

## **RFQ/RFP Litigation/Legal Proceedings History Evaluation Criteria Supplemental Information**

Firms shall identify and describe all local, state and federal proceedings (legal, administrative, regulatory and otherwise), hereinafter referred to as “litigation and legal proceedings”, currently pending against the Firm or its Principals (to include officers, members, directors, and partners) or concluded adversely to the Firm, or its Principals, within the respective time periods set forth below, including but not limited to convictions, fines, debarment proceedings, and settlements associated with the procurement or performance of any public or private agreement for services in any way related to or associated with any construction contract. Failure to respond properly and accurately to this requirement may, in the Authority’s sole discretion, result in rejection of your submission.

### **Litigation History**

Provide information about all state or federal litigation and legal proceedings (including administrative proceedings and arbitrations), fines or convictions relating to the procurement or performance of any public or private construction project involving the firm during the last 5 years (10 years for litigation and legal proceedings involving allegations against the firm of false claims, fraud or malpractice.) In response to this request for litigation and legal proceedings information, the Firm need not include routine litigation, such as worker’s compensation, personal injury, or employment cases. For information provided, include caption of case, parties, location of proceedings, description of dispute or enforcement action, dates action commenced and concluded, and status or outcome.

### **Agreements**

Identify any outstanding compliance or other agreements which relate to the procurement or performance of any public or private contract that contain conditions which, if unfulfilled, would preclude the firm from participating in the project associated with this solicitation. List all applicable agreements, including any settlement or compliance agreements involving construction work or public contracting in Massachusetts.

### **Terminations and Incomplete Projects**

List each project on which the firm was terminated or failed to complete design work during the last 7 years. For each project, provide the project name, a description of the services, the name and address of the owner, the project start and end dates, the estimated full contract value (work which the submitting firm was responsible for), the percent of work actually completed, and the reason(s) for contract termination or failure to complete.

## **Suspension or Debarment**

Provide a statement that the Firm is not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any state or federal agency.

The Authority reserves the right, in its sole discretion, to request any additional or supplemental information necessary to evaluate the qualifications, fitness, or integrity of the firm or its Principals (to include officers, members, directors, and partners) to perform this contract for the Authority.

## **Submittal Requirement:**

Firms shall provide litigation and legal proceedings information on the firm's letterhead under each heading: (1) Litigation History, (2) Agreements, (3) Terminations and Incomplete Projects and (4) Suspension or Debarment. At the end of the document include the sentence "Signed under the pains and penalties of perjury." Please submit fifteen (15) copies in a separate sealed envelope entitled "Litigation/Legal Proceedings History". The envelope should include the firm name and the MPA Project Number and Title.