**Form A-3 – conflict of Interest, Confidential Information and Litigation Declaration**

***[NOTE TO PROPONENTS: Notwithstanding the submission of this Declaration, Conflicts of Interest must be disclosed to the Contract Administrator as soon as one is discovered by the Proponent or a Proponent Team Member.]***

This Form A-3 - Conflict Of Interest, Confidential Information and Litigation Declaration is delivered pursuant to the RFQ. All terms not otherwise defined herein have the meaning given to them in the RFQ.

Notwithstanding the existence of and/or submission of this Declaration, the Proponent hereby acknowledges B17 and the Proponent’s obligation to continue to declare all Conflicts of Interest as soon as one is discovered and is under a continuing obligation to disclose all Conflicts of Interest that exist or may exist in the future.

The Proponent Representative hereby declares on behalf of the Proponent, the Team Members and the Key Individuals that:

|  |  |  |  |
| --- | --- | --- | --- |
| 1. | There is not nor was there any actual or perceived Conflict of Interest or any other type of unfair advantage in our submitting the Qualification Submission. | True | Not True |

If the answer to the above statement is “Not True”, attach, on a separate page, a list and explanation of situations, each of which may be a Conflict of Interest or an instance of unfair advantage, or which may appear as a potential Conflict of Interest or unfair advantage in the Proponent submitting the Qualification Submission

|  |  |  |  |
| --- | --- | --- | --- |
| 2. | We have no knowledge of or the ability to avail ourselves of Confidential Information (other than Confidential Information which may have been disclosed by the City to the Proponents in the normal course of the Request for Qualifications) that is or was relevant to the Project or the Request for Qualifications evaluation process. | True | Not True |

If the answer to the above statement is “Not True”, attach, on a separate page, a brief explanation.

|  |  |  |  |
| --- | --- | --- | --- |
| 3. | Neither the Proponent, the Team Members, nor any Key Individual are the subject of any adverse ruling or conviction determined in the last 5 years involving fraud, fraudulent misrepresentation or professional misconduct. | True | Not True |

If the answer to the above statement is “Not True”, attach, on a separate page, a brief explanation.

|  |  |  |  |
| --- | --- | --- | --- |
| 4. | Neither the Proponent, the Team Members nor any Key Individual are involved in any litigation that is currently ongoing, either directly or indirectly (e.g. through a related party) that: |  |  |
|  | a) is against or involving the City; or | True | Not True |
|  | b) may materially adversely affect the Proponent’s, the Team Member’s or the Key Individual’s ability to participate in the Project; or | True | Not True |
|  | c) may materially adversely affect the City’s reputation or Project procurement process if the City selects the Proponent as a Prequalified Party; | True | Not True |

If the answer to any of the above statements is “Not True”, attach, on a separate page, a brief explanation and include the following information: (1) plaintiff name; (2) defendant name; (3) year litigation initiated; (4) disputed amount ($CAD); and (5) nature of dispute.

6. This Form A-3 - Conflict Of Interest, Confidential Information and Litigation Declaration has not been modified in any manner, except to complete the required information.

7. Full disclosure of the requirements set out in the RFQ has been made.

In witness whereof, the Proponent Representative has executed this Form A-3 - Conflict Of Interest, Confidential Information and Litigation Declaration as of the date indicated below.

Date:

|  |  |  |
| --- | --- | --- |
| **Proponent Representative** | | |
|  |  | |
|  |  | |
| Per: |  | |
|  | Name:  Title: | |
| Per: |  | |
|  | Name:  Title: | |
|  |  | |
| I/We have authority to bind the Proponent Representative and to bind the Proponent and each Proponent Team Member. | | |