

**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**

**CONTRACT NO. TBD (IFB/RFP NO.)**

**TBD (SOLICITATION TITLE)**

**FIRM FIXED PRICE EZ FORM SERVICES CONTRACT**

**BETWEEN**

**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**

**AND**

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**(NAME OF CONTRACTOR TO BE FILLED IN AT TIME OF AWARD)**

**TO BE FILLED IN AT TIME OF AWARD**

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**EFFECTIVE DATE**

**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY  
FIRM FIXED PRICE EZ FORM SERVICES CONTRACT**

**CONTRACT NO: TBD (IFB/RFP NO.)**

**Between**

**LOS ANGELES COUNTY  
METROPOLITAN TRANSPORTATION AUTHORITY  
ONE GATEWAY PLAZA  
LOS ANGELES, CA 90012-2952**

**and**

**(NAME OF CONTRACTOR TO BE FILLED IN AT TIME OF AWARD)**

**TBD (SOLICITATION TITLE)**

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This (pick one federally funded or state/locally funded] Contract is entered into by and between the Los Angeles County Metropolitan Transportation Authority (Metro), and \_\_\_\_\_ (Contractor).

In consideration of the mutual covenants of the parties as set forth below, the parties hereby agree as follows:

**ARTICLE I: CONTRACT DOCUMENTS ORDER OF PRECEDENCE**

A. This Contract includes this Form of Contract, the Contract Documents listed in Section B, and all Attachments, all of which are incorporated herein and made a part of this Contract. **PLEASE READ ALL CONTRACT DOCUMENTS; THEY ALL APPLY.**

B. Except as otherwise specified herein, in the event of any conflict, the precedence of the Contract Documents shall be as follows:

1. Form of Contract
2. Regulatory Requirements (Pro Form \_\_\_\_\_, Dated 00/00/00) available for electronic download from Metro's website, [http://www.metro.net/EBB/contract\\_templates/2-008\\_039\\_Regulatory\\_Requirements.pdf](http://www.metro.net/EBB/contract_templates/2-008_039_Regulatory_Requirements.pdf)
3. General Conditions, (Pro Form \_\_\_\_\_, Dated 00/00/00) available for electronic download Metro's website, [http://www.metro.net/EBB/contract\\_templates/2-007\\_103\\_EZ\\_Form\\_Services\\_Contract\\_GC.pdf](http://www.metro.net/EBB/contract_templates/2-007_103_EZ_Form_Services_Contract_GC.pdf)
4. Statement of Work (SOW. XXXX, suggest last four digits of solicitation) (Dated \_\_\_\_\_)

**[Add such other contract documents as are required for the particular contract, e.g. applicable Manuals, Procedures, Reports]**

- C. An Amendment or Change to this Contract shall take its precedence from the term it amends. All other documents and terms and conditions shall remain unchanged.

## ARTICLE II: COMPENSATION

- A. Contract Price. In consideration of the Contractor's full performance of the Work, and in accordance with the terms of the Contract, the Metro will pay the Contractor the Contract Price of \$ \_\_\_\_\_ as provided in this Article.
- B. Payment Schedule. Except as otherwise expressly provided, the Contract Price shall be paid to the Contractor based upon [insert either – (the following Payment Schedule:) or (the Payment Schedule attached hereto as Exhibit \_\_\_\_)] or (Acceptance of the Work.)]
- C. Invoicing. The Contractor shall submit an original and two copies of each invoice. Each invoice shall include the date, contract number, and description of the work completed. The Contractor shall also submit a Certification for Request for Payment attached as Exhibit 1. The Metro shall pay the Contractor within thirty (30) days after the receipt of an acceptable invoice. Invoices shall be mailed to the Metro as follows:

Los Angeles County Metropolitan Transportation Authority  
Accounts Payable  
P.O. Box 512296  
Los Angeles, CA 90051-0296  
Contract No. **TBD (IFB/RFP No.)**

The Application for Final Payment shall be marked **FINAL** and a copy sent to the Metro's Authorized Representative.

Effective January 1, 2009, Metro started payment of invoices via Electronic Funds Transfer (EFT) which guarantees faster payments and is a more secure and efficient way to make payments. If you have not already done so, you will be required to sign up for EFT, unless you request a waiver in writing. Please call (213) 922-6811, then press option # 7 for EFT forms.

## ARTICLE III: CONTRACT TERM AND PERIOD OF PERFORMANCE

The Period of Performance of this Contract shall begin on [insert the date] (hereinafter "Commencement Date"). Contractor shall complete all Work under the Contract by [insert date] (hereinafter "Completion Date"), unless this Contract is terminated earlier or extended by the Metro, in writing, as provided in the Contract.

## ARTICLE IV: DALP-SBE-M/WBE PARTICIPATION (CHOOSE ONE)

The Contractor is encouraged to achieve its Disadvantaged Business Enterprise Anticipated Level of Participation (DALP) ( \_\_\_\_\_ )% of the total contract price.

**OR**

SBE commitment is \_\_\_\_\_% of the contract total contract price.

**OR**

The VALP is \_\_\_% MBE and \_\_\_% WBE of the contract price. The VALP is strictly voluntary.

**OR**

No DALP, VALP or SBE goal (choose one) has been recommended for this contract.

The Contractor is referred to the Contract Compliance Manual (Federal or Non-Federal) for applicable DALP or SBE administrative requirements and guidance.

**ARTICLE V: INSURANCE**

Please see Exhibit TBD

**ARTICLE VI: ENTIRE AGREEMENT**

This Contract includes this Form of Contract, all other Contract Documents incorporated pursuant to Article I herein, and all Attachments and other documents incorporated herein by inclusion or by reference, and constitutes the complete and entire agreement between the Metro and Contractor and supersedes any prior representations, understandings, communications, agreements or proposals, oral or written.

**CONTRACTOR NAME  
PHYSICAL ADDRESS  
EMAIL ADDRESS  
PHONE NUMBER**

**LOS ANGELES COUNTY  
METROPOLITAN  
TRANSPORTATION AUTHORITY**

ARTHUR T. LEAHY  
CHIEF EXECUTIVE OFFICER

BY: \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF AUTHORIZED OFFICIAL

BY: \_\_\_\_\_  
(PRINT OR TYPE NAME)

\_\_\_\_\_  
DATE

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
DATE

TAX ID NO.: \_\_\_\_\_

APPROVED AS TO FORM BY COUNTY COUNSEL ON July 15, 2003.

**TBD (IFB/RFP No.)  
TBD (Solicitation Title)**

**EXHIBIT 1 - PAYMENT CERTIFICATION**

1. I hereby certify to the best of my knowledge and belief that:
  - A. This Payment Request represents a true and correct statement of the Work performed;
  - B. The Work completed to date under this Contract is in full accordance with the terms of the Contract; and
  - C. All Subcontractors and/or Suppliers who have performed Work on the project through the closing date of the prior Payment Request have been paid their proportionate share of all previous payments from the Metro.
  
2. I understand that it is a violation of both the federal and California False Claims Acts to knowingly present or cause to be presented to the Metro a false claim for payment or approval. A claim includes a demand or request for money. It is also a violation of the False Claims Acts to knowingly make use of a false Record or statement to get a false claim paid. The term "knowingly" includes either actual knowledge of the information, deliberate ignorance of the truth or falsity of the information, or reckless disregard for the truth or falsity of the information. Proof of specific intent to defraud is not necessary under the False Claims Acts. I understand that the penalties under the Federal False Claims Act and State of California False Claims Act are non-exclusive, and are in addition to any other criminal and/or civil remedies which the Metro may have either under contract or law.

I certify under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct

Firm: \_\_\_\_\_

Signature: \_\_\_\_\_

Name of Certifying Official: \_\_\_\_\_

Title: \_\_\_\_\_

Date of Execution: \_\_\_\_\_

**EXHIBIT TBD - STATEMENT OF WORK**

Insert when contract is conformed

**EXHIBIT TBD – INSURANCE REQUIREMENTS**

