



CONSULTANT CERTIFICATION

The Arkansas Department of Transportation requires certification of compliance with Arkansas law for current and prospective Consultants. The requirement applies to entities with current and ongoing contracts and those seeking participation in new contracts.

Pursuant to Arkansas law, an entity must provide certification of compliance with certain regulations prior to entering into a contract with a public entity for an amount as designated by the applicable laws.

1. DISCLOSURE REQUIREMENT

In accordance with Governor's Executive Order 98-04, Contract and Grant Disclosure and Certification Forms are required for contracts valued more than \$25,000 unless exempt from disclosure requirements. A fillable version of Form EO 98-04 can be found at <https://www.transform.ar.gov/procurement/forms-and-reporting/>. All consultants and applicable subconsultants are required to complete this form when responding to a solicitation. Annual updates are required thereafter.

2. ISRAEL BOYCOTT RESTRICTION

Applicable to contracts valued at \$1,000 or greater.

A public entity shall not enter into a contract with a company without written certification that the person or company is not currently engaged in a boycott of Israel. If at any time after signing this certification the Consultant decides to engage in a boycott of Israel, the Consultant must notify the contracting public entity in writing. See Arkansas Code Annotated § 25-1-503.

3. ILLEGAL IMMIGRANT RESTRICTION

Applicable to contracts exceeding \$25,000.

No state agency may enter into or renew a public contract for services with a Consultant who employs or contracts with an illegal immigrant. A Consultant shall certify that it does not employ, or contract with, illegal immigrants. See Arkansas Code Annotated § 19-11-105.

4. ENERGY, FOSSIL FUEL, FIREARMS, AND AMMUNITION INDUSTRIES

Applicable to contracts valued at or exceeding \$75,000.

A public entity shall not enter into a contract with a company unless the contract includes a written certification that the person or company is not currently engaged in, and agrees for the duration of the contract not to engage in, a boycott of an Energy, Fossil Fuel, Firearms, or Ammunition Industry. If a company does boycott any of these industries, see Arkansas Code Annotated § 25-1-1102.

5. SCRUTINIZED COMPANY RESTRICTION

Required with bid or proposal submission.

A state agency shall not contract with a Scrutinized Company or a company that employs a Scrutinized Company as a subconsultant. A Scrutinized Company is a company owned in whole or with a majority ownership by the government of the People's Republic of China. A state agency shall require a company that submits a bid or proposal for a contract to certify that it is not a Scrutinized Company and does not employ a Scrutinized Company as a subconsultant. See Arkansas Code Annotated § 25-1-1203.

6. SMALL UNMANNED AIRCRAFT SYSTEMS

Applicable where small, unmanned aircraft systems are provided or operated in connection with a contract.

The Consultant certifies that it has reviewed Arkansas Code § 25-1-129 and applicable federal law, including the American Security Drone Act of 2023 and associated federal guidance governing federally funded projects, and understands the restrictions applicable to the purchase, operation, and funding of small, unmanned aircraft systems.

The Consultant certifies that it will not provide, procure, lease, integrate, operate, or otherwise supply to the Arkansas Department of Transportation any small, unmanned aircraft system that is manufactured or assembled by a covered foreign entity, as defined in Arkansas Code § 25-1-129, unless a lawful waiver has been granted by the Secretary of the Department of Transformation and Shared Services.

The Consultant further certifies that this restriction extends to any subcontractor, subconsultant, equipment provider, or third-party service provider engaged in performance of the contract where such performance includes provision or operation of small, unmanned aircraft systems.

The Consultant certifies that no state or federal funds provided under the agreement will be used, directly or indirectly, to procure, operate, maintain, or process data from a small, unmanned aircraft system prohibited under applicable Arkansas or federal law.

The Consultant acknowledges that the use of such systems on federally funded projects may result in unallowable costs.

The Consultant acknowledges that, effective May 1, 2027, public entities are prohibited from operating covered small, unmanned aircraft systems absent a statutory waiver, and agrees to remain compliant for the duration of the contract.

The Consultant agrees to notify ARDOT in writing within ten (10) business days of any change in circumstances that would affect the accuracy of this certification.

(Arkansas Code § 25-1-129; American Security Drone Act of 2023)

7. ATTESTATION

By signing this form, the Consultant agrees and certifies they are not a Scrutinized Company and they do not currently and shall not for the aggregate term of any contract:

- Boycott Israel.
- Knowingly employ or contract with illegal immigrants.
- Boycott Energy, Fossil Fuel, Firearms, or Ammunition Industries.
- Employ a Scrutinized Company as a subconsultant or subcontractor.
- Provide, procure, lease, integrate, operate, or otherwise supply—directly or through any subcontractor or third party—to ARDOT a small, unmanned aircraft system prohibited under applicable Arkansas or federal law, including Arkansas Code § 25-1-129 and the American Security Drone Act of 2023, or use state or federal funds under the agreement to procure, operate, maintain, or process data from such a system.

ENTITY NAME: _____

Signature: _____

Date: _____

BUSINESS ENTITY FILING NO.:

A corporation may not transact business in this state until it obtains a [certificate of authority from the Secretary of State](#). See Arkansas Code Annotated § 4-27-1501