
- f. Has not been cited by the U.S. Department of Labor OSHA or Oregon OSHA for a willful violation or failure to abate violation within the three years prior to bidding or proposing on a project covered by the CWA; citations currently being contested or that were vacated upon review do not affect Contractor or Subcontractor eligibility;
- g. Has not been found, each within the three years prior to bidding or proposing on a project covered by the CWA; citations or findings currently being contested that have been vacated do not affect Contractor and Subcontractor eligibility:
 - by the U.S. Department of Labor to have committed an aggravated or willful violation of Davis-Bacon and Related Acts;
 - by BOLI to have committed a willful violation of prevailing wage rate laws;
 - by BOLI to have violated Oregon's anti-discrimination or anti-retaliation laws; or
 - by the U.S. Equal Employment Opportunity Commission to have violated Title VII or other federal anti-discrimination laws;
- h. If Contractor or Subcontractor uses the services of a construction labor contractor, uses only an entity possessing a valid Construction Labor Contractor License issued by BOLI in accordance with the Oregon Contractor Registration Act, ORS 658.405 et seq.;
- i. Is not listed on any state or federal debarment list; and
- j. Agrees to participate in regular scheduled meetings with ODOT, labor representatives, and ODOT Contractor representatives as required by the CWA.

ODOT PROJECT NAME	CONTRACT NUMBER
COMPANY NAME (BIDDER OR SUBCONTRACTOR)	YOUR CONTRACTOR LICENSE NUMBER
AUTHORIZED SIGNATORY NAME AND TITLE	SIGNATURE DATE