

Required Contract Provisions Related to Nondiscrimination

Below are required contract conditions that apply to all Clean Water and Drinking Water State Revolving Fund projects and contains forms that must be used in the procurement process. This must be physically included in all bidding and contract documents.

This project is being financed in whole or in part by the Indiana State Revolving Fund Loan Programs. The loan recipient is required to comply with the following federal and state laws, rules and regulations and must ensure that their contractor(s) also comply with these regulations, laws and rules.

1. Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Rehabilitation Act of 1973 (29 U.S.C. 794), the Age Discrimination Act of 1975 (42 U.S.C.6102), Section 504 of the Rehabilitation Act of 1973, Section 13 of the Federal Water Pollution Control Act Amendments of 1972, EPA Civil Rights regulations (40 CFR Part 7), and subsequent regulations, ensures access to facilities or programs regardless of race, color, national origin, sex, age, or handicap.

The contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract.

2. The contractor shall comply with Section 306 of the Clean Air Act and Section 508 of the Clean Water Act.
3. 2 CFR 180 prohibits entering into contracts or sub-contracts with individuals or businesses who are debarred or suspended. Borrowers are required to check the status of all contractors (construction and professional services) at www.sam.gov and must require contractors to check the status of subcontractors for contracts expected to equal or exceed \$35,000 (FAR 9.409)
4. All federally funded contracts will comply with the terms of 49 CFR 24, the Uniform Relocation and Real Property Acquisition Policies Act
5. Indiana Code 36-1-12-12, Requires the board to withhold final payment to a contractor until the contractor has paid the subcontractors, material suppliers, laborers, or those furnishing services
6. Indiana Code 36-1-12-13.1, requires performance and payments bonds equal to 100% of the contract price if the cost of the public work is estimated to be more than \$200,000.