

Attachment 3 to RFP

Certification of Federal Labor Standards Compliance

Project Name: Tyee Lake Third Turbine Construction Project
Owner: Southeast Alaska Power Agency (SEAPA)

1. Bidder Acknowledgment and Certification

The undersigned Authorized Representative of the Bidder hereby acknowledges that the **Tyee Lake 3rd Turbine Construction Project** is supported, in whole or in part, by federal funding and/or clean energy tax credits under the **Inflation Reduction Act (IRA)**.

To ensure project eligibility for these federal benefits, the successful Contractor and all tiers of subcontractors must comply with strict federal labor, wage, and workforce standards.

By signing below, the Bidder certifies, represents, and warrants to SEAPA that it understands these mandates and will fully comply with the following requirements if awarded the contract:

- **Prevailing Wage Rates (Davis-Bacon Act):** The Bidder will pay all laborers and mechanics employed on the site of work not less than the prevailing wage and fringe benefits established by the U.S. Department of Labor (DOL). The Bidder agrees to utilize the applicable General Wage Determination active at the time of contract execution.
- **Registered Apprenticeship Mandates:** The Bidder will ensure that the mandatory percentage (15%) of total labor hours on the project is performed by qualified apprentices registered with a DOL-recognized apprenticeship program. The Bidder will adhere to daily journeyworker-to-apprentice ratios and maintain strict documentation of all dispatch requests.
- **Certified Weekly Payrolls:** The Bidder will maintain, and require all subcontractors to maintain, accurate payroll records. The Bidder will submit weekly Certified Payroll Reports (Form WH-347 or equivalent) verifying compliant worker classifications, hours worked, and hourly compensation.
- **Flow-Down Obligations:** The Bidder will legally bind all subcontractors, at every tier, to these identical federal labor compliance and recordkeeping requirements.
- **Non-Debarment:** The Bidder certifies that neither its firm, nor any person or firm who has an interest in the Bidder's firm, is a person or firm ineligible to be awarded

Government contracts by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

2. Indemnification Statement

The Bidder expressly acknowledges that its failure—or the failure of any of its subcontractors—to comply with the prevailing wage and apprenticeship requirements will cause direct, severe economic harm to SEAPA by disqualifying or reducing the project’s IRA tax credits.

The Bidder agrees that, if awarded the contract, it shall **indemnify, defend, and hold harmless** SEAPA from any and all financial losses, disallowed tax credits, recapture penalties, interest, or legal fees resulting directly from the Contractor’s or subcontractors’ non-compliance with these federal labor mandates.

3. Execution

An authorized corporate officer or legal representative of the bidding entity must execute this form. Failure to sign and return this certification with the bid package shall render the bid non-responsive and subject to immediate rejection.

Legal Name of Bidding Entity: _____

Corporate Address: _____

Authorized Representative Name: _____

Title: _____

Signature: _____

Date: _____