



Grays Harbor County Public Health

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11.7.23

Request for Proposals for Affordable Housing

Introduction

Grays Harbor County (“County”) has issued a Request for Proposals (“RFP”) to interested and qualified agencies to expand Affordable Housing units in the form of Modular Housing. The purpose of the project is to address housing disparities in rural locations within Grays Harbor County. The COVID-19 pandemic has caused significant hardship to many households who are struggling with rent or locating affordable housing because of economic distress.^{1,2} With this project, the County aims to build stronger communities by investing in housing and neighborhoods. Eligible applicants must submit a narrative response to the questions at the end of this RFP, a new project application, and budget.

- Modular Housing Units for Affordable housing to serve low-moderate income residents in more rural areas of Grays Harbor County. Funds for this project include ARPA funding for the purpose of meeting affordable housing needs.

This RFP is intended for housing providers, nonprofits, rural city council entities and other eligible local service providers with the necessary capacity and experience to successfully acquire land and purchase modular units for affordable housing within the more rural communities of Grays Harbor County. The RFP will open **November 8th, 2023, and all proposals are due by 4:30 p.m. November 27th, 2023.** Although the County does not require prior site ID, location identification and site control is preferred. Priority will be given to entities who can demonstrate prior experience.

The County reserves the right to reject any and all submittals and to waive irregularities and informalities in the submittal and evaluation process. This RFP does not obligate the County to pay any costs incurred by respondents in the preparation and submission of

their proposal. Furthermore, this RFP does not obligate the County to accept or contract for any expressed or implied services.

Successful applicants will work with County staff to negotiate formal contracts with specific deliverables, timelines, and outcomes. The County will be responsible for subrecipient’s risk assessment and monitoring all subrecipients of housing funds to ensure alignment with fund requirements and contract deliverables.

In addition, agencies must meet the following criteria for consideration:

1. Applicant must have demonstrated experience with successful residential/commercial and public works projects.
2. Successful track record of leveraging external funding that minimizes the County’s contribution of local funds.
3. A planned affordable housing project in Grays Harbor County focusing on the population making between 0% - 50% of AMI. Priority will be given to projects that serve households with 0-30% of AMI.
4. Projects shall be consistent with the goals and objectives of the County’s Five-Year Plan to Address Unmet Housing Needs.
5. Demonstration of the future project to be cash-flow positive, covering on-going operations and maintenance expenses without the need for additional Homeless and Affordable Housing Services funding.
6. Any potential conflict of interest among bidding entities and County must be disclosed in writing.
7. Demonstrated budget to include prevailing wages and categories, agreement to comply with certified payroll requirements, and provision of project management expertise as applicable.
8. Comply with contracting requirements set forth in Exhibit A attached hereto and incorporated by this reference.

Estimated Calendar/Timeline:

Application Process	Date
Issue RFP	November 8, 2023
Questions Due	November 15, 2023
Proposals Due	November 27, 2023
Proposal Subcommittee Review (if applicable)	November 28 – December 1, 2023
Recommendations provided to BOCC	December 5, 2023
Agency Contract Development Process	January 2024
Project Start Date	January 2024

Applications may be submitted via e-mail, mail, or in person at:

Grays Harbor County Public Health
 Attn: Cassie Lentz
 2109 Sumner Avenue
 Aberdeen, WA 98520
cassielentz@graysharbor.us

Applications and related materials must be received no later than **Monday, November 27th, 2023, at 4:30 p.m.** to be considered. The applicant assumes full responsibility for the delivery method chosen. Applications must be clearly marked with AFFORDABLE HOUSING APPLICATION.

Any questions related to this application may be directed to:

Cassie Lentz, Healthy Places Division Manager
 E-mail: clentz@Graysharbor.us
 Phone: 360-500-4049

All questions must be submitted in writing prior to November 15th, 2023, and questions and responses will be posted at www.healthygh.org/directory/housing.

Program funding available– *Up to \$500,000* available*

Reasonable administration support will be negotiated within awarded agency contracts:

Existing Services- Community Priorities			
Programming Description	Estimated Funding Available	Specific Considerations	Deliverable(s)
Modular Housing expansion to provide affordable housing to the rural communities in Grays Harbor County.	\$500,000	<ul style="list-style-type: none"> Project will be designed to provide permanent, safe, affordable housing to vulnerable populations in Grays Harbor County. Project will be funded using American Rescue Plan Act (ARPA) and all project activities must follow and document adherence to ARPA Guidelines (Exhibit A) Project will consist of Modular housing units on current vacant lots. Proposed units will be located in more rural areas of Grays Harbor County (For example Ocean Shores, Westport, and/or Elma). 	<ul style="list-style-type: none"> Construct/Purchase Modular Units of Affordable Housing for low-moderate income residents. Property for Modular Units to be located in Rural Grays Harbor. Completed units will meet state and local habitability standards. Work with local housing authorities to leverage existing rental subsidies. Adhere to strict budget oversight and proposed timelines.

		<ul style="list-style-type: none"> • Project will house low-moderate income residents. (50% or less of AMI) • Project will follow HUD definitions for affordable housing. • Project will adhere to all local Zoning, Land Development, Construction, and Subdivision Regulations. • Although not required at the time of application, location identification and site control is preferred. 	<ul style="list-style-type: none"> • All activities must align with and document adherence to ARPA funding guidelines and contribute to any required or recommended reporting activities. • Goal: Increase Affordable Housing Options and promote equitable housing
Total	\$500,000		

*Maximum budget per program area is an estimate only. The County reserves the right to reject any and all submittals or to recommend contract amounts less than the maximum budget.

Application process and instructions:

The County is requesting proposals from eligible entities to develop 2-12 modular units of affordable housing for low-moderate income residents in rural areas of Grays Harbor County for the contract period **January 1, 2024 –December 31, 2024**. Please respond to the following areas of interest and submit to Grays Harbor County Housing staff to be considered. If selected, this one-time award is a subaward of SLFRF (State and Local Fiscal Recovery)/ARPA (American Rescue Plan Act) funds. The Contractor must follow any and all compliance requirements for use of ARPA/SLFRF funds and adhere to any and all reporting requirements for expenditures of ARPA/SLFRF funds. The County will require all subrecipients and vendors to certify they either meet or do not meet the Uniform Administrative Requirements, Cost Principles, and Audit Requirements. If the subrecipient indicates they do not meet or exceed the audit threshold, a copy of their single audit is required to be sent to County staff. Audit verification, ARPA MOU, contract execution, and contract orientation must be completed prior to distribution of any funds.

Part 1 – Threshold Criteria (Submit a letter attesting provider meets Threshold Criteria)

- Bidder has read and understands the RFP in full and agrees to comply with the terms of the RFP;
- Bidder has read and understands the ARPA funding guidelines in full and agrees to comply with the terms of the funding guidelines;
- Bidder is not debarred;
- Be in good standing with all of its grantors/funders and demonstrate sound financial practices;

- Eligible entities include registered housing providers, nonprofits, rural city council entities, and other eligible local service providers;
- Agreement to utilize existing rental subsidies to provide safe, quality permanent housing to vulnerable populations;
- Capacity to operate the project on a cost-reimbursement basis;
- Affordable housing units must remain affordable for at least 30 years from the date of completion;
- Bidder provides the necessary personnel, equipment, and resources to begin project construction of the affordable units must commence within one (1) year of the execution of funding agreement, subject to extension at the County’s sole and absolute discretion;
- Contractor to ensure adherence to all fair labor standards, prevailing wage and reporting requirements;
- Projects must be designed to be compatible and properly integrate with neighborhood scale, massing, and setting;
- Fiscal management system compliant with government accounting systems;
- Ability to comply with the insurance and bond requirements including, but not limited to:
 - Professional Liability Errors, and Omissions Insurance (minimum \$3 million policy)
 - Worker’s Compensation Coverage
 - Payment and Performance Bonds
 - General Commercial Liability Insurance (minimum \$3 million policy)
 - Business Automobile Liability Insurance (minimum \$1 million policy)
 - Cyber Liability Insurance (minimum \$1 million policy)
 - The County reserves the right in its sole discretion to increase the insurance amounts in this RFP during the contract negotiation process

Part 2 – Scoring Criteria

All proposals will be evaluated based on the following criteria:

(1) Readiness (30 points)

Applicants will receive points based upon the extent of the project’s readiness to proceed. The score will be based on the following.

- Narrative describing the actions taken and actions to be taken, including but not limited to identifying and securing a vacant property location, staffing, developing project operating procedures, coordination or negotiation with community and partner engagement (if appropriate), and any steps involved in the development of the housing resource – to prepare for an early and successful start of the project.
- Projected timeline of major steps, indicating the number of months between each step beginning from the execution of a County contract to beginning services.

(2) Leveraging (20 points)

Applicants may receive points based on the extent to which the project will leverage additional resources and funding to maximize the number of affordable housing units.

(3) Capacity (20 points)

Applicants will receive points based on the extent to which the applicant’s experience is relevant to the type of project proposed. If the applicant does not have current capacity for its proposed project but plans to build that capacity by the project’s start date, it must clearly demonstrate how it will build that capacity in its application. Capacity includes:

- Overall experience of the organization.
- Experience of the organization in undertaking similar activities – including experience with the population to be served and the type of services to be provided.
- Experience of staff proposed to coordinate and manage the project OR the standards the organization will use in recruiting/hiring for positions in the project.
- Positive track record for collaborative negotiations with public agencies (as demonstrated by references).
- Proven track record of implementing strict budget oversight and adherence to project timelines.

(4) Soundness of Approach (15 points)

Applications will be scored based upon the description of the project and its proposed outcomes. Outcomes proposed will be considered based on the appropriateness of proposed best practices and activities that would result in their achievement.

- Description of project model – who will be served? How will potential clients be identified?
- Description of the major outcomes to be achieved through the project (use annualized data/outcomes as a timeframe where appropriate)
- Description of major steps that will be taken to achieve the proposed outcomes.
- Description of identified location and how it meets the requirements of this project.

(5) Budget (15 points)

Applicant will submit a proposed budget that includes:

- Administrative
- Operations
 - Staffing
- Construction
- Land Acquisition

Any other relevant budget expenses

Applicant will note if any budgeted expenses would be subject to relevant public works requirements and ensure budget is adequate (i.e. prevailing wages).

Part 3: Proposal Components

The following are the required documents for proposals to be submitted to Healthy Division Manager, Cassie Lentz

1. A cover letter attesting to/documenting compliance with stated Threshold Criteria (Page 3)
2. A completed Application including narrative response to “Scoring Criteria” and Project Budget with expenses clearly categorized and clear time period of budget
3. The Summary Pages of the most recently completed Independent Audit Letter showing significant findings and issues and, as appropriate, evidence of adequate responses to findings and issues identified. Please clarify budget for use of ARPA funds.
4. Applicants who currently have County funded contracts must send a copy of the latest County monitoring report and, if appropriate, evidence of actions to clear findings (or evidence the County has cleared the findings).

References:

1. Center on Budget and Policy Priorities (2022). *The COVID-19 economy’s effects on food, housing, and employment hardships*. <https://www.cbpp.org/sites/default/files/8-13-20pov.pdf>
2. National Low Income Housing Coalition (March 2023). *The Gap A Shortage of Affordable Homes*. <https://nlihc.org/gap>

Project Application

Project Name	
Proposed Date of Construction	
Proposed Date of Completion	
Location of Project City (required) Address (if known) Zoning (if available)	
Status of land U - unknown I - identified but not acquired A - acquired	
Current status of proposed project C - concept D - design/planning P - permitting S - shovel ready O - other (provide details)	
Primary type of project S - SRO P - Permanent Supportive Housing OH - Oxford Housing M - multi-family SFO - single family (Ownership) SFR – single family (Rental) O - other	
Square footage of property	
Square footage of buildings	
Proposed number of units	
Average cost per unit	
Total project budget (note whether Actual or Estimated)	
Do you have Pro Forma Statements? (if so please provide, projects without Pro Forma Statements at time of application will	

be required to submit these statements before receiving reimbursement from the County)	
Proposed total number of units	
Proposed number of units for target population of 50% or less of AMI	
Proposed number of units for target population of 30% or less of AMI	
Target demographic of project (provide approximate % and/or # of units for each) Y - youth F - families S - singles V - veterans C - chronically homeless D - disabled	
Intent of funding S - seed B - bridge P - primary O - other (provide details)	
Amenities to be made available	
Lead and Partner Agencies in this Project (briefly describe roles of all)	
Use of funds for proposed ARPA fund	

Grays Harbor County American Rescue Plan Act (ARPA)
Affordable Housing Contracting Requirements - RFP Exhibit A

Notice: The RFP to which this addendum is attached relates to housing that will be using federal assistance provided to the County by the US Department of Treasury under the American Rescue Plan Act (“ARPA”), Sections 602(b) and 603(b) of the Social Security Act, Pub. L. No. 117-2 (March 11, 2021).

The following terms and conditions apply to you, the applicant (“Contractor”), and any affiliate of Contractor performing under a contract with the County.

1. Equal Opportunity. Contractor shall comply with Executive Order 11246, “Equal Employment Opportunity,” as amended by EO 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and as supplemented by regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

Minority and Women Business Enterprises (if applicable to the post RFP Contract)

Contractor agrees to comply with the following when applicable: The requirements of Executive Orders 11625 and 12432 (concerning Minority Business Enterprise), and 12138 (concerning Women's Business Enterprise), *when applicable*. Accordingly, the Contractor hereby agrees to take affirmative steps to assure that women and minority businesses are utilized when possible as sources of supplies, equipment, construction and services. Affirmative steps shall include the following:

- a. Including qualified women’s business enterprises and small and minority businesses on solicitation lists;
- b. Assuring that women’s enterprises and small and minority businesses are solicited whenever they are potential sources;
- c. When economically feasible, dividing total requirements into smaller tasks or quantities so as to permit maximum participation by small and minority business, and women’s business enterprises;
- d. Where the requirement permits, establishing delivery schedules which will encourage participation by women’s business enterprises and small and minority business;
- e. Using the services and assistance of the Small Business Administration, and the U.S. Office of Minority Business Development Agency of the Department of Commerce; and
- f. If any subcontracts are to be let, requiring the prime Contractor to take the affirmative steps in a through e above.

For the purposes of these requirements, a Minority Business Enterprise (MBE) is defined as an enterprise that is at least 51 percent owned and controlled in its daily operation by members of the following groups: Black, Hispanic, Asian or Pacific Islander, American Indian, or Alaskan Natives. A Women Business Enterprise (WBE) is defined as an enterprise that is at least 51 percent owned and controlled in its daily operation by women.

2. Suspension and Debarment. (A) The contract is a covered transaction for purposes of 2 CFR pt. 180 and 2 CFR pt. 3000. As such, the Contractor is required to verify that none of Contractor’s principals (defined at 2 CFR § 180.995) or its affiliates (defined at 2 CFR § 180.905) are excluded (defined at 2 CFR § 180.940) or disqualified (defined at 2 CFR § 180.935).

(B) The Contractor must comply with 2 CFR pt. 180, subpart C and 2 CFR pt. 3000, subpart C, and must include a requirement to comply with these regulations in any lower tier covered transaction it enters into.

(C) This certification is a material representation of fact relied upon by the City of Madison. If it is later determined that the contractor did not comply with 2 CFR pt. 180, subpart C and 2 CFR pt. 3000, subpart C, in addition to remedies available to the City, the Federal Government may pursue available remedies, including but not limited to suspension and/or debarment.

(D) The Contractor agrees to comply with the requirements of 2 CFR pt. 180, subpart C and 2 CFR pt. 3000, subpart C while this offer is valid and throughout the period of any contract that may arise from this offer. The Contractor further agrees to include a provision requiring such compliance in its lower tier covered transactions.

3. Byrd Anti-Lobbying Amendment, 31 U.S.C. § 1352, as amended. Contractor certifies that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, officer or employee of Congress, or an employee of a Member of Congress in connection with obtaining any Federal contract, grant, or any other award covered by 31 U.S.C. §1352. Contractor shall also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the recipient who in turn will forward the certification(s) to the awarding agency.

4. Civil Rights Compliance. Grays Harbor County, in accordance with the provisions of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

5. Access to Records. (A) The Contractor agrees to provide the City of Madison, the U.S. Department of Treasury, the Comptroller General of the United States, or any of their authorized representatives access to any books, documents, papers, and records of the Contractor which are directly pertinent to this contract for the purposes of making audits, examinations, excerpts, and transcriptions. The Contractor agrees to permit any of the foregoing parties to reproduce by any means or to copy excerpts and transcriptions as reasonably needed and agrees to cooperate with all such requests.

(B) The Contractor agrees to provide the Treasury Department or authorized representatives access to construction or other work sites pertaining to the work being completed under the contract.

(C) No language in this contract is intended to prohibit audits or internal reviews by the Treasury Department or the Comptroller General of the United States.

6. Rights to Inventions Made Under a Contract or Agreement. Contracts or agreements for the performance of experimental, developmental, or research work shall provide for the rights of the Federal Government and the recipient in any resulting invention in accordance with 37 CFR part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any applicable implementing regulations.

7. Contract Work Hours and Safety Standards Act (40 U.S.C. 327 through 333) (applies

only to purchases over \$100,000, when laborers or mechanics are used.) Where applicable, all contracts in excess of \$100,000 that involve the employment of mechanics or laborers shall include a provision for compliance with 40 U.S.C. 3702 and 3704 of the Contract Work Hours and Safety Standards Act, as supplemented by Department of Labor regulations (29 CFR part 5). Under Section 3702 of the Act, each contractor shall be required to compute the wages of every mechanic and laborer on the basis of a standard workweek of 40 hours. Work in excess of the standard workweek is permissible provided that the worker is compensated at a rate of not less than 1 1/2 times the basic rate of pay for all hours worked in excess of 40 hours in the workweek. The requirements of 40 U.S.C. 3704 are applicable to construction work and provides that no laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

8. Clean Air Act & Federal Water Pollution Control Act (applies to purchases of more than \$150,000.)

(A) The Contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act, as amended, 42 U.S.C. § 7401 et seq.

(B) The Contractor agrees to comply with all applicable standards, orders, or regulations issued pursuant to the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq.

(C) The Contractor agrees to report each violation of the Clean Air Act and the Water Pollution Control Act to the County and understands and agrees that the County will, in turn, report each violation as required to assure notification to the Federal Emergency Management Agency, and the appropriate Environmental Protection Agency Regional Office.

(D) Contractor agrees to include these requirements in each subcontract exceeding \$150,000 financed in whole or in part with Federal assistance.

9. Prohibition on certain telecommunications and video surveillance services or equipment (Huawei and ZTE)

Contractor is prohibited from obligating or expending loan or grant funds to:

(1) Procure or obtain;

(2) Extend or renew a contract to procure or obtain; or

(3) Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public Law 115–232, section 889, covered telecommunications equipment is telecommunications equipment produced by **Huawei Technologies Company** or **ZTE Corporation** (or any subsidiary or affiliate of such entities).

(i) For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).

(ii) Telecommunications or video surveillance services provided by such entities or using such equipment.

(iii) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation,

reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

10. Buy USA - Domestic Preference for certain procurements using federal funds.

Contractor should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award. For purposes of this section:

- (1) "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
- (2) "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

11. Procurement of Recovered Materials: (applies only if the work involves the use of materials)

(A) In the performance of this contract, the Contractor shall make maximum use of products containing recovered materials that are EPA-designated items unless the product cannot be acquired:

- i. Competitively within a timeframe providing for compliance with the contract performance schedule;
- ii. Meeting contract performance requirements; or
- iii. At a reasonable price.

(B) Information about this requirement, along with the list of EPA- designated items, is available at EPA's Comprehensive Procurement Guidelines web site at <https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program>.

(C) The Contractor also agrees to comply with all other applicable requirements of Section 6002 of the Solid Waste Disposal Act.

12. Publications. Any publications produced with funds from this award must display the following language: "This project [is being] [was] supported, in whole or in part, by federal award number [enter project FAIN] awarded to [name of Recipient] by the U.S. Department of the Treasury."

13. Increasing Seat Belt Use in the United States. Pursuant to Executive Order 13043, 62 FR 19217 (Apr. 18, 1997), Contractor is encouraged to adopt and enforce on-the-job seat belt policies and programs for your employees when operating company-owned, rented or personally owned vehicles.

14. Reducing Text Messaging While Driving. Pursuant to Executive Order 13513, 74 FR 51225 (Oct. 6, 2009), Contractor is encouraged to adopt and enforce policies that ban text messaging while driving and establish workplace safety policies to decrease accidents caused by distracted drivers.

15. Certification Regarding Russian Government Contracts and/or Investments.

Subcontractor shall abide by the requirements of Governor Jay Inslee's Directive 22-03 and all subsequent amendments. The Subcontractor, by signature to this Contract, certifies that the Subcontractor is not presently an agency of the Russian government, an entity which is Russian-

state owned to any extent, or an entity sanctioned by the United States government in response to Russia's invasion of Ukraine. The Subcontractor also agrees to include the above certification in any and all Subcontracts into which it enters in connection with this Agreement. The Subcontractor shall immediately notify County if, during the term of this Contract, Subcontractor does not comply with this certification. County may immediately terminate this Agreement by providing Subcontractor written notice if Subcontractor does not comply with this certification during the term hereof.

16. Subcontracting Liability. Subcontractor understands that, in the event of litigation arising related to the Agreement, if DSHS, County, and Subcontractor are found by a jury or other trier of fact to be jointly and severally liable for personal injury damages arising from any act or omission under this Agreement or any Program Agreement, then County shall be responsible for its proportionate share, and the Subcontractor shall be responsible for its proportionate share.

17. Audits. 2 CFR Part 200, Subpart F audit requirements are hereby incorporated as though fully set forth in this Agreement. Subcontractor may review those requirements at the website: : [eCFR :: 2 CFR Part 200 Subpart F -- Audit Requirements](#).

18. HIPAA. If services under this Agreement involve activities or products subject to the **Health Insurance Portability and Accountability Act of 1996** (HIPAA), the Subcontractor covenants that it will appropriately safeguard Protected Health Information (defined in 45 CFR 160.103), and agrees that it is subject to, and shall comply with, the provisions of 45 CFR 164 Subpart E regarding use and disclosure of Protected Health Information.

- This form is required only for purchases of more than \$100,000 -

31 CFR Part 21 – New Restrictions on Lobbying - CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of their knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit [Standard Form-LLL](#), "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all contractors shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The Contractor certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. Ch. 38, Administrative Remedies for False Claims and Statements, apply to this certification and disclosure, if any.

Signature of Contractor's authorized official

Date: _____

(Print name of person signing above)

(Print title of person signing above)