

A Request for Proposals

EXHIBIT B CERTIFICATION

The undersigned: recognizes that all information and material provided all information and material submitted by the undersigned proposer in connection with its proposal and the Request for Proposals are submitted for the express purpose of inducing USA Niagara Development Corporation (“USA Niagara”), a subsidiary of New York State Urban Development Corporation d/b/a Empire State Development Corporation (“ESD”), a corporate governmental agency of the State of New York (the “State”), constituting a political subdivision and public benefit corporation, to award a contract to the undersigned; acknowledges that each of USA Niagara, the State and the State’s agencies and instrumentalities may, each in its sole and absolute discretion, by any means which it may choose, determine the truth and accuracy of all statements made therein; acknowledges that intentional submission of false or misleading information may constitute a felony under Penal Law §210.40 or a misdemeanor under Penal Law §210.35 or §210.45, and may also be punishable by a fine of up to \$10,000 or imprisonment of up to five years under 18 U.S.C. §1001; and states that the information submitted is true, accurate and complete.

By submission of this proposal, the proposer and each person signing on behalf of the proposer certifies, and in the case of a joint proposal each party thereto certifies as to his or her own organization under penalty of perjury, that to the best of his or her knowledge and belief:

- (1) The prices, amounts and material in this proposal 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, amounts and materials with any other proposer or with any competitor;
- (2) Unless otherwise required by law, the prices, amounts and material that have been quoted in this proposal have not been knowingly disclosed by the proposer and will not knowingly be disclosed by the proposer prior to award, directly or indirectly, to any other proposer or to any competitor, and
- (3) No attempt has been made or will be made by the proposer to induce any other person, partnership or corporation to submit or not to submit a proposal for the purpose of restricting competition.

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The proposer hereby authorizes USA Niagara, ESD, the State and their agents and instrumentalities to contact the proposer's bank(s) and credit references and any other persons identified in its submission, including without limiting the foregoing, all persons and entities identified in its Information Regarding Qualifications and Financial Capability form and any financial information, in connection with the proposal, and any and all other persons identified in any investigation conducted by or on behalf of USA Niagara, ESD or the State, and obtain release of pertinent financial and other information, as well as to obtain verification of information provided by or on behalf of the proposer.

Name of Proposer

Signature of Officer

Title

Sworn to before me this
_____ Day of _____, 2004.

Notary Public