FORM J: LABOR CERTIFICATION

[Labor Code §§ 1720, et seq.]

The undersigned, a duly authorized representative of the Proposer, certifies and declares that:

1. The Proposer acknowledges that the Contract is subject to the provisions of Division 2, Part 7, Chapter 1 (commencing with Section 1720) of the California Labor Code relating to public works, and agrees to be bound by all the provisions thereof.
2. The Proposer certifies that it and any subcontractors performing work called for under the Contract are currently registered and qualified to perform public work pursuant to Section 1725.5 of the California Labor Code. The Proposer shall furnish proof of its and its subcontractors’ current registration status to HTA.
3. The Proposer agrees to comply with the provisions of California Labor Code Section 1773.1, which requires the payment of travel and subsistence payments to each worker needed to execute the work to the extent required by law.
4. The Proposer agrees to comply with the provisions of California Labor Code Section 1774 and 1775 concerning the payment of prevailing rates of wages to workers and the penalties for failure to pay prevailing wages. The Proposer shall, as a penalty to HTA, forfeit not more than fifty dollars ($50) for each calendar day, or portion thereof, for each worker paid less than the prevailing rates as determined by the Director of Industrial Relations for the work or craft in which the worker is employed for any public work done under the Contract by Proposer or by any subcontractor.
5. The Proposer agrees to comply with the provisions of California Labor Code Section 1776, which requires the Proposer, as contractor, and each subcontractor to: (1) keep accurate payroll records; (2) certify and make such payroll records available for inspection as provided by Section 1776; and (3) inform HTA of the location of the records. The Proposer, as contractor, is responsible for compliance with Section 1776 by itself and all of its subcontractors.
6. The Proposer agrees to comply with the provisions of California Labor Code Section 1777.5 concerning the employment of apprentices on public works projects, and further agrees that it is responsible for compliance with Section 1777.5 by itself and all of its subcontractors.
7. The Proposer agrees to comply with the provisions of California Labor Code Section 1813 concerning penalties for workers who work excess hours. The Proposer shall, as a penalty to HTA, forfeit twenty-five dollars ($25) for each worker employed in the execution of the Contract by the Proposer, as contractor, or by any subcontractor for each calendar day during which such worker is required or permitted to work more than eight hours in any one calendar day and 40 hours in any one calendar week in violation of the provisions of Division 2, Part 7, Chapter 1, Article 3 of the California Labor Code.
8. California Labor Code Sections 1860 and 3700 provide that every contractor will be required to secure the payment of compensation to its employees. In accordance with the provisions of California Labor Code Section 1861, the Proposer hereby certifies that it is aware of the provision of Section 3700 of the Labor Code which require every employer to be insured against liability for workers’ compensation or to undertake self-insurance in accordance with the provision of that code, and that it will comply with such provisions before commencing the performance of the work of this contract.
9. The Proposer acknowledges that the Contract is subject to compliance monitoring and enforcement by the California Department of Industrial Relations as provided in California Labor Code Section 1771.4(a)(1).
10. As applicable, the Proposer agrees to comply with the provisions of Section 1771.4(a)(2), which requires the posting of job site notices as prescribed by regulation.
11. The Proposer acknowledges that copies of applicable prevailing wage rates are on file at HTA’s Administrative Offices.
12. Prior to entering into any subcontract with any subcontractor, the Proposer, as contractor, shall educate and inform its subcontractors regarding compliance with the foregoing provisions, and requirements contained in this Certification and shall have each subcontractor acknowledge in writing that to the extent applicable, such subcontractor shall comply (and shall cause any of its subcontractors to comply) with such provisions and requirements. The Proposer, as contractor, shall certify to HTA that the Proposer has complied with the foregoing requirement to educate and counsel its subcontractors. Such certification shall be submitted to HTA with the Proposer’s first monthly invoice together with each subcontractor's acknowledgment that it will comply (and that it shall cause of any of its subcontractors to comply), to the extent applicable, with such labor certification requirements set forth in this Certification.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [date], at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [city], \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [state].

Company: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Authorized Signature)

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(Printed Name)

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(Title)