

Attachment 4

Special Terms & Conditions (Federal)

D.1. Compliance with Nondiscrimination Laws. Contractor shall comply with all nondiscrimination laws including, without limitation, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972 and the Age Discrimination Act of 1975.

D.2. Byrd Amendment. Contractor shall comply with 31 U.S.C. 1352 "Limitation on Use of Appropriated Funds to Influence Certain Federal Contracting and Financial Matters" and implementing HHS regulations at 45 CFR Part 93. If this agreement exceeds \$100,000, Contractor certifies by signing this Agreement that to the best of its knowledge and belief no federal appropriated funds have been or will be paid by it or on its behalf to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with the award, extension, continuation, renewal, amendment or modification of any federal contract, grant, loan or cooperative agreement, provided that if any funds other than federal appropriated funds have been or will be paid to any person for the above-noted purposes in connection with this Agreement, Contractor shall complete and submit to ChangeLab Solutions Standard Form-LLL "Disclosure Form to Report Lobbying." Contractor shall incorporate the requirements of this Section in all nonexempt lower-tier agreements, require Contractors to certify and disclose to Contractor, and forward the documentation to ChangeLab Solutions.

D.3. Debarment and Suspension Certification. Contractor shall comply with all applicable federal suspension and debarment regulations, including but not limited to 45 CFR Part 76, and by signing this Agreement, Contractor hereby certifies, to the best of its knowledge and belief, that Contractor and its principals (including research personnel):

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal Department or agency;
- (b) Have not, within a 3-year period preceding this proposal, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification;
- (d) Have not, within a 3-year period preceding this application/proposal, had one or more public transactions (Federal, State, or local) terminated for cause or default;

- (e) Shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under federal regulations, debarred, suspended, declared ineligible, or voluntarily excluded from participation in such transaction, unless authorized by ChangeLab Solutions in writing; and
- (f) Shall include, without modification, the clause titled “Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion – Lower Tier Covered Transactions” in all lower tier covered transactions (i.e., transactions with sub-grantees and/or contractors) and in all solicitations for lower tier covered transactions in accordance with 45 CFR Part 76.

If Contractor is unable to certify to any of the foregoing statements in this certification, Contractor shall submit a written explanation to ChangeLab Solutions. The terms and definitions herein shall have the same meanings set forth in the “Definitions and Coverage” sections of the rules implementing Federal Executive Order 12549. If Contractor knowingly violates this certification, in addition to other remedies available to the Federal Government, ChangeLab Solutions may terminate this Agreement for cause or default.

D.4. Non-Delinquency on Federal Debt. Contractor represents to the best of its knowledge that it is not delinquent in repaying any federal debt.

D.5. Smoke-Free Workplace Certification. Contractor certifies by signing this Agreement that it will comply with the Pro-Children Act of 1994 (P.L. 103-227) and shall not allow smoking within any portion of any indoor facility used for the provision of services for children defined by the Act.

D.6. Audit Filing Compliance. If applicable, Contractor shall comply with the requirements of OMB Circular A-133 including providing a copy of its reporting package to ChangeLab Solutions if required by the circular. Contractor shall take appropriate and timely actions to follow up and correct any audit findings.

I hereby acknowledge that the foregoing Special Terms and Conditions shall apply to this project and any award of a contract. This is to certify, to the best of my knowledge and belief, that [*Insert Applicant Name*] _____ can and will comply with Special Terms and Conditions if awarded a contract.

Signature

Print Name

Title