

## **INSTRUCTIONS FOR NON-COLLUSION AFFIDAVIT**

1. The Non-Collusion Affidavit is material to any contract award pursuant to this bid. According to the Pennsylvania Anti-Bid Rigging Act, 73 P.S. Section 1611 et seq., governmental agencies shall require Non-Collusion Affidavits to be submitted together with bids.
2. This Non-Collusion Affidavit must be executed by the member, officer or employee of the bidder who makes the final decision on prices and the amount quoted in the bid.
3. Bid rigging and other efforts to restrain competition, and the making of false sworn statements in connection with the submission of bids, are unlawful and may be subject to criminal prosecution. The person who signs the Affidavit should examine it carefully before signing and assure himself/herself that each statement is true and accurate, making diligent inquiry, as necessary, of all persons employed by or associated with the bidder with responsibilities for the preparation, approval or submission of the bid.
4. In the case of a bid submitted by joint venture, each party of the venture must be identified in the bid documents, and an Affidavit must be submitted separately on behalf of each party.
5. The term “Complimentary Bid”, as used in the Affidavit, has the meaning commonly associated with that term in the bidding process, and includes the knowing submission of bids higher than the bid of another firm, any intentionally high or non-competitive bid, and any other form of bid submission for the purpose of giving a false appearance of competition.
6. Failure to file an Affidavit in compliance with these instructions will result in the disqualification of your bid

# NON-COLLUSION AFFIDAVIT

Contract/Bid No. \_\_\_\_\_

State of \_\_\_\_\_:

S S. \_\_\_\_\_

County of \_\_\_\_\_:

I state that I am \_\_\_\_\_ of \_\_\_\_\_  
(Title) (Name of Firm)

and that I am authorized to make this Affidavit on behalf of my firm and its owners, directors and officers. I am the person responsible in my firm for the prices(s) and the amount of this bid.

I state that:

1. The prices(s) and the amount of this bid have been arrived at independently and without consultation, communication or agreement with any other contractor, bidder or potential bidder.
2. Neither the price(s) nor the amount of this bid and neither the approximate price(s) nor the approximate amount of this bid have been disclosed to any other firm or person who is a bidder or potential bidder and they will not be disclosed before the bid opening.
3. No attempt has been made or will be made to induce any firm or person to refrain from bidding on this contract or to submit a bid higher than this bid or to submit an intentionally high or non-competitive bid or other form of "Complimentary" bid.
4. The bid of my firm is made in good faith and not pursuant of any agreement or discussion with, or inducement from, any firm or person to submit a "Complimentary" or other non-competitive bid.
5. \_\_\_\_\_, its affiliates,  
(Name of Firm)

subsidiaries, officers, directors and employees are not currently under investigation by any government agency and have not, in the last four years, been convicted or found liable for any act prohibited by State or Federal Law in any jurisdiction, involving conspiracy or collusion with respect to bidding any public contract., except as follows: (state below)

**NON-COLLUSION AFFIDAVIT (Continued)**

I state that \_\_\_\_\_ understands  
(Name of Firm)

And acknowledges that the above representations are material and important, and will be relied on by North Penn School District in awarding the contract for which this bid is submitted.

I understand, and my firm understands, that any misstatement in this Affidavit is and shall be treated as fraudulent concealment from the North Penn School District of the true facts relating to the submission of bids for this contract.

SIGNED \_\_\_\_\_  
(Name)

TYPED \_\_\_\_\_  
(Name)

POSITION \_\_\_\_\_

SWORN TO AND SUBSCRIBED BEFORE ME

THIS \_\_\_\_\_ DAY OF

\_\_\_\_\_, 20\_\_\_\_  
(Month)

**S E A L**

\_\_\_\_\_  
(Notary Public)

My commission expires \_\_\_\_\_