

BIDDER'S NON-COLLUSION AFFIDAVIT

Property ID No.: _____

By submission of this bid and the execution of the Bidder's Affidavit, the Bidder hereby submits a binding offer to purchase the property and meet all other obligations set forth in the Auction Terms and Conditions on the Property webpage at williamsauction.com, the Contract for Sale of Real Estate at Auction, together with any Addenda as shown in the sample Contract available on the Property webpage. (ATC) and Non-Collusion Affidavit, and all addenda thereto, whether received by the undersigned or not; for the total sum reflected in the purchase price on the Contract submitted by Bidder upon notice that Bidder is the high bidder at auction.

By submission of this bid, the Bidder acknowledges that it has read the 1) Contract for Sale of Real Estate at Auction 2) ATC, 2) Non-Collusion Affidavit and 3) All Schedules and addenda (if any).

Bid Made by:

(Firm Name) _____

Address: _____

By: _____

(Signature-Authorized Officer)

(Print Name)

(Print Title)

Telephone: _____

Fax: _____

Email: _____

Tax ID Number: _____

Date: _____

The Bidder's authorized representative on this Project shall be _____

Additionally, by submission of this bid and the execution of the Bidder's Affidavit each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies on behalf of its own organization, under penalty of perjury, that to the best of his/her knowledge and belief:

- A. This bid is made in good faith and the prices in the bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;

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- B. Unless otherwise required by law, the prices which have been quoted in the bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor;
- C. No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition;
- D. A bid shall not be considered for award nor shall any award be made where A, B, C above have not been complied with; provided however, that if in any case the bidder(s) cannot make the foregoing certification, the bidder shall so state and shall furnish below a signed statement which sets forth in detail the reasons.
- E. The bidder is not in arrears to the City of Yonkers upon debt, contract or taxes and is not a defaulter, as surety or otherwise, upon obligation to the City of Yonkers.
- F. The bidder is the only one interested in this bid; and it is made without any connection with any other person or persons making an offer for the same property, and is in all respects fair, and without collusion or fraud.
- G. No member of the municipal government of the City of Yonkers nor any officer or employee of the City, is directly or indirectly interested in this bid.
- H. Fair and ethical business practices will be strictly adhered to. Accordingly, the bidder shall not:
 - 1. File with a government office or employee, a written instrument which intentionally contains a false statement or false information;
 - 2. Intentionally falsify business records;
 - 3. Give, or offer to give, money or any other benefit to a labor official with intent to influence that labor official with respect to any of his or her acts, duties or decisions as a labor official;
 - 4. Give, or offer to give, money or any other benefit to a public servant with intent to influence that public servant with respect to any of his or her acts, duties or decisions as a public servant; and
 - 5. Knowingly participate in the criminal activities of any organized crime group, syndicate or family, nor shall any person employed by or associated with any such organized crime family, syndicate or group participate through criminal means in any of the business affairs of the Bidder.
- I. In addition, if it becomes known that any director, partner, officer, employee of the Bidder, or any shareholder owning 5% or more of the Bidder's stock:
 - 1. Is the subject of investigation involving any violation of criminal law or other federal, state or local law or regulation by any governmental agency; or
 - 2. Is arrested, indicted or named as an unindicted co-conspirator in any indictment or other accusatory instrument; or

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3. Is convicted of any felony under state or federal law and/or any misdemeanor involving a business-related crime.
- The Bidder shall immediately notify the City of any such event.

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AFFIDAVIT WHERE THE BIDDER IS A CORPORATION

STATE OF _____, COUNTY OF _____

as:

_____ being duly sworn,
says:

I am a member of _____,
the above named corporation whose name is subscribed to and which executed the foregoing bid.
I reside at _____

_____.

I have full knowledge of the matters pertaining thereto.

(Signature of the person who signed the Bid)

ACKNOWLEDGEMENT WHERE THE BIDDER IS A CORPORATION

STATE OF _____)
COUNTY OF _____) ss:

On the _____ day of _____, in the year 200__, before me personally
came _____, to me known, who, being
by me duly sworn, did depose and say that he/she resides at
_____, that she is the
_____ of _____, the
corporation described in and which executed the above instrument; and that he/she signed his/her
name thereto by order of the Board of Directors of said corporation.

Notary Public

If a Corporation, Bidder must complete both Affidavit and Acknowledgement sections and
submit this page with its bid

(Bid and Bidder's Affidavit)

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