

MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY
REQUEST FOR PROPOSALS

DATE OF ISSUE: April 6, 2011

TO: Potential Service Providers

RE: Request for Proposals for an Economic Impact Study of the Michigan Historic Preservation Tax Credits

I. Services Sought by the Authority

The Michigan State Historic Preservation Office, Michigan State Housing Development Authority (SHPO or Authority) is seeking a firm that is authorized to do business in Michigan or a university to **conduct a study and report its findings in regards to the direct and indirect economic benefits of historic preservation tax credits on community development in Michigan.** A detailed description of the work is described in the Scope of Work, which is attached and incorporated as Exhibit A to this Request for Proposal (RFP).

II. Required Qualifications

THE CONTRACTOR MUST HAVE KNOWLEDGE OF NATIONALLY RECOGNIZED HISTORIC PRESERVATION PRACTICES, DEMONSTRATED EXPERIENCE IN RESEARCHING THE ECONOMIC IMPACTS OF HISTORIC PRESERVATION, A DEMONSTRATED ABILITY TO ANALYZE BOTH QUALITATIVE AND QUANTITATIVE DATA ON THE TOPIC, HAVE CONDUCTED SIMILAR STUDIES AND PUBLISHED FINDINGS, AND HAVE DEMONSTRATED THE ABILITY TO PUT FINDINGS ABOUT MICHIGAN INTO A NATIONAL CONTEXT.

The Authority has identified the following qualifications that it believes are necessary for the successful performance and completion of the services described in the Scope of Work. The prospective contractor (Prospective Contractor) must:

- A. Have recent demonstrable experience providing the services described in the Scope of Work or similar services;
- B. Assign experienced personnel to perform the services;
- C. Be a Michigan entity (limited partnership, limited liability company, for profit corporation or non-profit corporation), a firm that is authorized to do business in the State of Michigan, or a division or office of a Michigan municipality.
- D. Submit a Certificate of Status issued by the Corporations and Securities Bureau of the Michigan Department of Labor & Economic Growth;
- E. Have phone, internet, and e-mail access. Internet and e-mail access must be adequate enough to allow Prospective Contractor to download and upload data and files and receive files and attachments from Authority staff;

- F. Agree to satisfy the following requirements prior to the execution of the contract with the Authority:
1. Indemnify, defend and hold harmless the Authority, its Board, officers, employees and agents, from and against all losses, liabilities, penalties, fines, damages and claims (including taxes), and all related costs and expenses (including reasonable attorneys' fees and disbursements and costs of investigation, litigation, settlement, judgments, interest and penalties), arising from or in connection with any of the following:
 - a. any claim, demand, action, citation or legal proceeding against the Authority, its employees and agents arising out of or resulting from (1) the services provided (Services) or (2) performance of the Services, duties, responsibilities, actions or omissions of the Contractor or any of its subcontractors under this Agreement;
 - b. any claim, demand, action, citation or legal proceeding against the Authority, its employees and agents arising out of or resulting from a breach by the Contractor of any representation or warranty made by the Contractor in the Agreement;
 - c. any claim, demand, action, citation or legal proceeding against the Authority, its employees and agents arising out of or related to occurrences that the Contractor is required to insure against as provided for in this Contract;
 - d. any claim, demand, action, citation or legal proceeding against the Authority, its employees and agents arising out of or resulting from the death or bodily injury of any person, or the damage, loss or destruction of any real or tangible personal property, in connection with the performance of services by the Contractor, by any of its subcontractors, by anyone directly or indirectly employed by any of them, or by anyone for whose acts any of them may be liable; provided, however, that this indemnification obligation shall not apply to the extent, if any, that such death, bodily injury or property damage is caused solely by the negligence or reckless or intentional wrongful conduct of the Authority;
 - e. any claim, demand, action, citation or legal proceeding against the Authority, its employees and agents which results from an act or omission of the Contractor or any of its subcontractors in its or their capacity as an employer of a person;
 - f. any action or proceeding threatened or brought against the Authority to the extent that such action or proceeding is based on a claim that any piece of equipment, software, commodity or service supplied by the Contractor or its subcontractors, or the operation of such equipment, software, commodity or service, or the use or reproduction of any documentation provided with such equipment, software, commodity or service infringes any United States or

foreign patent, copyright, trade secret or other proprietary right of any person or entity, which right is enforceable under the laws of the United States; and,

- G. Agree to execute a contract acceptable to the Director of Legal Affairs. For purposes of illustration only, a draft of the proposed contract is attached.

III. Submitting Proposal

Firms wishing to submit proposals must submit one (1) original and three (3) copies of a proposal to provide the services described in Exhibit A (Scope of Work). Submitted proposals must respond to and address the questions listed in Exhibit B (Proposal Instructions and Selection Criteria).

The due date for the Authority's receipt of the proposals responding to this RFP is Monday, April 18, 2011, at 4 p.m.

The Authority shall not be liable for any costs that a firm or individual may incur while preparing a proposal. The Authority shall not be liable for any costs that a firm or individual may incur prior to the complete execution of a contract. If the Authority enters into a contract, the Authority's payment shall be limited to the term of the contract.

IV. Communications with Authority Staff Prior to Selection of Proposal

Any questions, raised by Providers concerning the RFP may be submitted, in writing, via mail, email or fax, using the subject line "RFP-Tax Credit Economic Impact Study" to the attention of:

Laura Rose Ashlee
State Historic Preservation Office
MSHDA
702 W. Kalamazoo St.
Lansing, MI 48909-8240
E-mail: ashleel@michigan.gov
Fax: (517) 335-0348

To ensure a fair and impartial process, Authority staff will not address non-written questions concerning the RFP. Phone calls involving the RFP or related questions will not be accepted. Firms submitting bids shall not contact any Authority staff or Board members except Laura Ashlee. **ALL QUESTIONS MUST BE RECEIVED IN WRITING BY 4:00 PM, WEDNESDAY, APRIL 13, 2011.**

The Authority will answer appropriate questions received in a timely manner (e.g., information not covered/answered in the RFP, interpretation issues, etc.) by email to all Providers on or before **Friday, April 15, 2011**. MSHDA will hold no other question sessions or bidders conferences.

If, prior to the proposal deadline, the Authority deems it necessary to provide additional clarifying information, or to revise any part of the RFP, supplements or revisions will be posted on the SHPO website and provided to all recipients of the RFP who have indicated they will submit a proposal. Proposals will then be evaluated based on the terms and

conditions of the RFP, any supplements or revisions of the RFP, and the answers to any written questions.

V. Selection of Proposal

The Authority's State Historic Preservation Office will select the proposal based on Selection Criteria, which is set forth in Exhibit B (Proposal Instruction and Selection Criteria) attached and incorporated into this RFP.

VI. Processing Required Forms & Contract Execution

The required forms will be submitted to Civil Service for approval, **prior** to the approval by the Authority's Board. Contracts that equal or exceed \$25,000 must be Board approved.

Following approvals, a contract will be forwarded to the firm (Selected Firm) that submitted the selected proposal with instructions to execute and return three copies. Upon receiving the executed copies, the Office of Legal Affairs will forward the executed copies to a duly authorized Authority signatory for execution on behalf of the Authority.

VII. Michigan Freedom of Information Act

Documents submitted to the Authority shall be subject to the Michigan Freedom of Information Act (FOIA). In the event a request for submitted documents is made to the Authority, the Authority's FOIA Coordinator will redact or withhold information and/or documents that are exempt from disclosure under FOIA. **See MCL 15.243(1)(i).** Please note that any requests by non-MSHDA personnel to review proposals will be denied until the bid submission deadline has expired. **See MCL15.243(1)(j).**

EXHIBIT A SCOPE OF WORK

I. Purpose of Project

To identify, evaluate and analyze the direct and indirect economic impacts of Michigan's historic preservation tax credit programs on local and state economies, as well as community development.

II. Overview

In 1999, the Michigan Legislature initiated a historic preservation tax credit program that provided economic incentives to rehabilitate historic resources. In 2002, to better understand how this program was performing, the Michigan Historic Preservation Network (MHPN), with assistance from the State Historic Preservation Office (SHPO), hired Clarion Associates of Denver, Colorado, to study the economic benefits of historic preservation. The results of this study were described in an executive summary entitled *Investing in Michigan's Future: The Economic Benefits of Historic Preservation*, a full technical report and brief on the state historic preservation tax credit.

As part of the project, Clarion used a formula to determine the amount of cumulative benefits from the investment made in historic rehabilitation and the number of jobs created by that investment.

In 2006, the MHPN produced a five-year follow-up report entitled *Report Card: The Economic Impacts of Historic Preservation*. This report discussed the positive impact preservation had made in Michigan's economy and it contained recommendations for changes to the state historic preservation tax credit legislation. The Michigan Legislature subsequently expanded the historic preservation tax credit program to include enhanced and special consideration credits for certain qualified redevelopment projects.

The SHPO believes that the historic preservation tax credit programs have helped spur investment in Michigan communities, even when other development activities have slowed or ceased altogether. The SHPO believes that Michigan's historic preservation tax credit program provides a significant incentive for developer investment by providing gap funding for residential and commercial redevelopment projects within Michigan communities.

Because current budget initiatives may fundamentally change tax policy in Michigan, the SHPO seeks to better understand how tax credits and other potential alternative economic incentives will continue to affect historic designation, investment in historic properties, and contribute to the stabilization and revitalization of Michigan's communities.

III. Study Components

The following lists the minimum components for study:

- A. The overall economic impact of the combined Federal and State Historic Preservation Tax Credits in Michigan since the state program began in 1999.**

Determine direct and indirect investment and jobs created. Analyze economic impact changes in Michigan prior to and following the enactment of the enhanced and special consideration credits in 2009. Consider the use of the state credit in combination with the Federal Historic Preservation Tax Credit, the Enhanced and the Special Consideration Credits.

B. The overall economic impact of the State Historic Preservation Tax Credits in Michigan since the state program began in 1999.

Determine direct and indirect investment and jobs created. Analyze economic impact changes in Michigan prior to and following the enactment of the Enhanced and Special Consideration Credits in 2009. Consider the use of the state credit on its own, as well as in combination with the Federal Historic Preservation Tax Credit, the Enhanced and the Special Consideration Credits.

C. Project the economic impact of the elimination of the State Historic Preservation Tax Credits in the absence of other historic preservation-related economic incentives.

Analyze alternative programs that may have greater, lesser, and comparable economic impacts. Compare total dollars invested and returned under the tax credit program with proposed alternative program dollar investments and returns. Using alternative economic incentive models, project direct and indirect impacts and compare with current data developed from the existing historic preservation tax credit program.

D. Identification of alternative incentive programs to preservation tax credits.

Compare and contrast the overall impact of the current State historic preservation tax credit program and identify alternative incentive programs referenced above on historic building rehabilitation.

E. Impact on communities.

Compare and contrast the current preservation tax credit program and its economic impacts with proposed incentives and their economic effects on communities. If necessary, develop metrics to measure and evaluate direct (e.g., job creation, property values) and indirect economic impacts (e.g., increased sales tax revenue, population shifts, new/relocation of businesses) on the state and on communities and how historic building rehabilitation has affected community quality of life.

F. Cross-program usage.

Identify other incentive programs that are most frequently combined with preservation programs? Analyze the differing effects of combination programs. Identify and isolate, if possible, those differing components of combination programs to better identify economic impacts of each component.

IV. Products

A. Final Product.

The contractor shall prepare and publish a summary brief, a summary report, and a technical report for SHPO use.

B. Technical Report.

The technical report shall document the formulae, methods, tools assumptions sources, etc., employed in developing the contents of the study. The contractor shall consult with the Michigan SHPO staff regarding the narrative and format of the final reports and shall make at least two drafts of the report available for review by the SHPO.

C. Summary Report.

1. The summary report shall be approximately fifteen (15) to twenty-five (25) pages in length.
2. The summary report will be written and illustrated as appropriate for a professional audience. The summary report shall minimally include:
 - a. An Introduction and Statement of Purpose;
 - b. A Summary of Findings and Proposals;
 - c. A brief restatement of the research design and methodology;
 - d. A narrative text outlining the components of study and findings;
 - e. One or more case studies for each component of study; and
 - f. A bibliography.
3. The SHPO reserves final editorial authority.

D. Summary Brief.

The contractor shall provide a two (2) page summation of the economic impact of the historic preservation tax credit in an educational brief appropriate for public officials and administrators.

E. Copies.

The contractor will provide ten (10) copies of the technical report. The technical reports shall be in three ring binders with the title of the study displayed on the front cover and spine. Two hundred-fifty (250) copies of the summary report will be provided. Two hundred-fifty (250) copies of the summary brief will be provided. Copies of the final documents will be provided as high-resolution PDF files. The summary report and summary brief should be provided in a packaged InDesign file (preferably Creative Suite 4). Copyrights will remain with the Authority.

F. Data, Maps, Illustrations and Images.

All data collected and analyzed in the course of the project shall become the property of the Authority. Data shall be submitted in a mutually-agreed upon digital file format.

G. Digital File.

1. The contractor will also provide the SHPO with a digital file of the

technical and summary reports, including all photographs and images in the printed reports, in a PDF format suitable for posting on a website. Existing native file formats will be distilled (an Adobe PDF will be created) using the Adobe Distiller's optimum settings for creating PDF files. Distiller settings will be created as follows:

- a. Leave all pages (i.e., blank pages) in to hold space for printing;
- b. Image resolution of 1,000 DPI;
- c. High quality JPEG compression;
- d. Not optimized for the Internet;
- e. PDF file to be compatible with Adobe Acrobat 4.0 Reader or higher;
- f. Fonts embedded; and
- g. PDF file to be unprotected.

EXHIBIT B
PROPOSAL INSTRUCTIONS AND SELECTION CRITERIA

I. Proposal Delivery/Submission

A. Due Date.

Proposals responding to this RFP are **due by 4:00 pm Monday, April 18, 2011.**

B. Originals and Copies.

Submit **one (1) original and six (6) copies** of a proposal to provide the services described in Exhibit A (Scope of Work).

C. Delivery of Proposal.

Addresses for the delivery of proposals are as follows:

DELIVERY VIA HAND DELIVERY OR COMMERCIAL OVERNIGHT SERVICE:

Laura Ashlee, Communications Coordinator
State Historic Preservation Office
Michigan State Housing Development Authority
Michigan Library and Historical Center
702 West Kalamazoo Street, 5th Floor
Lansing, MI 48909-8240

DELIVERY VIA US POSTAL SERVICE:

Laura Ashlee, Communications Coordinator
State Historic Preservation Office
Michigan State Housing Development Authority
Michigan Library and Historical Center
Box 30740
Lansing, MI 48909-8240

D. Proposal Selection.

It is anticipated that the Authority's review and board approval will take two to three months after the closing date for submitting proposals. The selected proposal will be announced **June 1, 2011**, via e-mail and posting on the Authority's website and on the Department of Management and Budget website.

E. Commencement of Work.

Project work will commence upon execution of a project contract and not before. The selected contractor shall not proceed with performance of the project work or incurring of project costs until both parties have signed the project contract to show acceptance of its terms and conditions.

F. Project Control.

The contractor will carry out this project under the direction and control of the SHPO of the Authority and its designated Contract Administrator.

G. Quarterly Progress Reports.

The contractor shall be required to submit brief written quarterly progress summaries outlining the work accomplished during the reporting period. Problems, real and anticipated, and notification of any significant deviation from previously agreed-upon work plans shall be brought to the attention of the Contract Administrator. Financial report of expenditures to date including any changes to approved budget or approved work schedule must be submitted as part of the report. These reports will be due to the SHPO each January 15, April 15, July 15 and October 15 during the project period.

H. Final Project Summary Report.

The contractor shall be required to submit a narrative summary of the project and its outcome. This should include an outline of the methodology used, evaluation of the project results, and a discussion of what worked and what you would do differently next time you participate in a project of this nature. One printed copy of the final summary report and an electronic version of the report in Word 2000 shall be submitted to the SHPO.

I. Audit Requirements.

The grantee shall obtain an audit of grant expenditure records in accordance with OMB Circular A-133 which requires a Single Agency Audit for any grantee who expends at least \$500,000 of Federal grant funds (from all sources) in a fiscal year. The single audit must be performed in accordance with *Government Auditing Standards* and cover the entire grant operations. A complete single audit reporting package must be mailed within 9 months of the grantee's fiscal year-end date to the National Park Service, Historic Preservation Grants Division, 1201 I (Eye) Street NW, 6th Floor (Stop 2256) Washington, D.C. 20005; and to the Federal Audit Clearinghouse, Data Preparation Division, U.S. Bureau of the Census, 1201 E. 10th Street, Jeffersonville, Indiana 47132 or by online submission to <http://harvester.census.gov/fac>. A reasonable proportion of the costs of an acceptable audit performed may be charged to this grant. Failure to comply with this Special Condition may result in withholding of payments or other sanctions as appropriate. Questions regarding audits should be directed to Tawana Jackson, Historic Preservation Grants Division, National Park Service, at 202-354-2065 or Tawana_Jackson@nps.gov.

J. Applicable Laws.

The successful contractor may be awarded a contract that requires compliance with state and federal laws including those listed in the attached Exhibit C incorporated into this RFP.

II. Proposal Format

A. Overview.

The proposal should be clear, accurate, and complete, with sufficient detail to enable the Authority to evaluate the services and methods proposed. Brevity is appreciated but do not simply repeat language contained within the RFP. Proposals must be submitted in the format described in the section below entitled Format of Proposal. Each part of the proposal must be clearly identified with appropriate headings. There should be no attachments, enclosures, or exhibits other than those considered by the prospective contractor (Prospective Contractor) to be essential to a complete understanding of the proposal.

B. Business Organization.

Answer/Address the following:

1. Michigan Entity. If the firm is a Michigan entity, submit *Certificate of Status* dated within 30 days of the date of the proposal submission.
2. Foreign Entity. If entity is foreign (i.e., non-Michigan), is it licensed to do business in Michigan?
 - a. If yes, submit *Certificate of Status* dated within 30 days of the date of the proposal submission; or
 - b. If no, submit *Certificate Authorizing Firm to Do Business in Michigan* dated within 30 days of the proposal submission. Authorization can be obtained by submitting *Form 760 Application for Certificate of Authority to Transact Business in Michigan* to the Michigan Department of Energy, Labor and Economic Growth (DELEG), Bureau of Commercial Services, Corporate Division. The form can be obtained by calling 517-241-6470 or downloaded at <http://www.dleg.state.mi.us/bcsc/forms/corp/llc/760.pdf>. A copy of the authorizing certificate can be found in Exhibit D attached and incorporated into this RFP.
3. Full name and address of Firm.
4. Branch office if applicable.
5. Submit Tax Identification Number for Firm. Submit a signed *Request for Taxpayer Identification and Certification* form. The form is found in Exhibit E attached and incorporated into this RFP.
6. Submit a signed *Certifications Regarding Debarment, Suspension and Other Responsibility Matters, Drug-Free Workplace Requirements and Lobbying* form. The form is found in Exhibit E.

C. Management & Personnel.

Address the following:

1. Personnel. Identify officers and managers by name and position. Identify those managers and/or officers who will directly manage the contract, if it is awarded. Identify a project contact person and provide their name, title, mailing address, phone number, fax number, email address, and internet web page address. (*Resumes or Curriculum Vitae of managers or officers should be provided.*)
 - a. Identify the key project personnel and their titles. List their responsibilities and the specific tasks each will carry out and the anticipated time frames for each task and person. Provide current contact information including name, title, mailing address, email address, and phone/fax numbers; and
 - b. If subcontractors will be doing parts of the work, provide the same information noted above for them.
2. Methodology. Provide an overview of the methodology to be used, based on staff and time frames, to meet the project scope of work and complete the required products within the time frame of the project.
3. Bidder's Authorized Contact. Include the name and telephone number of person(s) in your organization authorized to expedite any proposed contract with the Authority. An official authorized to commit the bidder to the terms and conditions of the proposal must sign the proposal. The Provider must clearly identify the full title and authorization of the designated official and provide a statement of bid commitment with the accompanying signature of the official.

D. Experience.

1. Prior Experience of Firm. Indicate prior experience of your firm that you consider relevant to the successful accomplishment of the project described in this RFP. Include sufficient detail to demonstrate the relevance of such experience. Include descriptions of qualifying experience, whether personnel meets the Secretary of Interior's Professional Qualifications Standards (36 CFR 61), including project descriptions, costs, and starting and ending dates of projects successfully completed. Also include name, address, and telephone number of the responsible official of the client organization who may be contacted.
2. Experience of Proposed Personnel Assigned to Provide Services. Personnel should include those with demonstrated expertise and experience in the research, documentation and reporting of the economic impact of historic preservation. This experience should include experience analyzing both qualitative and quantitative data pertaining to economic impacts of historic preservation. (*Provide resumes or curriculum vitae of assigned personnel as attachments/enclosures.*)

3. Examples of work. The following examples of recent work should be submitted with the application:
 - a. Published reports from other Economic Benefits studies completed by the vendor;
 - b. Statements of methodology for previous studies; and
 - c. Testimonials from previous clients.
4. Additional Information and Comments. Include any other information that is believed to be pertinent but not specifically asked for elsewhere.

E. Proposed Services.

1. How Service will be Rendered. Describe how the services will be rendered. Address and describe the process used to render the services.
2. Use of Subcontractors. If any work will be subcontracted, describe the following:
 - a. Work that will be subcontracted;
 - b. The process used to select the subcontractors;
 - c. The contractor's experience and expertise; and
 - d. The names of the firms/individuals (s) who will perform the subcontracted work.
3. Standards. Describe or address the following:
 - a. How the National Park Service 36 CFR 61 professional qualifications will be met;
 - b. How quality of service will be monitored and ensured; and
 - c. How "best practices" will be followed. (If applicable, identify the organization and/or document that establish such standards).
4. Security of Data. If the services to be rendered require the collection and/or use of confidential and/or personal data, confirm the following:
 - a. Has your firm established and used a policy to address the security of paper and electronic data. (***Please do not submit a copy of your security policy***); and
 - b. Does your policy address the removal of confidential and/or personal data from storage media? (For example, does your firm's policy include the removal or "wiping" of data from hard drives when a computer is no longer used?)
5. Copyrighted Materials. If the services require the production of a written product for the Authority, please confirm the following:

- a. Any and all products produced as a result of this contract shall be the property of the Authority;
- b. Your agreement that the Authority shall (a) hold a copyright on all materials or products produced under the contract and (b) be allowed to file for a copyright with the United States Copyright Office; and
- c. Your acknowledgment that submitted documents will not contain in part or whole copyrighted materials.

F. Price Proposal & Budget.

1. Price Proposal. All rates quoted in proposals submitted in response to this RFP will be firm fixed price for the duration of the contract. No price changes will be permitted.
2. Expenses Related to Work. To be considered for contract award, each Contractor shall submit a total bid budget and a breakdown by line item that identifies all expenses related to the work to be performed for the following:
 - a. Research on the economic impacts of historic preservation;
 - b. Writing of case studies;
 - c. Writing of summary report (Summary report would include case studies);
 - d. Writing of technical report;
 - e. Design/layout of summary report and summary brief;
 - f. Printing of summary report and summary brief; and
 - g. Creation of digital files.
3. Budget. The budget should include all applicable items, such as:
 - a. Staff costs (# of hours/per hour rate/etc.);
 - b. Costs of supplies and materials;
 - c. Other direct costs;
 - d. Travel costs; and
 - e. Total budget
4. Bid Submission. By submitting the bid, the provider acknowledges that it bears the risk that its expenses may exceed the proposed amount. Note that the SHPO reserves the right to choose a different vendor for design and publication of the summary report.

G. General Timeline & Schedule.

All activities must be completed within two months from the date of Contract execution. Contractor bids must include a timetable or schedule indicating how the project will be scheduled and undertaken. The following is a general anticipated timeline that includes administrative reporting requirements and key milestones. This timeline can be used as

the basis for a more detailed timeline that includes the schedule for delivery of services set forth in the Scope of Work. Cite the proposed deadlines for completing the tasks within the Scope using the table below as a guide:

Project Timeline

<i>Completed Service/Project Components</i>	<i>Estimated Completion Dates</i>
Procurement	
April 6, 2011	RFP Released
April 18, 2011	Contractor Bids Due
April 25, 2011	Bid Evaluation and Contractor Selection Made
April 27, 2011	Contractor Notified pending Civil Service/OSE/MSHDA Board approvals
May 16, 2011	Civil Service/OSE approval received
May 25, 2011	MSHDA Board considers
Contract Start	
June 1, 2011	Public announcement of selection
June 1, 2011	Execute Contract
July 15, 2011	75% Draft Report Due
August 1, 2011	95% Draft Report Due
December 29, 2011	Final Report Due
Project Close	
December 29, 2011	Contractor submits Final Project Summary Report and final invoice to SHPO

H. Disclosure of Participation and Interests in Authority Programs.

1. Disclosure of Interests in Authority Programs. Submit a list of all interests in Authority programs that the Contractor, its officers, board members, and employees respectively have. If the firm intends to use independent contractors or subcontractors to render services, please include the interests in Authority programs that independent contractors or subcontractors and their officers, board members, and employees respectively have. Such Authority programs include, but are not limited to, the Housing Voucher Program, any loans where the Authority is the lender, and any grants made by or administered by the Authority.
2. Potential Conflicts of Interests. Please confirm whether any potential conflict of interests will exist if the Authority enters into a contract with the firm. Conflicts of interests may involve the firm’s officers, employees, members, board members, or independent contractors or subcontractors the firm will use to render services if the firm enters into a contract with the Authority.
3. Family Members Who Work for Authority. Please list the names of officers, board members, and employees who have family members

who work for the Authority; also, please list the name of the family member who works for the Authority.

I. Signature Clause to be Signed by Authorized Signatory.

1. Signature Clause. Insert the following signature clause at the end of the proposal and have an authorized signatory for the firm sign it:

I confirm that I have submitted this proposal on behalf of (INSERT NAME OF FIRM) in response to the Michigan State Housing Development Authority's Request for Proposals for the Economic Impact of Historic Preservation study.

By: _____
(Signature) (Printed Name)

Title: _____

Date: _____

J. Selection of Proposal.

1. Selection Criteria. Proposals will be evaluated by the SHPO using the criteria cited below. The number of points given in parentheses indicates the relative importance of each factor and the maximum total points possible in a given category or item. Points will be awarded based on the relative strength of any given proposal in light of all others received:

- | | |
|--|-------------|
| 1. Relevant past experience, education or certification; | (35 Points) |
| 2. Relevant experience/knowledge of the economic impacts of Historic preservation; | (20 Points) |
| 3. Communication skills, including clarity of proposal; | (10 Points) |
| 4. Adequacy of staff necessary to perform services; | (10 Points) |
| 5. Ability to deliver services within stated deadlines; and | (10 Points) |
| 6. Reasonableness and Feasibility of Fee. | (15 Points) |

Total Possible Points: 100 Points

The selection of a firm shall be subject to a review by the Authority's Office of Legal Affairs concerning conflicts of interests and/or participation in Authority programs by the firm, its officers, employees, subcontractors or independent contractors.

K. Expected Deadline for Selecting Proposal.

The Authority expects to confirm selection of the proposal by e-mail and/or First Class Mail by June 1, 2011.

L. Cancellation of Selected Proposal.

The selection of a proposal by the Authority may be cancelled at any time prior to the complete execution of a contract. Reasons for canceling the selected proposal may include, but are not limited to, the refusal of Department of Civil Service to process required forms and/or the refusal of duly authorized Authority signatory to execute the contract. If the Authority cancels its proposal selection, the Authority may repost this or a similar RFP and re-seek proposals.

EXHIBIT C

Applicable Statutes, Federal Debarment Form and Taxpayer Identification Number (W-9) Form

I. Applicable Statutes

The following statutes, rules, and other laws are applicable to the performance of contract resulting from this RFP. This list is provided for informational purposes and IS NOT exhaustive:

- A. MI Uniform Commercial Code (MIUCC) MCL §§ 440, 1101, et seq. (All sections unless otherwise altered by agreement);
- B. MI OSHA MCL §§ 408.1001 – 408.1094;
- C. Freedom of Information Act (FOIA) MCL §§ 15.231, et seq.;
- D. Natural Resources and Environmental Protection Act MCL §§ 324.101, et seq.;
- E. MI Consumer Protection Act MCL §§ 445.901, et seq.;
- F. Laws relating to wages, payments of wages, and fringe benefits on state projects(MCL §§ 408.551 – 408.558, 408.471 – 408.490);
- G. Elliot Larsen Civil Rights Act MCL §§ 37.2201, et seq.;
- H. Persons with Disabilities Civil Rights Act MCL §§ 37.1101, et seq.;
- I. State Contracts with Certain Employers Act MCL §§ 423.321, et seq.;
- J. Management and Budget Act MCL § 18.1264 (law regarding debarment);
- K. Davis-Bacon Act (DBA) 40 USC §§ 276(a), et seq.;
- L. Contract Work Hours and Safety Standards Act (CWHSAA) 40 USC §§ 327, et seq.;
- M. Business Opportunity Act for Persons with Disabilities MCL §§ 450.791, et seq.;
- N. Rules and regulations of the Environmental Protection Agency;
- O. Internal Revenue Code;
- P. Rules and regulations of the Equal Employment Opportunity Commission(EEOC);
- Q. The Civil Rights Act of 1964, USC §§ 101, et seq.;
- R. Title VII, 42 USCS §§ 2000e, et seq.;
- S. The Americans with Disabilities Act (ADA), 42 USCS §§ 12101, et seq.;
- T. Title V, Section 504 of the Rehabilitation Act of 1973, 29 USC § 794;
- U. Executive Orders on equal employment opportunity, especially EO 11375 and 41CFR Part 60;
- V. The Age Discrimination in Employment Act of 1967 (ADEA), 29 USCS §§ 621,623, et seq.;
- W. The Old Workers Benefit and Protection Act of 1990 (OWBPA), 29 USCS §§626, et seq.;
- X. The Family Medical Leave Act of 1993 (FMLA), 29 USC §§ 651, et seq.;
- Y. The Fair Labor Standards Act (FLSA), 29 USC §§ 201, et seq.;
- Z. Pollution Prevention Act of 1990 (PPA) 42 USC §§ 13106;
- AA. Sherman Act, 15 USC §§ 1, et seq.;
- BB. Robinson-Patman Act, 15 USC §§ 13, et seq.;
- CC. Clayton Act, 15 USC §§ 14, et seq.;
- DD. National Historic Preservation Act of 1966, 16 USC §§ 470, et seq.;
- EE. Office of Management and Budget Circulars A-87, A-21 or A-122 concerning cost principles;

- FF. Office of Management and Budget Circulars A-102 or A-110 concerning administrative requirements;
- GG. Office of Management and Budget Circular A-133 concerning audits of states, local governments and non-profit organizations;
- HH. National Environmental Policy Act of 1969, 42 USC §§ 4321, et.seq.;
- II. Prohibited Interests: 18 USC §874, U.S. Department of Labor regulations 29 CFR Part 3;
- JJ. Prohibited Methods and Procedures including Lobbying: 18 USC §1913;
- KK. Environmental Protection regulations 40 CFR Part 15;
- LL. National Environmental Protection Act PL91-190;
- MM. Executive Order 1154, 11288, 11990 and 11988;
- NN. Coastal Zone Management Act 16, USC §§ 1451, et.seq.;
- OO. Endangered Species Act PL 93-205;
- PP. The Wild Scenic Rivers Act 16 USC §§ 127, et.seq.;
- QQ. The Clean Air Act 42 USC §§ 7401, et.seq.;
- RR. The Clean Water Act 33 USC §§ 168 ,et.seq.;
- SS. Hatch Political Activity Act 5 USC §§ 1501, et.seq.; and
- TT. Secretary of the Interior Standards for Historic Preservation, 36 CFR 67.7.

II. Debarment Form

U.S. Department of interior, Certifications Regarding Debarment, Suspension and Other Responsibility Matters, Drug Free Work Place Requirements and Lobbying.

III. W-9 Form

Request for Taxpayer Identification Number and Certification.

EXHIBIT D

INSTRUCTIONS FOR OUT-OF-STATE FIRMS BECOMING AUTHORIZED TO TRANSACT BUSINESS IN MICHIGAN

To become authorized to transact business in Michigan, a firm must obtain a Certificate of Authority to Transact Business from the Michigan Department of Labor & Economic Growth's Bureau of Commercial Services. The firm will need to submit to the Bureau of Commercial Services an Application for Certificate of Authority to Transact Business or Conduct Affairs in Michigan. The links below should help:

http://www.michigan.gov/dleg/0,1607,7-154-35299_35413_35429-120092--.00.html (General Discussion on Foreign Corporations Doing Business in MI)

http://www.michigan.gov/dleg/0,1607,7-154-35299_35413_36736---.00.html
(Forms & Publications—click Limited Liability Companies Forms)

<http://www.dleg.state.mi.us/dms/results.asp?docowner=BCSC&doccat=LLC&Search=Search> (LLC Forms—select form 760—Application for Certificate of Authority to Transact Business)

To obtain a Certificate of Good Standing and Authorization to Do Business in Michigan, the firm must submit a Certificate of Good Standing for the state in which it was formed and submit it with the Application for Certificate of Authority to Transact Business in Michigan. (For Delaware, call 302-739-3073.) If there are questions on obtaining the Certificate of Authority to Transact Business or Certificate of Good Standing, contact the Corporation Division at (517) 241-6470 or bcinfo@michigan.gov.

Exhibit E

Request for Taxpayer Identification and Certification (W-9) Form

**Certifications Regarding Debarment, Suspension and Other Responsibility Matters,
Drug-Free Workplace Requirements and Lobbying Form**

Request for Taxpayer Identification Number and Certification

**Give form to the
requester. Do not
send to the IRS.**

Print or type See Specific Instructions on page 2.	Name	
	Business name, if different from above	
	Check appropriate box: <input type="checkbox"/> Individual/ Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other ▶ <input type="checkbox"/> Exempt from backup withholding	
	Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	City, state, and ZIP code	
List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). **However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 2.** For other entities, it is your employer identification number (EIN). If you do not have a number, see **How to get a TIN** on page 2.

Social security number								
or								
Employer identification number								

Note: If the account is in more than one name, see the chart on page 2 for guidelines on whose number to enter.

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), **and**
2. I am not subject to backup withholding because: **(a)** I am exempt from backup withholding, or **(b)** I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or **(c)** the IRS has notified me that I am no longer subject to backup withholding, **and**
3. I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 2.)

Sign Here	Signature of U.S. person ▶	Date ▶
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Purpose of Form

A person who is required to file an information return with the IRS must get your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to give your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee.

If you are a foreign person, use the appropriate Form W-8. See Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities.

Note: If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 30% of such payments **after** December 31, 2001 (29% **after** December 31, 2003). This is called "backup withholding." Payments that may be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will **not** be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester, or
2. You do not certify your TIN when required (see the Part II instructions on page 2 for details), or
3. The IRS tells the requester that you furnished an incorrect TIN, or
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions on page 2 and the separate **Instructions for the Requester of Form W-9.**

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of Federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Name. If you are an individual, you must generally enter the name shown on your social security card. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first and then circle the name of the person or entity whose number you enter in Part I of the form.

Sole proprietor. Enter your **individual** name as shown on your social security card on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name" line.

Limited liability company (LLC). If you are a single-member LLC (including a foreign LLC with a domestic owner) that is disregarded as an entity separate from its owner under Treasury regulations section 301.7701-3, **enter the owner's name on the "Name" line.** Enter the LLC's name on the "Business name" line.

Other entities. Enter your business name as shown on required Federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name" line.

Exempt from backup withholding. If you are exempt, enter your name as described above, then check the "Exempt from backup withholding" box in the line following the business name, sign and date the form.

Individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends. For more information on exempt payees, see the Instructions for the Requester of Form W-9.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

Note: If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.

Part I—Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box.

If you are a **resident alien** and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see **How to get a TIN** below.

If you are a **sole proprietor** and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are an LLC that is **disregarded as an entity** separate from its owner (see **Limited liability company (LLC)** above), and are owned by an individual, enter your SSN (or "pre-LLC" EIN, if desired). If the owner of a disregarded LLC is a corporation, partnership, etc., enter the owner's EIN.

Note: See the chart on this page for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get **Form SS-5**, Application for a Social Security Card, from your local Social Security Administration office. Get **Form W-7**,

Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or **Form SS-4**, Application for Employer Identification Number, to apply for an EIN. You can get Forms W-7 and SS-4 from the IRS by calling 1-800-TAX-FORM (1-800-829-3676) or from the IRS Web Site at www.irs.gov.

If you are asked to complete Form W-9 but do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Writing "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.

Part II—Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 3, and 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). Exempt recipients, see **Exempt from backup withholding** above.

Signature requirements. Complete the certification as indicated in 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA or Archer MSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to give your correct TIN to persons who must file information returns with the IRS to report interest, dividends, and certain other income paid to you, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA or Archer MSA. The IRS uses the numbers for identification purposes and to help verify the accuracy of your tax return. The IRS may also provide this information to the Department of Justice for civil and criminal litigation, and to cities, states, and the District of Columbia to carry out their tax laws.

You must provide your TIN whether or not you are required to file a tax return. Payers must generally withhold 30% of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to a payer. Certain penalties may also apply.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN or:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor ²
4. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee ¹
b. So-called trust account that is not a legal or valid trust under state law	The actual owner ¹
5. Sole proprietorship	The owner ³
For this type of account:	Give name and EIN or:
6. Sole proprietorship	The owner ³
7. A valid trust, estate, or pension trust	Legal entity ⁴
8. Corporate	The corporation
9. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
10. Partnership	The partnership
11. A broker or registered nominee	The broker or nominee
12. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name, but you may also enter your business or "DBA" name. You may use either your SSN or EIN (if you have one).

⁴ List first and circle the name of the legal trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.)

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.



U.S. Department of the Interior

Certifications Regarding Debarment, Suspension and Other Responsibility Matters, Drug-Free Workplace Requirements and Lobbying

Persons signing this form should refer to the regulations referenced below for complete instructions:

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions – **The prospective primary participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.** See below for language to be used or use this form certification and sign. (See Appendix A of Subpart D of 43 CFR Part 12.)

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions - (See Appendix B of Subpart D of 43 CFR Part 12.)

Certification Regarding Drug-Free Workplace Requirements - Alternate I. (Grantees Other Than Individuals) and Alternate II. (Grantees Who are Individuals) - (See Appendix C of Subpart D of 43 CFR Part 12)

Signature on this form provides for compliance with certification requirements under 43 CFR Parts 12 and 18. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of the Interior determines to award the covered transaction, grant, cooperative agreement or loan.

PART A: Certification Regarding Debarment, Suspension, and Other Responsibility Matters- Primary Covered Transactions

CHECK _____ IF THIS CERTIFICATION IS FOR A PRIMARY COVERED TRANSACTION AND IS APPLICABLE.

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

PART B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -Lower Tier Covered Transactions

CHECK _____ IF THIS CERTIFICATION IS FOR A LOWER TIER COVERED TRANSACTION AND IS APPLICABLE.

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

PART C: Certification Regarding Drug-Free Workplace Requirements

CHECK _____ IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS NOT AN INDIVIDUAL

Alternate I. (Grantees Other Than Individuals)

A. The grantee certifies that it will or continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about--
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will -
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted--
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a) (b), (c), (d), (e) and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:
Place of Performance (Street address, city, county, state, zip code)

Check _____ if there are workplaces on files that are not identified here.

PART D: Certification Regarding Drug-Free Workplace Requirements

CHECK _____ IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS AN INDIVIDUAL

Alternate II. (Grantees Who Are Individuals)

- (a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
- (b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to the grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

**PART E: Certification Regarding Lobbying
Certification for Contracts, Grants, Loans, and Cooperative Agreements**

CHECK _____ IF CERTIFICATION IS FOR THE AWARD OF ANY OF THE FOLLOWING AND THE AMOUNT EXCEEDS \$100,000: A FEDERAL GRANT OR COOPERATIVE AGREEMENT, SUBCONTRACT, OR SUBGRANT UNDER THE GRANT OR COOPERATIVE AGREEMENT.

CHECK _____ IF CERTIFICATION FOR THE AWARD OF A FEDERAL LOAN EXCEEDING THE AMOUNT OF \$150,000, OR A SUBGRANT OR SUBCONTRACT EXCEEDING \$100,000, UNDER THE LOAN.

- (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, and 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 subrecipients shall certify 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 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.

As the authorized certifying official, I hereby certify that the above specified certifications are true.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

TYPED NAME AND TITLE

DATE

Instructions for U.S. Department of Interior form DI-2010

Certification Regarding Debarment, Suspension and
Other Responsibility Matters, Drug-Free Workplace
Requirements and Lobbying

Complete Part B.

If you are an organization, Part C must also be completed.

If you are an individual, Part D must also be completed.

Note: Part C contains two sections, both of which must be completed if Part C applies.

The authorized certifying official must complete the signature section of the form located after Part E.

Note: U.S. Department of the Interior form DI-2010 cannot be altered, amended, changed, or modified in any way.