

DOCKETED

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ATTACHMENT 11

Applicant Declaration

As of the date of the application deadline for Energy Commission solicitation GFO-XX-XXX, the entity submitting this application (Applicant):

- Authorizes the Energy Commission to make any inquiries necessary to verify the information presented in this application.
- Authorizes the Energy Commission to obtain business credit reports and make any inquiries necessary to verify and evaluate the financial condition of the Applicant.
- Certifies to the best of my knowledge and belief that I have read, understand, and do hereby accept the terms and conditions contained in this solicitation on behalf of the Applicant, including the provisions of the Agreement terms and conditions that apply to the Applicant. The Applicant is willing to enter into an agreement with the Commission to conduct the proposed project according to the terms and conditions without negotiation.
- Certifies under penalty of perjury under the laws of the state of California that (1) this application does not contain any confidential or proprietary information or (2) All confidential information submitted (if allowed under the solicitation) has been properly identified. NOTE: The Energy Commission reserves the right to determine whether confidential information submitted adheres to the confidentiality requirements contained in the solicitation. Applicants purposely or erroneously designating information as confidential beyond what is allowable in the solicitation may lead to rejection and disqualification of the application.
- Certifies the Applicant has received any required licenses (such as copyrights or trademarks) applicable to the submitted application.
- Certifies under penalty of perjury under the laws of the state of California that (1) Applicant and Applicant's subcontractors (if any) will be registered and qualified to perform public work pursuant to Labor Code Sections 1771.1(a) and 1725.5 prior to performing public work under a resulting award.
- Is not delinquent on any federal, state, or local tax payments.
- Has not had its California business registration status suspended by the California Franchise Tax Board within the last 7 years.
- Has not filed for bankruptcy in the last 10 years.
- Is not currently planning to file for bankruptcy.

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- If the Applicant is a corporation, limited liability company, limited partnership, or limited liability partnership that conducts intrastate business in California, the Applicant is registered and in good standing with the California Secretary of State.
- Is not currently being sued by any entity (public or private) or individual and is not aware of any information that reasonably indicates it may be sued by any entity or individual during the proposed agreement term, that in either case might reasonably be expected to materially impact the Applicant's ability to perform the proposed project (alternative language we used recently in some solicitations).
- Is in compliance with the terms of all settlement agreements, if any, entered into with the Energy Commission or another government agency or entity.
- Is in compliance with all judgments, if any, issued against the Applicant in any lawsuit or other matter to which the Energy Commission or another government agency is a party.
- Is complying with any demand letter made on the Applicant by the Energy Commission or another government agency.
- Is not in active litigation with the Energy Commission regarding the Applicant's actions under a current or past contract, grant, or loan with the Energy Commission.

For the Applicant, and having authority to do so, I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and I am authorized to complete and sign this form on behalf of the Applicant:

(Date)

(Signature)

(Printed Name)

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If unable to sign this form due to failure to meet the standards set forth in the bullet list items above, please detail the reason(s) why in the space provided below.

Please explain why the applicant is unable to sign here...