

SCHEDULE 5

PROPONENT TEAM MEMBER DECLARATION

[Note: The Proponent must submit a Proponent Team Member Declaration for each Proponent Team Member.]

TO: Region of Waterloo
Procurement and Supply Services
150 Frederick Street, 4th Floor
Kitchener, Ontario
N2G 4J3

ATTENTION: Lisa Buitenhuis,
Manager, Procurement

NAME OF PROJECT: Region of Waterloo Stage 1 Light Rail Project

NAME OF PROPONENT: [Note: Insert name of Proponent.] (the “Proponent”)

1 Definitions

- 1.1 Unless otherwise defined in this Proponent Team Member Declaration, capitalized terms and expressions used in this Proponent Team Member Declaration have the meanings given to them in the RFP Documents as that term is defined in Section 2.1(1) of the Request for Proposals issued by the Regional Municipality of Waterloo.

2 Representations and Warranties

The Proponent Team Member represents and warrants as follows:

- 2.1 **[We are a Prime Team Member of the Proponent] / [We are not a Prime Team Member of the Proponent.] [NTD: To be adjusted based on team member status.]**
- 2.2 We have not engaged in any form of political or other lobbying, of any kind whatsoever, to influence the outcome of this RFP Process in contravention of RFP Section 3.3.2.
- 2.3 We have complied fully with RFP Section 3.3.4. We confirm that we:
- (a) have not discussed or communicated, directly or indirectly, with any other Proponent, any information whatsoever regarding the preparation of the Proposal or the Proposal of the other Proponents in a way that would contravene Applicable Law; and

- (b) have assisted with the preparation and submission of the Proposal independently and without connection, knowledge, comparison of information or arrangement, direct or indirect, with any other Proponent.

2.4 Except for those actions, suits or proceedings disclosed in the Prequalification Submission or disclosed herein, there are no actions, suits or civil, criminal, administrative or quasi-judicial proceedings pending that could have a material adverse effect on our ability to carry out the Project or, to the best of our knowledge after reasonable inquiry, threatened against us and we are not aware of any ground on which such an action, suit or proceeding might be commenced.

Actions, suits or proceedings not disclosed previously are as follows:

[Note: Add additional lines if necessary. Disclosure to include the following information: (1) plaintiff's name; (2) defendant's name; (3) year litigation initiated; (4) disputed amount (CAD\$); and (5) nature of dispute.]

1.

2.

3.

2.5 We confirm that we are not on the Region's list setting out persons that are in litigation or pending litigation with the Region or, that if we are on such list, approval has been obtained from Council as required under the Region's Purchasing By-law.

2.6 We have complied fully with RFP Sections 3.3.3, 3.8.3, 3.8.4(2) and the provisions of any confidentiality agreement entered into in connection with the RFP Process.

2.7 Except as listed in Section 4 of this Proponent Team Member Declaration, we:

- (a) have not received Confidential Information of the Region that is relevant to the Project and that was not received through this RFP Process from the Region; and
- (b) do not have a perceived, potential or actual Conflict of Interest in respect of this Project.

3 RFP Terms and Conditions Binding

3.1 We agree to be bound by and to comply with the terms and conditions of the RFP Documents and confirm that we have complied with the terms and conditions of the RFP Documents.

3.2 We confirm that we have examined the RFP Documents in detail and confirm that we have received all pages of all documents constituting the RFP Documents.

4 Conflicts of Interest

4.1 We confirm that, to the best of our knowledge, the following list represents a complete list of perceived, potential or actual Conflicts of Interest or any other type of unfair advantage in submitting the Proposal:

Name of Party	Details of Perceived, Potential or Actual Conflict of Interest or Instance of Unfair Advantage

4.2 We confirm that the following individuals participated in the preparation of the Proposal:

Name of Party	Business Address and Telephone Number

4.3 We confirm that, except as listed in the chart below in this section or as provided by the Region during this RFP Process, we have not had access to Confidential Information of the Region.

Type of Confidential Information	Description

4.4 We declare that this Proponent Team Member Declaration has not been modified except to complete the required information.

4.5 **IN WITNESS WHEREOF** the Proponent Team Member has executed this Proponent Team Member Declaration as of the date indicated below.

DATE: _____

[NAME OF PROPONENT TEAM MEMBER]

Per: _____

Name:

Title:

Per: _____

Name:

Title:

I/we have authority to bind the Proponent Team Member.