

## TCBBP Prime Contractor Certifications

The Prime Contractor must complete the following certifications and submit them to the Travis County Contract Compliance Program upon receipt of notice that Prime Contractor is the apparent low bidder or that Prime Contractor has been short-listed on any Travis County public works project designated as a Better Builder® Project:

1. [Living Wage Certification](#)
2. [Wage Law Compliance Certification](#)
3. [Employee Classification Certification](#)
4. [Apprentice Designation Certification](#)
5. [Workforce Training Program Certification](#)
6. [OSHA Training Certification](#)
7. [Safety Record Questionnaire](#)

The Prime Contractor must also provide:

1. A site-specific OSHA-compliant Health and Safety Plan
2. All OSHA 300 and 300A Logs and Summaries for the previous three years for all of their jobsites

If the Prime Contractor's business entity has not been in existence for 3 years or has employed 10 or fewer employees, Prime Contractor must submit the [OSHA 300/300A Certification](#).

## Travis County Living Wage Certification

### Required for Prime Contractor

Project Title:

Name:

Title:

Business Name:

Business Address:

County of Contracting Entity:

STATE OF TEXAS

I, \_\_\_\_\_, certify that:

1. I am the \_\_\_\_\_ (position) of \_\_\_\_\_ (“Contracting Entity”) and have the authority to execute this Certification on behalf of Contracting Entity.
2. The County is committed to encouraging Contracting Entity to pay, and to require its subcontractors to pay, at a minimum, the Travis County living wage to all workers providing labor on the project.
3. I understand that a living wage is defined as the minimum income necessary for workers to meet their basic needs, and that a living wage should be substantial enough to ensure that no more than 30% of it is spent on housing.
4. I understand that the goal of a living wage is to allow employees to earn enough income for a satisfactory standard of living.
5. I understand that I can obtain additional information by reading The Benefits of Paying the Travis County Living Wage, found [here](#).
6. Contracting Entity:

**Will pay, and will require its subcontractors to pay, at a minimum, the Travis County living wage in effect on the date set forth below to all individuals performing construction work on the project, including but not limited to demolition, remodel, or renovation.**

**Will not at this time commit to paying, or to requiring its subcontractors to pay, at a minimum, the Travis County living wage in effect on the date set forth below to all individuals performing construction work on the project, including but not limited to demolition, remodel, or renovation.**

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- 7. I understand that Contracting Entity's response will not affect its eligibility for contract award or, for best value procurements, the evaluation of its proposal.
  
- 8. The information provided in this Living Wage Certification is true and correct.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## ***Travis County Wage Law Compliance Certification***

***Required for Prime Contractor and All Subcontractors***

**Project Title:**

**Name:**

**Title:**

**Business Name:**

**County of Contracting Entity:**

**STATE OF TEXAS**

I, \_\_\_\_\_, certify that:

1. I am the \_\_\_\_\_ (position) of \_\_\_\_\_ (“Contracting Entity”) and have the authority to execute this Certification on behalf of the Contracting Entity and any person or entity with an ownership interest of more than 25% in the Contracting Entity (“Ownership Entity”).
  
2. Neither Contracting Entity, nor Ownership Entity, nor any sole proprietorship, limited partnership, limited liability partnership/corporation, and/or any affiliated business or subsidiary of which Contracting Entity or Ownership Entity has been an owner, manager, officer, and/or director (“Secondary Entity”) has twice or more in the previous five (5) years:
  - Been adjudicated guilty or liable in administrative or judicial proceedings of committing an aggravated, repeated, or willful violation of applicable local, state, or federal wage laws, including the Davis-Bacon Act, National Labor Relations Act, Texas Labor Code Chapter 61, Chapter 162, Texas Property Code or Texas Government Code Chapter 2258; or
  - Entered a plea of nolo contendere for any wage-related violations in return for a grant of deferred adjudication, regardless of whether the sentence for the offense was ever imposed or whether the sentence was probated and the entity was subsequently discharged from community supervision; or
  - Entered into a settlement agreement to resolve unpaid wages under any applicable federal, state, or local law or ordinance governing the payment of wages where the terms of settlement were not satisfied within the allotted time.
  
3. I acknowledge and understand that the Contract Compliance Program will recommend that Contracting Entity be considered non-responsible and disqualified from participating in the

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project if Contracting Entity is unable to certify that the facts asserted in Paragraph 2 of this Wage Law Compliance Certification are true.

4. I have attached to this Wage Law Compliance Certification evidence that any settlement agreement to resolve unpaid wages in the last five (5) years was satisfied. If Contracting Entity has entered into seven (7) or more settlement agreements within the preceding five (5) year period, I have also included a detailed statement, which I certify is truthful and accurate, explaining the high volume of such agreements and providing the date and nature of each agreement and the associated construction project.
5. The information provided in this Wage Law Compliance Certification is true, correct and accurately reflects all alleged wage theft violations involving Contracting Entity, Ownership Entity or Secondary Entity.

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Signature

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Date

**Travis County Employee Classification Certification**

**Required for Prime Contractor and All Subcontractors**

**Project Title:**

**Name:**

**Title:**

**Business Name:**

**County of Contracting Entity:**

**STATE OF TEXAS**

I, \_\_\_\_\_, certify that:

1. I am the \_\_\_\_\_ (position) of \_\_\_\_\_ (“Contracting Entity”) and have the authority to execute this Employee Classification Certification on behalf of Contracting Entity.
2. To the best of my knowledge, information and belief, all workers performing work on the project on behalf of Contracting Entity are properly classified as (i) an employee or (ii) an independent contractor under all applicable state and federal laws, including all laws concerning workers compensation insurance coverage, unemployment taxes, Social Security taxes and income taxes.
3. The information provided in this Employee Classification Certification is true, correct and accurately reflects all employee classification information pertaining to workers performing work on the project on behalf of Contracting Entity.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## Travis County Apprentice Designation Certification

Required for Prime Contractor and All Subcontractors

Project Title:

Name:

Title:

Business Name:

Business Address:

County of Contracting Entity:

STATE OF TEXAS

I, \_\_\_\_\_, certify that:

1. I am the \_\_\_\_\_ (position) of \_\_\_\_\_ (“Contracting Entity”) and have the authority to execute this Apprentice Designation Certification on behalf of Contracting Entity.
2. Select the box that applies: I do  I do not  intend to hire apprentices on this Project.
3. Whether or not I intend to hire apprentices on this Project, I understand and agree that if Contracting Entity hires apprentices, Contracting Entity may pay them less than the Davis-Bacon prevailing wage **only if** they meet the following definition in accordance with 29 C.F.R. §5.2(n)(1):

“(1)Apprentice means (i) a person employed and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Bureau, or (ii) a person in the first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice.”

3. The information provided in this Apprentice Designation Certification is true and correct.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Travis County Workforce Training Program Certification**

**Required for Prime Contractor**

DATE:

STATE OF TEXAS

TRAVIS COUNTY

I, \_\_\_\_\_, certify that:

1. I am the \_\_\_\_\_ (position) of \_\_\_\_\_ (“Contracting Entity”) and have the authority to execute this Certification on behalf of Contracting Entity.
2. I understand and acknowledge that Contracting Entity must demonstrate efforts to recruit (hire) students and graduates of construction workforce training programs approved by Travis County (“Workforce Training Programs”).
3. I understand and acknowledge that Workforce Training Programs are apprenticeship programs registered with the Department of Labor (DOL), and credentials from subcontractors evidencing recruitment of students or graduates from Workforce Training Programs will be accepted by the County, regardless of location or organization.
4. If one of the following statements applies to Contracting Entity, check the appropriate box and follow the associated instructions.

- Contracting Entity will self-perform all categories of work identified by the County as “subcontracting opportunities” in this solicitation. However, I understand that if Contracting Entity awards subcontracts during the project, Contracting Entity will follow the required outreach as described in paragraphs 5 and 6, below.

*If this box applies, proceed to paragraph 9.*

- Contracting Entity will self-perform only the following categories of work identified by the County:

_____	_____	_____
_____	_____	_____
_____	_____	_____

*If this box applies, Contracting Entity must still perform the required outreach as described in paragraphs 5 and 6, below, for all subcontracting categories not listed above. In addition, if during the project Contracting Entity decides to subcontract out any of the above-listed categories, Contracting Entity must perform the required outreach for those categories as well.*

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5. I have provided written notice to three (3) or more subcontractors who hire students or graduates from Workforce Training Programs for each subcontracting opportunity related to any portion of the work, as such opportunities are identified in this solicitation, including but not limited to construction, demolition, remodel, or renovation work. I understand that any subcontractors who recruit students and graduates from DOL-registered apprenticeship programs, regardless of location or affiliation, will count toward these efforts.
6. I have provided these notices, which include solicitation information, reply deadline, and Contracting Entity contact information, at least seven (7) working days prior to submitting a solicitation response.
7. The following statements apply to the subcontractors I notified: (Please Check All that Apply)
  - Subcontractors solicited were not competitive.
  - Subcontractors solicited did not respond.
  - Subcontractors solicited were unavailable for one or more trades.
8. I was unable to identify 3 subcontractors for each subcontracting category because there were fewer than 3 subcontractors who hire from DOL-registered apprenticeship programs in the following subcontracting category(ies):

_____	_____	_____
_____	_____	_____
_____	_____	_____

9. In order to assist the County in identifying and collecting information about workforce training programs that are “approved” but not “registered” by DOL, I understand that I have the option (but not the obligation) to respond to the following:
  - Contracting Entity regularly hires students and graduates from other DOL-approved workforce training programs and has listed those programs below. Contracting Entity is willing to share information in its possession regarding trainee completion rates and other outcomes associated with these training programs:

_____
_____
_____

10. The information provided in this Workforce Training Program Certification is true and correct.

\_\_\_\_\_  
Signature

**Subcontractor Workforce Training Program Contact List**

Subcontractor Name:		EIN/VID#:	
Address:	City:	Address:	City:
Contact:	Phone No:	Contact:	Phone No:
Did the Subcontractor respond? <input type="checkbox"/> Yes <input type="checkbox"/> No	Apprentice Program:		
Description of Work:			
Subcontractor Name:		EIN/VID#:	
Address:	City:	State:	Zip Code:
Contact:	Phone No:	Fax No:	Email:
Did the Subcontractor respond? <input type="checkbox"/> Yes <input type="checkbox"/> No	Apprentice Program:		
Description of Work:			
Subcontractor Name:		EIN/VID#:	
Address:	City:	State:	Zip Code:
Contact:	Phone No:	Fax No:	Email:
Did the Subcontractor respond? <input type="checkbox"/> Yes <input type="checkbox"/> No	Apprentice Program:		
Description of Work:			
Subcontractor Name:		EIN/VID#:	
Address:	City:	State:	Zip Code:
Contact:	Phone No:	Fax No:	Email:
Did the Subcontractor respond? <input type="checkbox"/> Yes <input type="checkbox"/> No	Apprentice Program:		
Description of Work:			
Subcontractor Name:		EIN/VID#:	
Address:	City:	State:	Zip Code:
Contact:	Phone No:	Fax No:	Email:
Did the Subcontractor respond? <input type="checkbox"/> Yes <input type="checkbox"/> No	Apprentice Program:		
Description of Work:			
Subcontractor Name:		EIN/VID#:	
Address:	City:	State:	Zip Code:
Contact:	Phone No:	Fax No:	Email:
Did the Subcontractor respond? <input type="checkbox"/> Yes <input type="checkbox"/> No	Apprentice Program:		
Description of Work:			
Subcontractor Name:		EIN/VID#:	
Address:	City:	State:	Zip Code:
Contact:	Phone No:	Fax No:	Email:
Did the Subcontractor respond? <input type="checkbox"/> Yes <input type="checkbox"/> No	Apprentice Program:		
Description of Work:			

**Travis County OSHA Training Certification**

**Required for Prime Contractor and All Subcontractors**

**Project Title:**

**Name:**

**Title:**

**Business Name:**

**County of Contracting Entity:**

**STATE OF TEXAS**

I, \_\_\_\_\_, certify that:

1. I am the \_\_\_\_\_ (position) of \_\_\_\_\_ (“Contracting Entity”) and have the authority to execute this OSHA Training Certification on behalf of Contracting Entity.
2. To the best of my knowledge, information and belief, all workers performing work on the project on behalf of Contracting Entity have received OSHA 10-hour safety training and all project safety managers or supervisors have received OSHA 30-hour safety training.
3. The information provided in this OSHA Training Certification is true, correct and accurately reflects all OSHA training received by workers and safety managers or supervisors performing work on the project on behalf of Contracting Entity.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

***Travis County Safety Record Questionnaire & Certification***  
**PART A – SAFETY RECORD QUESTIONNAIRE FOR PRIME CONTRACTOR**

***(Part A must be submitted by prime contractor with bid/proposal)***

The Travis County Commissioners Court desires to avail itself of the benefits of Section 262.0275 and Section 271.0275 of the Local Government Code and Section 2269.056 of the Texas Government Code, and consider the safety records of potential contractors prior to awarding County contracts. Pursuant to Section 262.0275 and 271.0275 of the Local Government Code and Section 2269.056 of the Texas Government Code, Travis County has adopted the following written definition and criteria for accurately determining the safety record of a bidder/proposer prior to awarding County contracts.

The definitions and criteria for determining the safety record of a bidder/proposer for this consideration are set out in paragraphs (1) through (9) below:

(1) “Contracting Entity” means a firm, corporation, partnership, or institution represented by the bidder/proposer.

(2) “Ownership Entity” means any person or entity with an ownership interest of more than 25% in Contracting Entity.

(3) “Secondary Entity” means a sole proprietorship, limited partnership, limited liability partnership/corporation, and/or any affiliated business or subsidiary of which Contracting Entity or Ownership Entity, has been an owner, manager, officer, and/or director.

(4) If Contracting Entity does not submit a company health and safety plan signed by a representative of Contracting Entity, Contracting Entity will be considered non-responsive and the Contract Compliance Program may recommend that Contracting Entity be disqualified from the project.

(5) If Contracting Entity does not submit its OSHA 300 Log and OSHA 300A Summary for each of the previous three (3) years, Contracting Entity will be considered non-responsive and the Contract Compliance Program may recommend that Contracting Entity be disqualified from the project. A Contracting Entity that has not been legally incorporated for at least three (3) years must sign an OSHA 300/300A Certification (Appendix 4-A) affirming that Contracting Entity cannot meet the three (3) year submission requirement.

(6) If Contracting Entity, in response to the questions on this Questionnaire, reveals more than two (2) cases in which final orders have been entered by the Occupational Safety and Health Review Commission (OSHRC) against Contracting Entity, Ownership Entity or Secondary Entity for willful or repeat violations of OSHA regulations within the past five (5) years, the Contract Compliance Program will recommend that Contracting Entity be disqualified from the project.

(7) If Contracting Entity, Ownership Entity, or Secondary Entity is currently on the Occupational Safety and Health Administration (OSHA) Severe Violator Enforcement

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Program (SVEP) Log, the Contract Compliance Program will recommend that Contracting Entity be disqualified from the project.

(8) If Contracting Entity, in response to the questions on this Questionnaire, reveals more than one (1) case in which Contracting Entity, Ownership Entity or Secondary Entity has received a citation from a local, state or federal environmental protection agency for violations within the past five (5) years, the Contract Compliance Program may recommend that Contracting Entity be disqualified from the project.

Environmental protection agencies include, but are not limited to, the U.S. Army Corps of Engineers (USACOE), the U.S. Fish and Wildlife Service (USFWS), the Environmental Protection Agency (EPA), the Texas Commission on Environmental Quality (TCEQ), the Texas Department of Health (DSHS), the Texas Parks and Wildlife Department (TPWD), the Structural Pest Control Board (SPCB), agencies of local governments responsible for enforcing environmental protection laws or regulations, and similar regulatory agencies of other states of the United States. Citations include notice of violation, notice of enforcement, suspension/revocations of state or federal licenses or registrations, fines assessed pending criminal complaints, indictments, or convictions, administrative orders, draft orders, final orders, and judicial final judgments. Notice of Violations and Notice of Enforcement received from TCEQ shall include those classified as major violations and moderate violations under TCEQ's regulations for documentation of Compliance History, 30TAC, Chapter 60.2 (c) (1) and (2).

(9) If Contracting Entity, in response to the questions in this Questionnaire, reveals that Contracting Entity, Ownership Entity or Secondary Entity has been convicted of a criminal offense within the past ten (10) years which resulted in serious bodily harm or death, the Contract Compliance Program may recommend that Contracting Entity be disqualified from the project.

In order to obtain proper information from bidders and proposers so that Travis County may consider the safety records of potential Contracting Entities prior to awarding County contracts, Travis County requires that Contracting Entity:

- (a) submit a current health and safety plan signed by a representative of Contracting Entity;
- (b) submit the OSHA 300 Logs and OSHA 300A Summaries for Contracting Entity for the previous three (3) years; and
- (c) answer the three (3) questions below and submit the responses with their bids/proposals.

### **QUESTION ONE**

Has Contracting Entity, Ownership Entity or Secondary Entity, within the previous five (5) years, received citations for OSHA violations?

YES \_\_\_\_\_ NO \_\_\_\_\_

If Contracting Entity has indicated YES for question number one above, Contracting Entity must provide to Travis County, with its bid/proposal submission, the following information with respect to each such citation:

## Travis County Better Builder® Program

Date of offense, location of establishment inspected, category of offense, final disposition of offense, if any, and penalty assessed. The Contract Compliance Program reserves the right to request the submission of proof of abatement of any hazard cited, and to recommend that Contracting Entity be disqualified from the project due to safety concerns if the hazard has not been abated in accordance with the OSHA-imposed deadline.

### **QUESTION TWO**

Has Contracting Entity, Ownership Entity or Secondary Entity received citations for violations of environmental protection laws or regulations within the past five years? Citations include notice of violation, notice of enforcement, suspension/revocations of state or federal licenses, or registrations, fines assessed pending criminal complaints, indictments, or convictions, administrative orders, draft orders, final orders, judicial final judgments. Notice of Violations and Notice of Enforcement received from TCEQ include those classified as major violations and moderate violations under TCEQ's regulations for documentation of Compliance History, 30TAC, Chapter 60.2 (c) (1) and (2).

YES \_\_\_\_\_ NO \_\_\_\_\_

If Contracting Entity has indicated YES for question number two above, Contracting Entity must provide to Travis County, with its bid/proposal submission, the following information with respect to each such conviction:

Date of offense, location where offense occurred, type of offense, final disposition of offense, if any, and penalty assessed.

### **QUESTION THREE**

Has Contracting Entity, Ownership Entity or Secondary Entity ever been convicted within the past ten (10) years of a criminal offense which resulted in serious bodily injury or death?

YES \_\_\_\_\_ NO \_\_\_\_\_

If Contracting Entity has indicated YES for question number three above, Contracting Entity must provide to Travis County, with its bid/proposal submission, the following information with respect to each such conviction:

Date of offense, location where offense occurred, type of offense, final disposition of offense, in any, and penalty assessed.

On all Travis County projects it is the sole responsibility and obligation of the Contracting Entity to ensure that all subcontractors performing any part of the work on the project disclose to Contracting Entity their safety records. Contracting Entity may fulfill this obligation by:

(a) distributing the "Safety Record Questionnaire for Subcontractors" form included in this solicitation as Part B of this form to all subcontractors; and

(b) submitting to County the completed "Safety Record Questionnaire for Subcontractors" for all subcontractors together with all required documents described therein.

All safety records are subject to County's review upon request.

# Travis County Better Builder® Program

## CERTIFICATION

THE STATE OF TEXAS  
COUNTY OF TRAVIS

I, \_\_\_\_\_, certify that:

1. I am the \_\_\_\_\_ (position) of \_\_\_\_\_ (“Contracting Entity”) and have the authority to execute this Certification on behalf of Contracting Entity.
2. The information provided in this Safety Record Questionnaire is true and correct.
3. I have made no willful misrepresentations nor have I withheld information in my statements and answers to questions in this Safety Record Questionnaire.
4. I am aware that the information I have provided in this Safety Record Questionnaire will be investigated, with my full permission, and that any misrepresentations or omissions may cause my bid/proposal to be rejected.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

**Travis County OSHA 300/300A Certification  
(Prime Contractor)**

**Project Title:**

**Name:**

**Title:**

**Date:**

**Business Name:**

**County of Contracting Entity:**

**STATE OF TEXAS**

I, \_\_\_\_\_, certify that:

1. I am the \_\_\_\_\_ (position) of \_\_\_\_\_ (“Contracting Entity”) and have the authority to execute this statement on behalf of Contracting Entity.
  
2. Contracting Entity is exempt from submitting OSHA 300 Logs and OSHA 300A Summaries for the previous three (3) years because:
  - Contracting Entity has been legally incorporated for three (3) years or less.  
[Contracting Entity was legally incorporated on \_\_\_\_\_, \_\_\_\_\_]; **or**
  - Contracting Entity has had 10 or fewer employees at all times during the last calendar year, **unless** OSHA or the Bureau of Labor Statistics informed Subcontracting Entity **in writing** that it must keep records under §1904.41 or §1904.42.
  
3. The information provided in this OSHA 300/300A Certification is true and correct.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date