

**APPENDIX D**

**COLWYN BOROUGH WASTEWATER RFP**

**NON-COLLUSION AFFIDAVIT**

I, \_\_\_\_\_,  
(designated signatory's full legal name)

a resident of \_\_\_\_\_, in the  
(municipality or other jurisdiction)

State/Commonwealth of \_\_\_\_\_, of full age, being duly sworn  
(State/Commonwealth)

according to law, on my oath depose and say that:

(1) I am the \_\_\_\_\_ of \_\_\_\_\_,  
(designated signatory's title) (Respondent's full legal name)

a(n), \_\_\_\_\_ ("Respondent"),  
(entity type and State/Commonwealth of formation)

making the proposal in response to Request for Proposals for the Sale of a Wastewater System by the Borough of Colwyn on \_\_\_\_\_, as amended from time to time (the "Proposal"), and that I executed said Proposal with full authority to do so; and

(2) The pricing information set forth in the Proposal has been arrived at independently, without collusion, fraud, consultation, communication or agreement for the purpose of restricting competition as to any matter relating to such pricing information with any other Respondent, any potential Respondent or any competitor; and

(3) Unless otherwise required by law, the pricing information that is set forth in the Proposal has not been knowingly disclosed by the Respondent or any of its agents or representatives, directly or indirectly, and will not knowingly be disclosed by the Respondent or any of its agents or representatives, directly or indirectly, to any other Respondent, any potential Respondent or any competitor prior to execution of the Agreement; and

(4) No attempt has been made or will be made by the Respondent to induce any other person or entity to submit or not to submit a Proposal, for the purpose of restricting competition in any way.

[signature page and notary acknowledgement follow]

I hereby affirm under the penalties of perjury that the foregoing statements are true.

\_\_\_\_\_  
(full legal name of Respondent)

A(n) \_\_\_\_\_  
(entity type and State/Commonwealth of formation)

By: \_\_\_\_\_

Name: \_\_\_\_\_  
(print designated signatory's name, same as above)

Title: \_\_\_\_\_  
(print designated signatory's title, same as above)

\_\_\_\_\_) )  
(State/Commonwealth) ) ss:  
COUNTY OF \_\_\_\_\_)

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 201\_, before me, a Notary Public, the undersigned officer, personally appeared \_\_\_\_\_, known to me, (or satisfactorily proven) to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he/she executed the same for the purposes therein contained and further acknowledged that he/she executed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

My commission expires: