

# Office of Policy and Management

REQUIRED FOR ALL CONTRACT TYPES

## Nondiscrimination Certification

Effective Date: June 30, 2009



Form A Representation By Individual



Form D New Resolution By Entity



Form B Representation By Entity



Form E Prior Resolution By Entity



Form C Affidavit By Entity

### DESCRIPTION

The Office of the Attorney General has approved the above nondiscrimination certification forms to assist executive branch agencies in complying with the State's contracting requirements under Connecticut General Statutes §§ 4a-60(a)(1) and 4a-60a(a)(1), as amended.

By law, a contractor must provide an awarding State agency with *written representation or documentation* that certifies the contractor complies with the State's nondiscrimination agreements and warranties.

***A nondiscrimination certification is required for all State contracts – regardless of type, term, cost, or value. The appropriate form must be submitted to the awarding State agency prior to contract execution. \*\*See list of exempt entities (below).\*\****

### FORMS & DESCRIPTIONS

There are five different certification forms. Form A is *always* used for contracts with an individual who is not an entity, regardless of the contract value. Form B is *always* used for contracts with an entity when the contract value is less than \$50,000. Form C is *recommended* for contracts valued at \$50,000 or more with an entity. If Form C is not used, either Form D or E must be used; both require a resolution (new or prior).

<b>For Use By:</b>	<b>Value Less Than \$50,000</b>	<b>Value \$50,000 or More</b>
<b>Individual</b>	<b>Form A</b> <i>Representation</i>	
<b>Entity</b>	<b>Form B</b> <i>Representation</i>	<b>Form C</b> <i>Affidavit</i>
		<b>Form D</b> <i>New Resolution</i>
		<b>Form E</b> <i>Prior Resolution</i>

#### Definitions

- *individual*: a person who is not an entity
- *entity*: corporation, limited liability company, or partnership

## EXPLANATION OF FORMS

**Form A. Representation:** For use by an individual when entering into any contract, regardless of contract value.

**Form B. Representation:** For use by an entity when entering into any contract valued at less than \$50,000 for any year of the contract.

**Form C. Affidavit:** (Recommended) For use by an entity when entering into any contract valued at \$50,000 or more for any year of the contract **and** the entity certifies through an affidavit that a complying nondiscrimination policy is currently in place.

**Form D. New Resolution:** For use by a entity when entering into any contract valued at \$50,000 or more for any year of the contract **and** the entity has a complying nondiscrimination policy adopted by a new resolution of the board of directors, shareholders, managers, members, or other governing body.

**Form E. Prior Resolution:** For use by a entity when entering into any contract valued at \$50,000 or more for any year of the contract **and** the entity has a complying nondiscrimination policy adopted by a prior resolution of the board of directors, shareholders, managers, members, or other governing body.

## EXEMPTIONS

The entities listed below are exempt and, therefore, not required to submit a nondiscrimination certification form when entering into a contract with the State:

1. political subdivisions of the State of Connecticut, including, but not limited to municipalities;
2. quasi-public agencies, as defined in C.G.S. § 1-120;
3. other states of the United States, including, but not limited to, the District of Columbia, Puerto Rico, U.S. territories and possessions, and federally recognized Indian tribal governments, as defined in C.G.S. § 1-267;
4. the federal government;
5. foreign governments; and
6. an agency of a subdivision, agency, state or government listed in items 1-5.

---

## For Further Information, Contact:

Please direct any questions about the nondiscrimination certification forms to the Commission on Human Rights and Opportunities:

Tel. 860/ 541-3400  
Connecticut Toll Free Tel. 1-800/ 477-5737

Content Last Modified on 7/8/2009 1:37:34 PM