

**EXHIBIT A**

Summary Payout Work Sheet - Smart Rehab

Property: 0  
 Property # 0

Item Description	Approved Budget	Change Orders	Pay out Date				Total Requested	Budget Remaining
			1/0/1900 Payout #1	1/0/1900 Payout #2	1/0/1900 Payout #3	1/0/1900 Payout #4		
<b>CONSTRUCTION</b>								
<b>Plumbing</b>								
Total Domestic Water Heating	0	0	0	0	0	0	0	0
Total Water Reduction	0	0	0	0	0	0	0	0
<b>Total Plumbing</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Total Heating	0	0	0	0	0	0	0	0
Total Cooling	0	0	0	0	0	0	0	0
Total Ventilation	0	0	0	0	0	0	0	0
<b>Total HVAC</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Total Air Sealing	0	0	0	0	0	0	0	0
Total Insulation	0	0	0	0	0	0	0	0
Total Doors/Windows	0	0	0	0	0	0	0	0
<b>Solar</b>								
Total Water Heating	0	0	0	0	0	0	0	0
Total Photo Voltaic	0	0	0	0	0	0	0	0
<b>Total Solar</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Electric Reduction</b>								
Total Lighting Reduction	0	0	0	0	0	0	0	0
Total Power Reduction	0	0	0	0	0	0	0	0
<b>Total Electric Reduction</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Miscellaneous</b>								
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
<b>Total Miscellaneous</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL CONSTRUCTION COSTS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>SOFT COSTS</b>								
Professional - Design	0	0	0	0	0	0	0	0
Professional - Administration	0	0	0	0	0	0	0	0
Energy AudR	0	0	0	0	0	0	0	0
Building Permits	0	0	0	0	0	0	0	0
Software Licensing Fee	0	0	0	0	0	0	0	0
Legal	0	0	0	0	0	0	0	0
<b>TOTAL SOFT COSTS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL PROJECT COSTS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Funding Sources</b>								
Agency General Fund							0	0
Agency PennHQMES							0	0
Agency Bond Refunding							0	0
Reserve for Replacement							0	0
Rural Development							0	0
DCED - Section 8							0	0
DCED - Weatherization							0	0
DEP							0	0
MacArthur Funds							0	0
Other Funding Sources							0	0
<b>TOTAL SOURCE of FUNDS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**AGREEMENT ADDENDUM**

**Implementation of the American Recovery and Reinvestment Act of 2009**

**Preamble**

The American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, ("ARRA") was enacted to preserve and create jobs and promote economic recovery, assist those most impacted by the recession, provide investments needed to increase economic efficiency by spurring technological advances in science and health, invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits, stabilize State and local government budgets, in order to minimize and avoid reductions in essential services and counterproductive State and local tax increases.

This agreement addendum addresses additional requirements applicable to ARRA funds. Subject to further guidance by the applicable Federal awarding agency, the following terms and conditions are consistent with the mandatory requirements for agreements funded by ARRA.

Be advised that ARRA funds can be used in conjunction with other funding as necessary to complete projects, but tracking and reporting must be separate to meet the reporting requirements of ARRA and related guidance. For projects funded by other sources in addition to ARRA funds, Contractors must keep separate records for ARRA funds and must ensure those records comply with the requirements of the ARRA.

The federal Government has not fully developed the implementing instructions of ARRA, particularly concerning specific procedural requirements for the new reporting requirements. The Contractor will be provided these details as they become available. The Contractor must comply with all requirements of ARRA. In the event there is any inconsistency between these ARRA requirements and current award terms and conditions, the ARRA requirements will take precedence.

Contractor agrees that in consideration of receipt of Federal ARRA Funds, it will comply with all of the terms, conditions, requirements and limitations set forth below:

**Definitions**

A. "ARRA funds" means funds expended or obligated from appropriations under the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5.

B. "Contractor" is defined as any person, including, but not limited to, a bidder, offeror, loan recipient, grantee, or subgrantee, who has furnished or seeks to furnish goods, supplies, services, or leased space, or who has performed or seeks to perform construction activity under contract, subcontract, grant, or subgrant with the Commonwealth, or with a person under contract, subcontract, grant, or subgrant with the Commonwealth or its state-affiliated entities, and state-related institutions. The term contractor may include a permittee, licensee, or any agency, political subdivision, instrumentality, public authority, or other entity of the Commonwealth.

## **ARRA Terms & Conditions**

1. **Revisions to Requirements.** Contractor acknowledges that this Addendum may be revised pursuant to ongoing guidance from the relevant Federal or Commonwealth agency regarding requirements for ARRA funds. Contractor agrees to abide by any such revisions upon receipt of written notification from the Commonwealth of the revisions, which will automatically become a material part of this Addendum, without the necessity of either party executing any further instrument.
  
2. **Reporting Requirements.** Not later than 5 days after the end of each calendar quarter, or more frequently as directed by the Commonwealth, the Contractor shall submit a report to the Commonwealth that contains:
  - (a) The total amount of ARRA funds received;
  
  - (b) The amount of ARRA funds received that were expended or obligated to projects or activities;
  
  - (c) A detailed list of all projects or activities for which ARRA funds were expended or obligated, including:
    - i) the name of the project or activity;
    - ii) a description of the project or activity;
    - iii) an evaluation of the completion status of the project or activity;
    - iv) an estimate of the number of jobs created and the number of jobs retained by the project or activity; and
    - v) for infrastructure investments made by State and local governments, the purpose, total cost, and rationale of the agency for funding the infrastructure investment with funds made available under ARRA, and name of the person to contact at the agency if there are concerns with the infrastructure investment;
  
  - (d) Detailed information on any subcontracts or subgrants awarded by the Contractor must include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), allowing aggregate reporting on awards below \$25,000 or to individuals, as prescribed by the Director of the Office of Management and Budget;
  
  - (e) If required by the Commonwealth, Contractor agrees to separately identify the expenditures for each award funded under ARRA on the Schedule of Expenditures of Federal Awards (SEFA) and the Data Collection Form (SF-SAC) required by Office of Management and Budget Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations." This identification on the

SEFA and SF-SAC shall include the Federal award number, the Catalog of Federal Domestic Assistance (CFDA) number, and amount such that separate accountability and disclosure is provided for ARRA funds by Federal award number consistent with the Contractor reports required by ARRA;

(f) If required by the Commonwealth, Contractor shall submit backup documentation for expenditures of ARRA funds including such items as timecards and invoices. Contractor shall provide copies of backup documentation at the request of the Commonwealth.

3. Registrations and Identification Information

(a) Contractor must maintain current registrations in the Center Contractor Registration ([www.ccr.gov](http://www.ccr.gov)) at all times during which they have active federal awards funded with ARRA funds. A Dun and Bradstreet Data Universal Numbering System (DUNS) Number ([www.dnb.com](http://www.dnb.com)) is one of the requirements for registration in the Central Contractor Registration.

(b) If applicable, the Contractor agrees to separately identify to each subcontractor and document at the time of award of contract or approval of application and at the time of disbursement of funds, the Federal award number, CFDA number, and amount of ARRA funds.

4. Flow Down Requirement. Contractor must include these ARRA Terms and Conditions in any subcontract.

5. Prohibition on Use of Funds. No ARRA funds may be used for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool, or any other items prohibited by ARRA.

6. Required Job Posting. To ensure Pennsylvanians have the utmost opportunity to be hired for jobs created through the receipt of ARRA funding, all Contractors shall post jobs they create or seek to fill as a result of receiving ARRA funding to the PA CareerLink® system at [www.pacareerlink.state.pa.us](http://www.pacareerlink.state.pa.us). Contractors can locate their local PA CareerLink® office through the same website or by calling 1-866-858-2753. Staff at local PA CareerLinks® can assist Contractors with posting positions and explain how to retrieve resumes or applications within the system.

7. Wage Rate Requirements. Section 1606 of ARRA requires that all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to ARRA shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the U.S. Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code.

8. Whistleblower Provision.

(a) An employee of any non-Federal employer receiving covered funds may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing, including a disclosure made in the ordinary course of an employee's duties, to an inspector general, the Comptroller General, a member of Congress, a State or Federal regulatory or law enforcement agency, a person with supervisory authority over the employee (or such other person working for the employer who has the authority to investigate, discover, or terminate misconduct), a court or grand jury, the head of a Federal agency, or their representatives, information that the employee reasonably believes is evidence of:

- (1) gross mismanagement of an agency contract or grant relating to covered funds;
- (2) a gross waste of covered funds;
- (3) a substantial and specific danger to public health or safety related to the implementation or use of covered funds;
- (4) an abuse of authority related to the implementation or use of covered funds; or
- (5) a violation of law, rule, or regulation related to an agency contract (including the competition for or negotiation of a contract) or grant, awarded or issued relating to covered funds.

(b) A person who believes that the person has been subjected to a reprisal prohibited by subsection (a) may submit a complaint regarding the reprisal to the appropriate U.S. Office of the Inspector General.

(c) Any employer receiving covered funds under ARRA, shall post notice of the rights and remedies as required by Section 1553 of ARRA. See [www.recovery.gov](http://www.recovery.gov).

9. Duty to Report Fraud. Contractors and subcontractors shall promptly refer to the U.S. Office of Inspector General and Commonwealth Office of Inspector General any credible evidence that a principal, employee, agent, contractor, sub-grantee, subcontractor or other person will or has: 1) submitted a false claim under the False Claims Act; 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, ethics or similar misconduct involving ARRA funds; or 3) engaged in misuse, gross waste, gross mismanagement or abuse of authority related to the use or award of ARRA funds.

10. Environmental and Preservation Requirements. The Contractor shall comply with all applicable Federal, State, and local environmental and historic preservation (EHP) requirements and shall provide any information requested by the awarding Federal agency to ensure compliance with applicable laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, the Clean Air Act, the Federal Water Pollution and Control Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898). Failure of the Contractor to meet Federal, State, and local EHP requirements and obtain applicable permits may jeopardize Federal

funding. The Contractor shall not undertake any project having the potential to impact EHP resources without the prior approval of the awarding Federal agency, including but not limited to communication towers, physical security enhancements, new construction, and modification to buildings that are 50 years old or greater. The Contractor must comply with all conditions placed on the project as a result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the Contractor must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the Contractor will immediately cease construction in that area and notify the awarding Federal agency and the Pennsylvania Historical and Museum Commission. Any construction activities that have been initiated prior to the full environmental and historic preservation review will result in a non-compliance finding.

11. No Contracts with Debarred or Suspended Entities. The Contractor shall not enter into any contract or subcontract with any party that has been debarred or suspended from either:

- (a) contracting with the Federal Government or the Commonwealth; or
- (b) participating in any Federal or Commonwealth assistance programs.

12. Prohibition on Lobbying.

(a) The Contractor covenants and agrees that it will not expend any funds appropriated by Congress to pay any person for influencing or attempting to influence an officer or employee of any agency, or a Member of Congress in connection with any of the following covered Federal actions: the awarding of any Federal contract; the making of any Federal grant; the making of any Federal loan; the entering into of any Agreement; and, the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or Agreement.

(b) Section 319 of Public Law 101-121 (31 U.S.C. Section 1352) and any applicable regulations are incorporated by reference and the Contractor agrees to comply with all the provisions thereof, including any amendments to the Interim Final Rule that may hereafter be issued.

13. Nondiscrimination Provisions. The Contractor covenants and agrees that no person shall be denied benefits of, or otherwise be subjected to discrimination in connection with the Contractor's performance under this Agreement. Accordingly, and to the extent applicable, the Contractor covenants and agrees to comply with the following:

(a) On the basis of race, color or national origin, in Title V I of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d et seq.) as implemented by applicable regulations.

(b) On the basis of race, color, religion, sex, or national origin, in Executive Order 11246 (3 CFR, 1964-1965 Comp. pg. 339), as implemented by applicable regulations.

(c) On the basis of sex or blindness, in Title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), as implemented by applicable regulations.

(d) On the basis of age, in The Age Discrimination Act of 1975 (42 U.S.C. Section 6101 et seq.), as implemented by applicable regulations.

(e) On the basis of handicap, in Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), as implemented by applicable regulations.

14. Creating Opportunities for Small and Disadvantaged Businesses.

*Please use one of the following subsections – I, II, III or IV as detailed below:*

- I. *The following shall apply for Projects using ARRA funds associated with an established federal DBE program and the Commonwealth agency and the administering federal agency have determined that only the Federal DBE program requirements shall apply:***

Creating Opportunities for Small and Disadvantaged Businesses

The Contractor shall comply with all applicable federal Disadvantaged Business Enterprises (DBE) requirements related to the DBE program.

- II. *The following shall be included in invitations for bid, requests for proposals, requests for quotes and other Commonwealth solicitations for Projects using ARRA funds and shall be incorporated (along with commitments made) in the resulting contract:***

Creating Opportunities for Small and Disadvantaged Businesses

(a) The Governor, through Executive Order 2009-02, has established, as an overall Commonwealth aspirational goal that at least ten percent (10%) of the funds allotted to the Commonwealth of Pennsylvania through the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, (“ARRA”) should go to small disadvantaged businesses as contractors, subcontractors, grantees, subgrantees, and suppliers.

(b) To assist the Commonwealth in attaining this aspirational goal, each bidder/offeror/contractor is required to make reasonable and good faith efforts to reach out to small disadvantaged businesses to make them aware of subcontracting and supply opportunities and to encourage these businesses to participate as subcontractors and suppliers.

(c) At a minimum, each bidder/offeror/contractor is required to:

- (i) Contact the Department of General Services’ Bureau of Minority and Women Business Opportunities (“BMWBO”) by telephone (717-783-3119)

to discuss potential opportunities for small disadvantaged businesses as subcontractors and suppliers; and

(ii) When notified by the Commonwealth agency or BMWBO, participate in outreach activities and events to increase small disadvantaged business interest and participation in ARRA opportunities; and

(iii) Use the Department of General Services website [www.dgsweb.state.pa.us/mbewbe/VendorSearch.aspx](http://www.dgsweb.state.pa.us/mbewbe/VendorSearch.aspx) to identify DGS-certified Minority Business Enterprises (MBEs) and Women Business Enterprises (WBEs) as potential subcontractors and suppliers; and

(iv) Solicit identified MBEs and WBEs; and

(v) Prepare and keep the following records:

a. Solicitations lists, specifically identifying all small, disadvantaged businesses that were solicited; and

b. Bid tabulations, specifically identifying all small, disadvantaged businesses that submitted a bid, quote or proposal, and the dollar amount of the bid, quote or proposal; and

c. Copies of all bids, quotes and proposals received; and

(vi) If awarded the contract, provide monthly reports to the Department of General Services' Bureau of Minority and Women Business Opportunities on small disadvantaged business utilization.

(d) Bidder/Offeror/Contractor shall comply with all applicable federal Disadvantaged Business Enterprises (DBE) requirements related to DBE programs. To the extent that federal DBE requirements conflict with the requirements of this Paragraph, the federal DBE requirements shall prevail. In the event that Contractor identifies a conflict, Contractor shall verify with the Commonwealth, which shall verify with the administering federal agency, that a conflict exists that would jeopardize ARRA funding.

(e) For purposes of this paragraph, "small disadvantaged businesses" are small businesses that are owned or controlled by a majority of persons, not limited to members of minority groups, who have been deprived of the opportunity to develop and maintain a competitive position in the economy because of social disadvantages. The term includes:

(i) Department of General Services-certified MBEs and WBEs that qualify as small businesses; and

- (ii) United States Small Business Administration certified 8(a) small disadvantaged business concerns; and
- (iii) Businesses that BMWBO determines meet the Small Business Administration criteria for designation as a small disadvantaged business.
- (iv) Small businesses that have been certified as disadvantaged business enterprises (“DBEs”).

“Small businesses” are businesses in the United States that are independently owned, are not dominant in their field of operation, employ no more than 100 full-time or full-time equivalent employees and earn less than \$20 million in gross annual revenues (\$25 million in gross annual revenues for those businesses in the information technology sales or service business).

***III. The following shall be included in contracts for Projects using ARRA funds where there was no solicitation document that included the clause is Subsection II above:***

**Creating Opportunities for Small and Disadvantaged Businesses**

(a) The Governor, through Executive Order 2009-02, has established, as an overall Commonwealth aspirational goal that at least ten percent (10%) of the funds allotted to the Commonwealth of Pennsylvania through the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, (“ARRA”) should go to small disadvantaged businesses as contractors, subcontractors, grantees, subgrantees, and suppliers.

(b) To assist the Commonwealth in attaining this aspirational goal, Contractor is required to make reasonable and good faith efforts to reach out to small disadvantaged businesses to make them aware of subcontracting and supply opportunities and to encourage these businesses to participate as subcontractors and suppliers.

(c) At a minimum, Contractor is required to:

(i) Contact the Department of General Services’ Bureau of Minority and Women Business Opportunities (“BMWBO”) by telephone (717-783-3119) to discuss potential opportunities that may exist for small disadvantaged businesses as subcontractors and suppliers; and

(ii) When notified by the Commonwealth agency or BMWBO, participate in outreach activities and events to increase small disadvantaged business interest and participation in subcontracting and supply contract opportunities; and

(iii) Use the Department of General Services website

[www.dgsweb.state.pa.us/mbewbe/VendorSearch.aspx](http://www.dgsweb.state.pa.us/mbewbe/VendorSearch.aspx) to identify DGS-certified Minority Business Enterprises (MBEs) and Women Business Enterprises (WBEs) as potential subcontractors and suppliers; and

(vi) Solicit identified MBEs and WBEs for subcontracting and supply contract opportunities; and

(vii) Prepare and keep the following records:

a. Solicitations lists, specifically identifying all small, disadvantaged businesses that were solicited; and

b. Bid tabulations, specifically identifying all small, disadvantaged businesses that submitted a bid, quote or proposal, and the dollar amount of the bid, quote or proposal; and

c. Copies of all bids, quotes and proposals received; and

(vi) Provide monthly reports to the Department of General Services' Bureau of Minority and Women Business Opportunities on small disadvantaged business utilization.

(d) To the extent that this Contract imposes specific small, disadvantaged business solicitation and document submission requirements, Contractor shall comply with those requirements.

(e) Contractor shall comply with all applicable federal Disadvantaged Business Enterprises (DBE) requirements related to DBE programs. To the extent that federal DBE requirements conflict with the requirements of this Paragraph, the federal DBE requirements shall prevail. In the event that Contractor identifies a conflict, Contractor shall verify with the Commonwealth, which shall verify with the administering federal agency, that a conflict exists that would jeopardize ARRA funding.

(f) For purposes of this paragraph, "small disadvantaged businesses" are small businesses that are owned or controlled by a majority of persons, not limited to members of minority groups, who have been deprived of the opportunity to develop and maintain a competitive position in the economy because of social disadvantages. The term includes:

(i) Department of General Services-certified MBEs and WBEs that qualify as small businesses; and

(ii) United States Small Business Administration certified 8(a) small disadvantaged business concerns; and

(iii) Businesses that BMWBO determines meet the Small Business Administration criteria for designation as a small disadvantaged business.

(iv) Small businesses that have been certified as disadvantaged business enterprises (“DBEs”).

“Small businesses” are businesses in the United States that are independently owned, are not dominant in their field of operation, employ no more than 100 full-time or full-time equivalent employees and earn less than \$20 million in gross annual revenues (\$25 million in gross annual revenues for those businesses in the information technology sales or service business).

***IV. The following shall be included in grants for Projects using ARRA funds:***

**Creating Opportunities for Small and Disadvantaged Businesses**

(a) The Governor, through Executive Order 2009-02, has established, as an overall Commonwealth aspirational goal that at least ten percent (10%) of the funds allotted to the Commonwealth of Pennsylvania through the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, (“ARRA”) should go to small disadvantaged businesses as contractors, subcontractors, grantees, subgrantees, and suppliers.

(b) To assist the Commonwealth in attaining this aspirational goal, Grantee is required to make reasonable and good faith efforts to reach out to small disadvantaged businesses to make them aware of subcontracting and supply opportunities and to encourage these businesses to participate as subgrantees, contractors, subcontractors and suppliers.

(c) At a minimum, Grantee is required to:

(i) Contact the Department of General Services’ Bureau of Minority and Women Business Opportunities (“BMWBO”) by telephone (717-783-3119) to discuss potential opportunities that may exist for small disadvantaged businesses as subgrantees, contractors, subcontractors and suppliers; and

(ii) When notified by the Commonwealth agency or BMWBO, participate in outreach activities and events to increase small disadvantaged business interest and participation in subgrant, contract, subcontract and supply contract opportunities; and

(iii) Use the Department of General Services website [www.dgsweb.state.pa.us/mbewbc/VendorSearch.aspx](http://www.dgsweb.state.pa.us/mbewbc/VendorSearch.aspx) to identify DGS-certified Minority Business Enterprises (MBEs) and Women Business Enterprises (WBEs) as potential subgrantees, contractors, subcontractors and suppliers; and

- (iv) Solicit identified MBEs and WBEs for subgrant, contract, subcontract and supply contract opportunities; and
  - (v) Prepare and keep the following records:
    - a. Solicitations lists, specifically identifying all small, disadvantaged businesses that were solicited; and
    - b. Bid tabulations, specifically identifying all small, disadvantaged businesses that submitted a bid, quote or proposal, and the dollar amount of the bid, quote or proposal; and
    - c. Copies of all bids, quotes and proposals received; and
  - (vi) Provide monthly reports to the Department of General Services' Bureau of Minority and Women Business Opportunities on small disadvantaged business utilization.
- (d) To the extent that the grant imposes specific small, disadvantaged business solicitation and document submission requirements, Grantee shall comply with those requirements.
- (e) Grantee shall comply with all applicable federal Disadvantaged Business Enterprises (DBE) requirements related to DBE programs. To the extent that federal DBE requirements conflict with the requirements of this Paragraph, the federal DBE requirements shall prevail. In the event that Grantee identifies a conflict, Grantee shall verify with the Commonwealth, which shall verify with the administering federal agency, that a conflict exists that would jeopardize ARRA funding.
- (f) For purposes of this paragraph, "small disadvantaged businesses" are small businesses that are owned or controlled by a majority of persons, not limited to members of minority groups, who have been deprived of the opportunity to develop and maintain a competitive position in the economy because of social disadvantages. The term includes:
- (i) Department of General Services-certified MBEs and WBEs that qualify as small businesses; and
  - (ii) United States Small Business Administration certified 8(a) small disadvantaged business concerns; and
  - (iii) Businesses that BMWBO determines meet the Small Business Administration criteria for designation as a small disadvantaged business.

- (iv) Small businesses that have been certified as disadvantaged business enterprises (“DBEs”).

“Small businesses” are businesses in the United States that are independently owned, are not dominant in their field of operation, employ no more than 100 full-time or full-time equivalent employees and earn less than \$20 million in gross annual revenues (\$25 million in gross annual revenues for those businesses in the information technology sales or service business).

15. Access to Records. Contractor agrees that with respect to each agreement using, in whole or in part, ARRA funds, any representative of an appropriate U.S. Inspector General appointed under section 3 or 8G of the Inspector General Act of 1988 (5 U.S.C. App.) or of the U.S. Comptroller General is authorized:

- (a) to examine any records of the Contractor, any of its subcontractors, or any state or local agency administering such contract that pertain to, and involve transactions relating to the contract; and
- (b) to interview any officer or employee of the contractor, subcontractor or agency regarding such transactions.

16. Records Retention. The Contractor shall retain all such contract records intact in a form, if not original documents, as may be approved by the Federal Government, for at least three (3) years following termination of a project funded by ARRA or for such longer period of time as required by the Commonwealth.

17. Access to Information. This contract and any records or expenditures related thereto may be subject to disclosure under the Pennsylvania Right to Know Law 65 P.S. 67.101 *et seq.* and the Freedom of Information Act, 5 U.S.C. §552.

18. Compliance. The Contractor shall comply with all applicable laws, regulations and program guidance. A **non-exclusive** list of statutes, regulations and/or guidance commonly applicable to Federal funds follows:

General

- Drug-Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D; 41 U.S.C. 701 *et seq.*; 32 CFR part 26, Subpart B
- Copeland “Anti-Kickback Act”, 18 U.S.C. Section 874; 29 CFR Part 3
- Contract Work Hours and Safety Standards Act, 40 U.S.C. §§327-330; 29 CFR Part 5
- Americans with Disabilities Act of 1990, as amended; 42 U.S.C. Chapter 126; 28 C.F.R. §35.101 *et seq.*

Administrative Requirements

- OMB Circular A-102, State and Local Governments (10/07/94, amended 08/28/07) (44 CFR Part 13)

- OMB Circular A-110, Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (11/19/93, amended 09/30/99) (2 CFR Part 215)

Cost Principles

- OMB Circular A-87, State and Local Governments (05/10/04) (2 CFR Part 225)
- OMB Circular A-21, Educational Institutions (5/10/04) (2 CFR Part 220)
- OMB Circular A-122, Non-Profit Organizations (5/10/04) (2 CFR Part 230)

Audit Requirement

- OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations (6/24/97, includes revisions published in the Federal Register 6/27/03)

19. Buy American - Use of American Iron, Steel, and Manufactured Goods.

*Please use subsections I and II in the alternative as detailed below:*

***I. The following shall apply for Projects using ARRA funds for the construction, alteration, maintenance, or repair of a public building or public work when:***

- *the estimated value of the project is less than \$7,804,000; or*
- *the procurement is being conducted by local governments and municipalities; or*
- *the specific item being procured is not covered under the World Trade Organization Agreement on Government Procurement or other international procurement agreement. (e.g. mass transit or highway procurements, dredging service procurements, or national defense-related procurements).*

(a) *Requirement.* All iron, steel, and other manufactured goods used as construction material for the construction, alteration, maintenance, or repair of a public building or public work must be produced in the United States. This requirement shall be applied in a manner that is consistent with the laws and agreements of the United States and the Commonwealth of Pennsylvania.

(b) *Definitions.*

1. "Building or work" means construction, maintenance, alteration, or repair. The terms include, without limitation, buildings, structures, and improvements of all types, such as bridges, dams, plants, highways, parkways, streets, subways, tunnels, sewers, mains, power lines, pumping stations, heavy generators, railways, airports, terminals, docks, piers, wharves, ways, lighthouses, buoys, jetties, breakwaters, levees, canals, dredging, shoring, rehabilitation and reactivation of plants, scaffolding, drilling, blasting, excavating, clearing, and landscaping. The manufacture or furnishing of materials, articles, supplies, or equipment (whether or not a Federal or State agency acquires title to such materials, articles, supplies, or equipment during the course of the manufacture or furnishing, or owns the materials from which

they are manufactured or furnished) is not "building" or "work" within the meaning of this definition unless conducted in connection with and at the site of such building or work as is described in the foregoing sentence, or under the United States Housing Act of 1937 and the Housing Act of 1949 in the construction or development of the project.

2. "Construction material" means an article, material, or supply brought to the construction site by the recipient, subrecipient or a subcontractor for incorporation into the building or work. The term also includes an item brought to the site preassembled from articles, materials, or supplies. However, emergency life safety systems, such as emergency lighting, fire alarm, and audio evacuation systems, that are discrete systems incorporated into a public building or work and that are produced as complete systems, are evaluated as a single and distinct construction material regardless of when or how the individual parts or components of those systems are delivered to the construction site. Materials purchased directly by the Government are supplies, not construction material.

3. "Domestic construction material" means:

(i) An unmanufactured construction material mined or produced in the United States; or

(ii) A construction material manufactured in the United States.

4. "Foreign construction material" means a construction material other than a domestic construction material.

5. "Manufactured good or product" means a good or product used as construction material in a project that is the result of processing materials by way of machinery and/or labor that produce a substantially different article. Where the basic character, function, or kind of material processed remains the same, it is not manufactured.

6. "Manufactured construction material" means any construction material that is not unmanufactured construction material."

7. "Public building or public work" means building or work, the construction, alteration, maintenance, or repair of which, as defined in this award term, is carried on directly by authority of, or with funds of, a Federal agency to serve the interest of the general public regardless of whether title thereof is in a Federal agency.

8. "Steel" means an alloy that includes at least 50 percent iron, between .02 and 2 percent carbon, and may include other elements.

9. "Unmanufactured construction material" means raw material brought to the construction site for incorporation into the building or work that has not been:

- (i) Processed into a specific form and shape; or
- (ii) Combined with other raw material to create a material that has different properties than the properties of the individual raw materials.

10. "United States" means the 50 States, the District of Columbia, and outlying areas including:

- (i) Commonwealths: (a) Puerto Rico; (b) The Northern Mariana Islands;
- (ii) Territories: (a) American Samoa; (b) Guam; (c) U.S. Virgin Islands; and
- (iii) Minor outlying islands: (a) Baker Island; (b) Howland Island; (c) Jarvis Island; (d) Johnston Atoll; (e) Kingman Reef; (f) Midway Islands; (g) Navassa Island; (h) Palmyra Atoll; (i) Wake Atoll.

*(c) Domestic preference.*

1. This award term and condition implements Section 1605 of ARRA, by requiring that all iron, steel, and other manufactured goods used as construction material in the project are produced in the United States.
2. The recipient shall use only domestic construction material in performing this project, except as provided in paragraph (c)(3) and (c)(4) of this term and condition.
3. This requirement does not apply to the construction material or components listed by the Government as follows:

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*[Award official to list applicable excepted materials or indicate "none"]*

4. The award official may add other foreign construction material to the list in paragraph (c)(3) of this term and condition if the Federal government determines that—
  - (i) The cost of domestic construction material would be unreasonable. The cost of domestic iron, steel, or other manufactured goods used as construction material in the project is unreasonable when the cumulative cost of such material will increase the cost of the overall project by more than 25 percent;

(ii) The construction material is not mined, produced, or manufactured in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(iii) The application of the restriction of section 1605 of ARRA to a particular construction material would be inconsistent with the public interest.

**(d) Request for determination of inapplicability of Section 1605 of ARRA.**

1. (i) Any request to use foreign construction material in accordance with paragraph (c)(4) of this clause shall include adequate information for Government evaluation of the request, including—
    - (a) A description of the foreign and domestic construction materials;
    - (b) Unit of measure;
    - (c) Quantity;
    - (d) Price;
    - (e) Time of delivery or availability;
    - (f) Location of the construction project;
    - (g) Name and address of the proposed supplier; and
    - (h) A detailed justification of the reason for use of foreign construction materials cited in accordance with paragraph (b)(4) of this clause.
  - (ii) A request based on unreasonable cost shall include a reasonable survey of the market and a completed price comparison table in the format in paragraph (e) of this clause.
  - (iii) The price of construction material shall include all delivery costs to the construction site and any applicable duty.
  - (iv) Any recipient request for a determination submitted after award shall explain why the recipient could not reasonably foresee the need for such determination and could not have requested the determination before award. If the recipient does not submit a satisfactory explanation, the award official need not make a determination.
2. If the Federal government determines after award that an exception to section 1605 of ARRA applies, the award official will amend the award to allow use of the foreign construction material. When the basis of the exception is non-availability or public interest, the amended award shall reflect adjustment of the award amount or redistribution of budgeted funds, as appropriate, to cover costs associated with acquiring or using the foreign construction material. When the basis for the exception is the unreasonable price of a domestic construction material, the award official shall adjust the award amount or

redistribute budgeted funds, as appropriate, by at least the differential established in 2 CFR 176.110(a).

3. Unless the Federal government determines that an exception to section 1605 of ARRA applies, use of foreign construction material is noncompliant with section 1605 of ARRA.

(e) *Data.* To permit evaluation of requests under paragraph (d) of this clause based on unreasonable cost, the Recipient shall include the following information and any applicable supporting data based on the survey of suppliers:

**Foreign and Domestic Construction Materials Price Comparison**

Construction Material Description	Unit of Measure	Quantity	Price (Dollars)*
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*Item 1:*

Foreign construction material	_____	_____	_____
Domestic construction material	_____	_____	_____

*Item 2:*

Foreign construction material	_____	_____	_____
Domestic construction material	_____	_____	_____

1. [List name, address, telephone number, email address, and contact for suppliers surveyed. Attach copy of response; if oral, attach summary.]
2. [Include other applicable supporting information.]
3. [\* Include all delivery costs to the construction site.]

**II. The following shall, in addition to the Pennsylvania Steel Products Procurement Act, 73 P.S. Sections 1881-1887, apply for Projects using ARRA funds for the construction, alteration, maintenance, or repair of a public building or public work with an estimated value of \$7,804,000 or more:**

(a) *Requirement.* All iron and steel used in the construction, reconstruction, alteration or repair of a public building or public work must be manufactured in the United States. All other manufactured goods used as construction material for the construction, alteration, maintenance, or repair of a public building or public work must be produced in the United States or a designated country. This requirement shall be applied in a manner that is consistent with the laws and agreements of the United States and the Commonwealth of Pennsylvania.

(b) *Definitions.* As used in this award term and condition:

1. "Building or work" includes, without limitation, buildings, structures, and improvements of all types, such as bridges, dams, plants, highways, parkways,

streets, subways, tunnels, sewers, mains, power lines, pumping stations, heavy generators, railways, airports, terminals, docks, piers, wharves, ways, lighthouses, buoys, jetties, breakwaters, levees, canals, dredging, shoring, rehabilitation and reactivation of plants, scaffolding, drilling, blasting, excavating, clearing, and landscaping. The manufacture or furnishing of materials, articles, supplies, or equipment (whether or not a Federal or State agency acquires title to such materials, articles, supplies, or equipment during the course of the manufacture or furnishing, or owns the materials from which they are manufactured or furnished) is not "building" or "work" within the meaning of this definition unless conducted in connection with and at the site of such building or work as is described in the foregoing sentence, or under the United States Housing Act of 1937 and the Housing Act of 1949 in the construction or development of the project.

2. "Construction material" means iron, steel, and other manufactured goods used as construction material brought to the construction site by the recipient, subrecipient, or subcontractor for incorporation into the building or work. The term also includes an item brought to the site preassembled from articles, materials, or supplies. However, emergency life safety systems, such as emergency lighting, fire alarm, and audio evacuation systems, that are discrete systems incorporated into a public building or work and that are produced as complete systems, are evaluated as a single and distinct construction material regardless of when or how the individual parts or components of those systems are delivered to the construction site. Materials purchased directly by the Government are supplies, not construction material.

3. "Designated country" means: Aruba, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hong Kong, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea (Republic of), Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Singapore, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, and United Kingdom.

4. "Designated country construction material" means a construction material that

(i) Is wholly the growth, product, or manufacture of a designated country; or

(ii) In the case of a construction material that consists in whole or in part of materials from another country, has been substantially transformed in a designated country into a new and different construction material distinct from the materials from which it was transformed.

5. "Domestic construction material" means:

(i) An unmanufactured construction material mined or produced in the United States; or

(ii) A construction material manufactured in the United States.

6. "Foreign construction material" means a construction material other than a domestic construction material.

7. "Manufactured construction material" means any construction material that is not unmanufactured construction material."

8. "Public building or public work" means building or work, the construction, alteration, maintenance, or repair of which, as defined in this Subpart, is carried on directly by authority of, or with funds of, a Federal agency to serve the interest of the general public regardless of whether title thereof is in a Federal agency.

9. "Steel" means an alloy that includes at least 50 percent iron, between .02 and 2 percent carbon, and may include other elements.

10. "Unmanufactured construction material" means raw material brought to the construction site for incorporation into the building or work that has not been--

(i) Processed into a specific form and shape; or

(ii) Combined with other raw material to create a material that has different properties than the properties of the individual raw materials.

11. "United States" means the 50 States, the District of Columbia, and outlying areas.

*(c) Construction materials.*

1. This award term and condition implements

(i) Section 1605(a) of the American ARRA, by requiring that all iron, steel, and other manufactured goods used as construction material in the project are produced in the United States; and

(ii) Section 1605(d), which requires application of the Buy American requirement in a manner consistent with U.S. obligations under international agreements. The restrictions of section 1605 of ARRA do not apply to designated country construction materials. The Buy American requirement in section 1605 shall not be applied where the iron, steel or manufactured goods used as construction material in the project are from a Party to an international agreement that obligates the

recipient to treat the goods and services of that Party the same as domestic goods and services, or where the iron, steel or manufactured goods used as construction material in the project are from a least developed country. This obligation shall only apply to projects with an estimated value of \$7,804,000 or more.

2. The recipient shall use only domestic or designated country construction material in performing the work funded in whole or part with this award, except as provided in paragraphs (c)(3) and (c)(4) of this term and condition.

3. The requirement in paragraph (c)(2) of this term and condition does not apply to the construction materials or components listed by the Government as follows:

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*[Award official to list applicable excepted materials or indicate "none"]*

4. The award official may add other construction material to the list in paragraph (c)(3) of this award term and condition if the Federal government determines that:

(i) The cost of domestic construction material would be unreasonable. The cost of domestic iron, steel, or other manufactured goods used as construction material in the project is unreasonable when the cumulative cost of such material will increase the overall cost of the project by more than 25 percent;

(ii) The construction material is not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities of a satisfactory quality; or

(iii) The application of the restriction of section 1605 of ARRA to a particular construction material would be inconsistent with the public interest.

*(d) Request for determination of inapplicability of section 1605 of ARRA or the Buy American Act.*

1. (i) Any recipient request to use foreign construction material in accordance with paragraph(c)(4) of this term and condition shall include adequate information for Government evaluation of the request, including—

(a) A description of the foreign and domestic construction materials;

(b) Unit of measure;

(c) Quantity;

(d) Price;

- (e) Time of delivery or availability;
- (f) Location of the construction project;
- (g) Name and address of the proposed supplier; and
- (h) A detailed justification of the reason for use of foreign construction materials cited in accordance with paragraph(c)(4) of this clause.

(ii) A request based on unreasonable cost shall include a reasonable survey of the market and a completed price comparison table in the format in paragraph (e) of this clause.

(iii) The price of construction material shall include all delivery costs to the construction site and any applicable duty.

(iv) Any recipient request for a determination submitted after award shall explain why the recipient could not reasonably foresee the need for such determination and could not have requested the determination before award. If the recipient does not submit a satisfactory explanation, the award official need not make a determination.

2. If the Federal government determines after award that an exception to section 1605 of ARRA applies and the award official will amend the award to allow use of the foreign construction material. When the basis of the exception is nonavailability or public interest, the amended award shall reflect adjustment of the award amount or redistribution of budgeted funds, as appropriate, to cover costs associated with acquiring or using the foreign construction material. When the basis for the exception is the unreasonable price of a domestic construction material, the award official shall adjust the award amount or redistribute budgeted funds, as appropriate, by at least the differential established in paragraph (c)(4)(i) of this term and condition.

3. Unless the Federal government determines that an exception to the section 1605 of ARRA applies, use of foreign construction material other than designated country construction material is noncompliant with the applicable Act.

(e) *Data.* To permit evaluation of requests under paragraph (d) of this clause based on unreasonable cost, the applicant shall include the following information and any applicable supporting data based on the survey of suppliers:

FOREIGN AND DOMESTIC CONSTRUCTION MATERIALS PRICE COMPARISON

Construction Material Description	Unit Measure	Quantity	Price (Dollars)*
<i>Item 1:</i> Foreign construction material	_____	_____	_____

Domestic construction material \_\_\_\_\_  
*Item 2:*  
Foreign construction material \_\_\_\_\_  
Domestic construction material \_\_\_\_\_

*[List name, address, telephone number, email address, and contact for suppliers surveyed. Attach copy of response; if oral, attach summary.]*  
*[Include other applicable supporting information.]*  
*[\* Include all delivery costs to the construction site].*

**STATEMENT AND ACKNOWLEDGMENT**OMB No.: 9000-0014  
Expires: 5/31/2011

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the FAR Secretariat, (VIR), Regulatory and Federal Assistance Division, GSA, Washington, DC 20405; and to the Office of Management and Budget, Paperwork Reduction Project (9000-0014), Washington, DC 20503.

**PART I - STATEMENT OF PRIME CONTRACTOR**

1. PRIME CONTRACT NO.		2. DATE SUBCONTRACT AWARDED		3. SUBCONTRACT NUMBER	
4. PRIME CONTRACTOR			5. SUBCONTRACTOR		
a. NAME			a. NAME		
b. STREET ADDRESS			b. STREET ADDRESS		
c. CITY		d. STATE	e. ZIP CODE	c. CITY	
6. The prime contract <input type="checkbox"/> does, <input type="checkbox"/> does not contain the clause entitled "Contract Work Hours and Safety Standards Act -- Overtime Compensation."					
7. The prime contractor states that under the contract shown in Item 1, a subcontract was awarded on the date shown in Item 2 to the subcontractor identified in item 5 by the following firm:					
a. NAME OF AWARDING FIRM					
b. DESCRIPTION OF WORK BY SUBCONTRACTOR					

8. PROJECT		9. LOCATION	
10a. NAME OF PERSON SIGNING		11. BY (Signature)	
10b. TITLE OF PERSON SIGNING		12. DATE SIGNED	

**PART II - ACKNOWLEDGMENT OF SUBCONTRACTOR**

13. The subcontractor acknowledges that the following clauses of the contract shown in Item 1 are included in this subcontract:

Contract Work Hours and Safety Standards Act - Overtime Compensation - (If included in prime contract see Block 6)	Davis-Bacon Act
Payrolls and Basic Records	Apprentices and Trainees
Withholding of Funds	Compliance with Copeland Act Requirements
Disputes Concerning Labor Standards	Subcontracts (Labor Standards)
Compliance with Davis-Bacon and Related Act Regulations	Contract Termination - Debarment
	Certification of Eligibility

14. NAME(S) OF ANY INTERMEDIATE SUBCONTRACTORS, IF ANY

A		C	
B		D	
15a. NAME OF PERSON SIGNING		16. BY (Signature)	
15b. TITLE OF PERSON SIGNING		17. DATE SIGNED	

**EXHIBIT D**

**APPENDIX A—STANDARDS FOR WEATHERIZATION MATERIALS**

If the standards listed in this appendix conflict with those required by current local codes, the local code shall have precedence and a copy of the applicable section will be retained with procurement records.

The following Government standards are produced by the Consumer Product Safety Commission and are published in title 16, Code of Federal Regulations:

Thermal Insulating Materials for Building Elements Including Walls, Floors, Ceilings, Attics, and Roofs Insulation—organic fiber—conformance to Interim Safety Standard in 16 CFR part 1209;

Fire Safety Requirements for Thermal Insulating Materials According to Insulation Use—Attic Floor—insulation materials intended for exposed use in attic floors shall be capable of meeting the same flammability requirements given for cellulose insulation in 16 CFR part 1209;

Enclosed spaces—insulation materials intended for use within enclosed stud or joist spaces shall be capable of meeting smoldering combustion requirements in 16 CFR part 1209.

The following standards which are not otherwise set forth in part 440 are incorporated by reference and made part of part 440. The following standards have been approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. These materials are incorporated as they exist on January 3, 2002 and a notice of any change in these materials will be published in the FEDERAL REGISTER. The standards incorporated by reference are available for inspection at the Office of the Federal Register Information Center, 800 North Capitol Street, Suite 700, Washington, DC 20001.

The standards incorporated by reference in part 440 can be obtained from the following sources:

Air Conditioning and Refrigeration Institute, 4301 N. Fairfax Drive, Suite 425, Arlington, VA 22203; (703) 524-8800.

American Architectural Manufacturers Association, 1827 Walden Office Square, Suite 104, Schaumburg, Illinois 60173-4268; (847) 303-5664.

American Gas Association, 400 N. Capitol Street, NW, Washington, DC 20001; (202) 824-7000.

American National Standards Institute, Inc., 11 West 42nd Street, New York, NY 10036; (212) 642-4900.

American Society of Mechanical Engineers, Three Park Avenue, New York, NY 10016-5990; (212) 591-7722.

American Society for Testing and Materials, 100 Bar Harbor Drive, West Conshohocken, PA 19428-2959; (610) 832-9585.

Association of Home Appliance Manufacturers, 1111 19th Street, NW, Suite 402, Washington DC, 20036; (202) 872-5955.

Federal Specifications, General Services Administration, General Services Administration, Federal Supply Service, Office of the CIO and Marketing Division, Room 800, 1941 Jefferson Davis Hwy., Arlington, VA 22202; (703) 305-6288.

Gas Appliance Manufacturers Association, 2107 Wilson Boulevard, Suite 600, Arlington, Virginia 22201; (703) 525-7060.

National Electrical Manufacturers Association, 1300 North 17th Street, Suite 1847, Rosslyn, VA 22209; (703) 841-3200.

National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, MA 02269-9101; (617) 770-3000.

Sheet Metal and Air Conditioning Contractors Association, 4201 Lafayette Center Drive, Chantilly, Virginia 20151-1209; (703) 803-2980.

Solar Rating and Certification Corporation, c/o FSEC, 1679 Clearlake Road, Cocoa, FL 32922-5703; (321) 638-1537.

Steel Door Institute, 30200 Detroit Road, Cleveland, OH 44145-1967; (440) 899-0010.

Steel Window Institute, 1300 Sumner Avenue, Cleveland, OH 44115-2851; (216) 241-7333.

Tubular Exchanger Manufacturers Association, 25 North Broadway, Tarrytown, NY 10591; (914) 322-0040.

Underwriters Laboratories, Inc., 333 Pfingsten Road, Northbrook, IL 60062-2096; (847) 272-8800.

Window & Door Manufacturers Association, 1400 East Touhy Avenue, Suite 470, Des Plaines, IL 60018; (800) 223-2301.

More information regarding the standards in this reference can be obtained from the following sources: Environmental Protection Agency, 401 M Street, NW, Washington, DC 20006; (202) 554-1080.

National Institute of Standards and Technology, U.S. Department of Commerce, Gaithersburg, MD 20899; (301) 975-2000.

Weatherization Assistance Program, Office of Building Technology Assistance, Energy Efficiency and Renewable Energy, 1000 Independence Avenue, SW, EE-42, Washington, DC 20585-0121; (202) 586-4074.

**THERMAL INSULATING MATERIALS FOR  
BUILDING ELEMENTS INCLUDING WALLS,  
FLOORS, CEILINGS, ATTICS, AND ROOFS**  
[Standards for conformance]

<b>Insulation--mineral fiber:</b>	
Blanket insulation . . . . .	ASTM <sup>1</sup> C665-98.
Roof insulation board . . . . .	ASTM C726-00a.
Loose-fill Insulation . . . . .	ASTM C764-99.
<b>Insulation--mineral cellular:</b>	
Vermiculite loose-fill insulation	ASTM C516-80 (1996)e1.
Perlite loose-fill insulation .	ASTM C549-81 (1995)e1.
Cellular glass insulation block	ASTM C552-00.
Perlite insulation board . . .	ASTM C728-97.
<b>Insulation--organic fiber:</b>	
Cellulosic fiber insulating board	ASTM C208-95.
Cellulose loose-fill insulation	ASTM C739-00.
Cellulose wet-spray insulation	ASTM C1149-97.
<b>Insulation--organic cellular:</b>	
Preformed block-type polystyrene insulation	ASTM C578-95.
Rigid preformed polyurethane insulation board	ASTM C591-00.
Polyurethane or polyisocyanurate insulation board face with aluminum foil on both sides	FS <sup>2</sup> HH-I-1972/1 (1981).
Polyurethane or polyisocyanurate insulation board face with felt on both sides	FS HH-I-1972/2 (1981) and Amendment 1, October 3, 1985).
<b>Insulation--composite boards:</b>	
Mineral fiber insulation board	ASTM C726-00a.
Perlite board	ASTM C728-97.
Gypsum board and polyurethane or polyisocyanurate composite board	FS HH-I-1972/4 (1981).

<sup>1</sup> ASTM indicates American Society for Testing and Materials.

<sup>2</sup> FS indicates Federal Specifications.

**THERMAL INSULATING MATERIALS FOR  
BUILDING ELEMENTS INCLUDING WALLS,  
FLOORS, CEILINGS, ATTICS, AND  
ROOFS--Continued**  
[Standards for conformance]

Materials used as a patch to reduce infiltration through the building envelope	Commercially available.
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**THERMAL INSULATING MATERIALS FOR PIPES,  
DUCTS, AND EQUIPMENT SUCH AS BOILERS  
AND FURNACES**  
[Standards for conformance]

<b>Insulation--mineral fiber:</b>	
Preformed pipe insulation .	ASTM <sup>1</sup> C547-00.
Blanket and felt insulation (Industrial type)	ASTM C553-00.
Blanket insulation and blanket type pipe insulation (metal-mesh covered, Industrial type)	ASTM C592-00.
Block and board insulation	ASTM C612-00.
Spray applied mineral fiber thermal and sound absorbing insulation	ASTM C1014-99ae1.
High-temperature fiber blanket insulation	ASTM C892-00.
Duct work insulation . . . . .	ASTM C1290-00.
<b>Insulation--mineral cellular:</b>	
Calcium silicate block and pipe insulation	ASTM C533-95.
Cellular glass insulation . .	ASTM C552-00.
Expanded perlite block and pipe insulation	ASTM C610-99.
<b>Insulation--organic cellular:</b>	
Preformed flexible elastomeric cellular insulation in sheet and tubular form	ASTM C534-99.
Unfaced preformed rigid cellular polyurethane insulation	ASTM C591-00.
Insulation skirting . . . . .	Commercially available.

<sup>1</sup> ASTM indicates American Society for Testing and Materials.

**FIRE SAFETY REQUIREMENTS FOR INSULATING MATERIALS ACCORDING TO INSULATION USE**  
 [Standards for conformance]

Attic floor . . . .	Insulation materials intended for exposed use in attic floors shall be capable of meeting the same smoldering combustion requirements given for cellulose insulation in ASTM <sup>1</sup> C739-00.
Enclosed space	Insulation materials intended for use within enclosed stud or joist spaces shall be capable of meeting the same smoldering combustion requirements given for cellulose insulation in ASTM C739-00.
Exposed interior walls and ceilings	Insulation materials, including those with combustible facings, which remain exposed and serve as wall or ceiling interior finish, shall have a flame spread classification not to exceed 150 (per ASTM E84-00a).
Exterior envelope walls and roofs	Exterior envelope walls and roofs containing thermal insulation shall meet applicable local government building code requirements for the complete wall or roof assembly.
Pipes, ducts, and equipment	Insulation materials intended for use on pipes, ducts, and equipment shall be capable of meeting a flame spread classification not to exceed 150 (per ASTM E84-00a).

<sup>1</sup> ASTM indicates American Society for Testing and Materials.

**STORM WINDOWS**  
 [Standards for conformance]

Storm windows: All storm windows . .	AAMA/NWWDA <sup>1</sup> 101/I.S. 2-97.
Aluminum frame storm windows	AAMA <sup>2</sup> 1002.10-93.
Rigid vinyl frame storm windows	ASTM <sup>3</sup> D4726-00.
Frameless plastic glazing storm	Required minimum thickness for windows is 6 mil (0.006 inches). Commercially available.
Movable insulation systems for windows	

<sup>1</sup> AAMA/NWWDA indicates American Architectural Manufacturers Association/National Wood Window & Door Association (now the Window & Door Manufacturers Association).

<sup>2</sup> AAMA indicates American Architectural Manufacturers Association.

<sup>3</sup> ASTM indicates American Society for Testing and Materials.

**REPLACEMENT WINDOWS**  
 [Standards for conformance]

Replacement windows: All windows . . . . .	AAMA/NWWDA <sup>1</sup> 101/I.S. 2-97.
Steel frame windows	Steel Window Institute recommended specifications for steel windows, 1990.
Rigid vinyl frame windows	ASTM <sup>2</sup> D4726-00.

<sup>1</sup> AAMA/NWWDA indicates American Architectural Manufacturers Association/National Wood Window & Door Association (now the Window & Door Manufacturers Association).

<sup>2</sup> ASTM indicates American Society for Testing and Materials.

### STORM DOORS

[Standards for conformance]

Storm doors:	
All storm (glass) doors	AAMA/NWWDA <sup>1</sup> 101/I.S. 2-97.
Aluminum frame storm doors	AAMA <sup>2</sup> 1102.7-89.
Sliding glass storm doors	AAMA 1002.10-93.
Rigid vinyl storm doors	ASTM <sup>3</sup> D3678-97 and D4726-00..
Vestibules:	
Materials to construct vestibules	Commercially available.

<sup>1</sup> AAMA/NWWDA indicates American Architectural Manufacturers Association/National Wood Window & Door Association (now the Window & Door Manufacturers Association).

<sup>2</sup> AAMA indicates American Architectural Manufacturers Association.

<sup>3</sup> ASTM indicates American Society for Testing and Materials.

### REPLACEMENT DOORS

[Standards for conformance]

Replacement doors:	
All replacement doors	AAMA/NWWDA <sup>1</sup> 101/I.S. 2-97.
Steel doors . . . . .	ANSI <sup>2</sup> A250.8-98.
Wood doors:	
Flush doors . . . .	ANSI/NWWDA <sup>3</sup> I.S. 1-97 (Amendment, exterior door provisions).
Stile and rail doors	NWWDA <sup>4</sup> I.S. 6-97.

<sup>1</sup> AAMA/NWWDA indicates American Architectural Manufacturers Association/National Wood Window & Door Association (now the Window & Door Manufacturers Association).

<sup>2</sup> ANSI indicates American National Standards Institute.

<sup>3</sup> ANSI/NWWDA indicates American National Standards Institute/National Wood Window & Door Association (now the Window & Door Manufacturers Association).

<sup>4</sup> NWWDA indicates National Wood Window & Door Association (now the Window & Door Manufacturers Association).

### CAULKS AND SEALANTS

[Standards for conformance]

Caulks and sealants:	
Glazing compounds for metal sash	ASTM <sup>1</sup> C669-00.
Oil and resin base caulks	ASTM C570-00.
Acrylic (solvent types) sealants	ASTM C920-98e1.
Butyl rubber sealants	FS <sup>2</sup> Commercial Item Description A-A-272 (6/7/95).
Chlorosulfonated polyethylene sealants	ASTM C920-98e1.
Latex sealing compounds	ASTM C834-00e1.
Elastomeric joint sealants (normally considered to include polysulfide, polyurethane, and silicone)	ASTM C920-98e1.
Preformed gaskets and sealing materials	ASTM C509-00.
Duct sealing mastic	UL <sup>3</sup> 181A-M, Second Edition, 1994 and UL 181B-M, First Edition, 1995.

<sup>1</sup> ASTM indicates American Society for Testing and Materials.

<sup>2</sup> FS indicates Federal Specifications.

<sup>3</sup> UL indicates Underwriters Laboratories.

**WEATHERSTRIPPING**  
[Standards for conformance]

Weatherstripping . . . . .	Commercially available. Selected according to the provisions cited in ASTM <sup>1</sup> C755-97. Permeance not greater than 1 perm when determined according to the desiccant method described in ASTM E96-00.
Vapor retarders . . . . .	
Items to improve attic ventilation	Commercially available.

<sup>1</sup> ASTM indicates American Society for Testing and Materials.

**HEAT EXCHANGERS**  
[Standards for conformance]

Heat exchangers, water-to-water and steam-to-water	ASME <sup>1</sup> Boiler and Pressure Vessel Code, 1998, Sections II, V, VIII, IX, and X, as applicable to pressure vessels. Standards of Tubular Exchanger Manufacturers Association, Eighth Edition, 1999.
Heat exchangers with gas-fired appliances <sup>2</sup>	ANSI/UL <sup>3</sup> 462, Ninth Edition, approved by ANSI February 28, 1997.

<sup>1</sup> ASME indicates American Society for Mechanical Engineers.

<sup>2</sup> The heat reclaimer is for installation in a section of the vent connector from appliances equipped with draft hoods or appliances equipped with powered burners or induced draft and not equipped with a draft hood.

<sup>3</sup> ANSI/UL indicates American National Standards Institute/Underwriters Laboratories.

**BOILER/FURNACE CONTROL SYSTEMS**  
[Standards for conformance]

Automatic set back thermostats	Listed by UL <sup>1</sup> . Conformance to NEMA <sup>2</sup> DC3-1989 (R1996).
Line voltage or low voltage room thermostats	Listed by UL. Conformance to NEMA DC3-1989 (R1996).
Clock thermostats . . . . .	Listed by UL. Conformance to NEMA DC3-1989 (R1996).
Automatic gas ignition systems	ANSI <sup>3</sup> Z21.21-2000. AGA <sup>4</sup> Laboratories Certification Seal.
Energy management systems	Listed by UL.
Hydronic boiler controls	Listed by UL.
Other burner controls . . .	Listed by UL.

<sup>1</sup> UL indicates Underwriters Laboratories.

<sup>2</sup> NEMA indicates National Electrical Manufacturers Association.

<sup>3</sup> ANSI indicates American National Standards Institute.

<sup>4</sup> AGA indicates American Gas Association.

### WATER HEATER MODIFICATIONS

[Standards for conformance]

Insulate tank and distribution piping Install heat traps on inlet and outlet piping Install/replace water heater heating elements Electric, freeze-prevention tape for pipes Install stack damper, gas-fueled	(See Insulation section of this appendix) Applicable local plumbing code. Listed by UL <sup>1</sup> .  Listed by UL.
Install stack damper, oil-fueled	ANSI <sup>2</sup> Z21.66-1996, including Exhibits A & B, and ANSI Z223.1-1999 (same as NFPA <sup>3</sup> 54-1999). UL 17, Third Edition, 1994, NFPA 31-2001, NFPA 211-2000 (same as ANSI A52.1), and ANSI/NFPA 70-1999 (same as IEEE <sup>4</sup> National Electrical Code). Commercially available.
Install water flow modifiers	Commercially available.

<sup>1</sup> UL indicates Underwriters Laboratories.

<sup>2</sup> ANSI indicates American National Standards Institute.

<sup>3</sup> NFPA indicates National Fire Prevention Association.

<sup>4</sup> IEEE indicates Institute of Electrical and Electronics Engineers.

### REPLACEMENT WATER HEATERS

[Standards for conformance]

Electric (resistance) water heaters Heat pump water heaters	10 CFR <sup>1</sup> 430 and UL <sup>2</sup> 174. UL 1995, Second Edition, 1995. Electrical components to be listed by UL.
Gas water heaters: Rated $\leq 75$ kBtu/hr . . .	10 CFR 430 and ANSI <sup>3</sup> Z21.10.1-1998.
Rated $\geq 75$ kBtu/hr . . .	ANSI Z21.10.3-1998.
Oil water heaters . . . . .	UL 732, Fifth Edition, 1995.

<sup>1</sup> CFR indicates Code of Federal Regulations.

<sup>2</sup> UL indicates Underwriters Laboratories.

<sup>3</sup> ANSI indicates American National Standards Institute.

### SOLAR WATER HEATING SYSTEMS

[Standards for conformance]

Solar water heating systems including forced circulation, integral collector storage, thermo-syphon, and self-pumping systems	System must be certified per SRCC <sup>1</sup> OG 300, July 16, 1998.
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<sup>1</sup> SRCC indicates Solar Rating and Certification Corporation.

### WASTE HEAT RECOVERY DEVICES

[Standards for conformance]

Desuperheater/water heaters	ARI <sup>1</sup> 470-1995 and UL 1995, Second Edition, 1995.
Condensing heat exchangers	Commercially available components installed per manufacturers' specifications. NFPA <sup>2</sup> 211-2000 (same as ANSI A52.1) may apply in certain instances. See also the Heat Exchangers section of this appendix.
Heat pump water heating heat recovery systems	UL 1995, Second Edition, 1995. Electrical components to be listed by UL.
Energy recovery equipment	Energy Systems Analysis and Management, 1997 (SMACNA <sup>3</sup> ).

<sup>1</sup> ARI indicates Air Conditioning and Refrigeration Institute.

<sup>2</sup> NFPA indicates National Fire Prevention Association.

<sup>3</sup> SMACNA denotes Sheet Metal and Air Conditioning Contractors' National Association.

### BOILER REPAIR AND

**BOILER REPAIR AND  
MODIFICATIONS/EFFICIENCY  
IMPROVEMENTS—Continued**

[Standards for conformance]

Install gas conversion burners	ANSI <sup>1</sup> Z21.8-1994 (for gas- or oil-fired systems), ANSI Z21.17-1998, and ANSI Z223.1-1999 (same as NFPA 54-1999). AGA <sup>2</sup> Laboratories Certification Seal.	Replace heat exchangers, tubes	Protection from flame contact with conversion burners by refractory shield. Commercially available.
Replace oil burner . . . .	UL <sup>3</sup> 298, Ninth Edition, 1994 and NFPA 31-2001.	Install/replace thermostatic radiator valves	One-pipe steam systems require air vents on each radiator; see manufacturers' requirements.
Install burners (oil/gas)	ANSI Z223.1-1999 for gas equipment and NFPA <sup>4</sup> 31-2001 for oil equipment.	Install boiler duty cycle control system	Commercially available. ANSI/NFPA 70-1999 (same as IEEE National Electrical Code) and local electrical code provisions for wiring.
Re-adjust boiler water temperature or install automatic boiler temperature reset control	ASME <sup>5</sup> CSD-1-1998, ANSI Z223.1-1999, and NFPA 31-2001.		
Replace/modify boilers	ASME Boiler and Pressure Vessel Code, 1998, Section II, IV, V, VI, VIII, IX, and X. Boilers must be Hydronics Institute Division of GAMA equipment. Per manufacturers' instructions.		
Clean heat exchanger, adjust burner air shutter(s), check smoke no. on oil-fueled equipment. Check operation of pump(s) and replacement filters.			
Replace combustion chambers	Refractory linings may be required for conversions.		

<sup>1</sup> ANSI indicates American National Standards Institute.  
<sup>2</sup> AGA indicates American Gas Association.  
<sup>3</sup> UL indicates Underwriters Laboratories.  
<sup>4</sup> NFPA indicates National Fire Prevention Association.  
<sup>5</sup> ASME indicates American Society for Mechanical Engineers.

HEATING AND COOLING SYSTEM REPAIRS AND  
TUNE-UPS/EFFICIENCY IMPROVEMENTS  
[Standards for conformance]

Install duct insulation . . .	ASTM <sup>1</sup> C612-00 (see insulation sections of this appendix).
Reduce input of burner; derate gas-fueled equipment	Local utility company and procedures if applicable for gas-fueled furnaces and ANSI <sup>2</sup> Z223.1-1999 (same as NFPA <sup>3</sup> 54-1999) including Appendix H. NFPA 31-2001.
Repair/replace oil-fired equipment	NFPA 31-2001.
Replace combustion chamber in oil-fired furnaces or boilers	ANSI Z223.1-1999 (same as NFPA 54-1999) including Appendix H.
Clean heat exchanger and adjust burner; adjust air shutter and check CO <sub>2</sub> and stack temperature. Clean or replace air filter on forced air furnace	Applicable sections of ANSI Z223.1-1999 (same as NFPA 54-1999) including Appendix H, I, J, and K. ANSI Z21.66-1996 and Exhibits A&B for electrically operated dampers.
Install vent dampers for gas-fueled heating systems	Applicable sections of NFPA 31-2001 for installation and in conformance with UL <sup>4</sup> 17, Third Edition, 1994.
Install vent dampers for oil-fueled heating systems	

HEATING AND COOLING SYSTEM REPAIRS AND  
TUNE-UPS/EFFICIENCY IMPROVEMENTS—Continued  
[Standards for conformance]

Reduce excess combustion air:	ANSI Z223.1-1999 (same as NFPA 54-1999) part 9 and Appendices G & H.
A: Reduce vent connector size of gas-fueled appliances	NFPA 31-2001 and per furnace and boiler manufacturers' instructions.
B: Adjust barometric draft regulator for oil fuels	ANSI Z21.71-1993.
Replace constant burning pilot with electric ignition device on gas-fueled furnaces or boilers	Applicable sections and Appendix H of ANSI Z223.1-1999 (same as NFPA 54-1999) for gas furnaces and NFPA 31-2001 for oil furnaces.
Readjust fan switch on forced air gas-or oil-fueled furnaces	See install burners (oil/gas).
Replace burners . . . . .	ANSI Z223.1-1999 (same as NFPA 54-1999).
Install/replace duct furnaces (gas)	ARI <sup>5</sup> 210/240-1994. UL 1995, Second Edition, 1995. Commercially available.
Install/replace heat pumps	UL 181, Ninth Edition 1996, including UL 181A, Second Edition 1994 and 181B, First Edition, 1995.
Replace air diffusers, intakes, registers, and grilles	Commercially available.
Install/replace warm air heating metal ducts	UL 181, Ninth Edition 1996, including UL 181A, Second Edition 1994 and 181B, First Edition, 1995.
Filter alarm units . . . . .	Commercially available.

<sup>1</sup> ASTM indicates American Society for Testing and Materials.

<sup>2</sup> ANSI indicates American National Standards Institute.

<sup>3</sup> NFPA indicates National Fire Prevention Association.

<sup>4</sup> UL indicates Underwriters Laboratories.

<sup>5</sup> ARI indicates Air Conditioning and Refrigeration Institute.

REPLACEMENT FURNACES, BOILERS, AND  
WOOD STOVES

[Standards for conformance]

Chimneys, fireplaces, vents and solid fuel burning appliances	NFPA <sup>1</sup> 211-2000 (same as ANSI <sup>2</sup> A52.1).
Gas-fired furnaces . . . .	ANSI Z21.47-1998 and ANSI Z223.1-1999 (same as NFPA 54- 1999).
Oil-fired furnaces . . . .	UL <sup>3</sup> 727, Eighth Edition, 1994 and NFPA 31- 2001.
Liquefied petroleum gas storage	NFPA 58-2001.
Ventilation fans: Including electric attic, ceiling, and whole-house fans	UL 507, Ninth Edition, 1999.

<sup>1</sup> NFPA indicates National Fire Prevention Association.

<sup>2</sup> ANSI indicates American National Standards Institute.

<sup>3</sup> UL indicates Underwriters Laboratories.

SCREENS, WINDOW FILMS, AND REFLECTIVE  
MATERIALS

[Standards for conformance]

Insect screens . . . . .	Commercially available.
Window films . . . . .	Commercially available.
Shade screens:	
Fiberglass shade screens	Commercially available.
Polyester shade screens	Commercially available.
Rigid awnings:	
Wood rigid awnings	Commercially available.
Metal rigid awnings .	Commercially available.
Louver systems:	
Wood louver awnings	Commercially available.
Metal louver awnings	Commercially available.
Industrial-grade white paint used as a heat- reflective measure on roofs, awnings, window louvers, doors, and exterior duct work (exposed)	Commercially available.

AIR CONDITIONERS AND COOLING EQUIPMENT

[Standards for conformance]

Air conditioners: Central air conditioners Room size units . . . . .	ARI <sup>1</sup> 210/240-1994. ANSI/AHAM <sup>2</sup> RAC 1- 1992.
Other cooling equipment: Including evaporative coolers, heat pumps, and other equipment	UL <sup>3</sup> 1995, Second Edition, 1995.

<sup>1</sup> ARI indicates Air Conditioning and Refrigeration Institute.

<sup>2</sup> ANSI/AHAM indicates American National Standards Institute/Association of Home Appliance Manufacturers.

<sup>3</sup> UL indicates Underwriters Laboratories.

REFRIGERATORS

[Standards for conformance]

Refrigerator/freezers (does not include freezer-only units)	UL <sup>1</sup> 250. Replaced units must be disposed of properly per Clean Air Act 1990, Section 608, as amended by 40 CFR <sup>2</sup> 82, May 14, 1993.
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<sup>1</sup> UL indicates Underwriters Laboratories.

<sup>2</sup> CFR indicates Code of Federal Regulations.

FLUORESCENT LAMPS AND FIXTURES

[Standards for conformance]

Compact fluorescent lamps	ANSI/UL <sup>1</sup> 542, Seventh Edition, February 6, 1997 and UL 1993, First Edition, 1993.
Fluorescent lighting fixtures	UL 1570, Fourth Edition, 1995.

<sup>1</sup> ANSI/UL indicates American National Standards Institute/Underwriters Laboratories.



## INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity 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 a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.  
  
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

# Equal Employment Opportunity is **THE LAW**

## **Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations**

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

### **RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN**

Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

### **DISABILITY**

Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

### **AGE**

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

### **SEX (WAGES)**

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

### **GENETICS**

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

### **RETALIATION**

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

### **WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED**

There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected:

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at [www.eeoc.gov](http://www.eeoc.gov) or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at [www.eeoc.gov](http://www.eeoc.gov).

## Employers Holding Federal Contracts or Subcontracts

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

### **RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN**

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

### **INDIVIDUALS WITH DISABILITIES**

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

### **DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS**

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated veterans (within

three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded).

### **RETALIATION**

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at [OFCCP.Public@dol.gov](mailto:OFCCP.Public@dol.gov), or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

## Programs or Activities Receiving Federal Financial Assistance

### **RACE, COLOR, NATIONAL ORIGIN, SEX**

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

### **INDIVIDUALS WITH DISABILITIES**

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.