

CITY OF BRAWLEY
REQUEST FOR PROPOSALS
for
BODY WORN CAMERAS



Rene McNish
Police Commander
Brawley Police Department
351 Main Street
Brawley, CA 92227

December 7, 2021

1. PURPOSE OF REQUEST FOR PROPOSAL AND GENERAL TERMS AND CONDITIONS**1.a. Purpose of Request of Proposal**

The City of Brawley (hereinafter referred to as the "City") is soliciting proposals from qualified vendors for body worn cameras. The City is seeking a contract with a vendor or company specializing in video and audio recording devices and/or equipment for law enforcement.

1.b. Questions Regarding the RFP

Any questions, interpretations, or clarifications, either administrative or technical, or contractual about this RFP must be requested via email by **Friday, December 31, 2021**.

Questions and additional information may be obtained by contacting:

Adam Green, Police Sergeant
Brawley Police Department
agreen@brawley-ca.gov
(760) 351-3018 Office

1.c. Delivery of Proposals and Selection Process

To be considered responsive to this RFP, Proposer must submit proposals in the format identified in this section. If you or your company would like to be considered for this engagement, we invite your response due no later than **5 p.m. on Friday, January 7, 2022**. Late submission of responses shall not be considered. Submittal of response shall only be accepted by email. All other forms including (mail, fax, walk-in, etc.) are not acceptable. Late proposals will not be accepted.

Proposals should be prepared in such a way as to provide a straightforward, concise delineation of capabilities to satisfy the requirements of this RFP. Emphasis should be on completeness and clarity of content. Proposed services and related pricing and warranties contained in the proposal must be valid for a period of 120 days after the submission of the proposal.

All proposals shall be submitted in a PDF file format by email only to:

abenavides@brawley-ca.gov and
agreen@brawley-ca.gov

A selection committee will evaluate, select and recommend a proposal to the City Council. Following the notification of the selected vendor, a recommendation and proposed contract will be prepared for review and approval by the City Council at its **Tuesday, March 15, 2022** meeting.

1.d. Rejection, Property of Proposals, Proposer's Costs and Confidential Material

The City reserves the right without prejudice to reject any or all proposals submitted. During the evaluation process, the City reserves the right, where it may serve the City's best interest, to request additional information or clarifications from proposers, and to allow corrections of errors or omissions. The City reserves the right to retain all proposals submitted and to use any ideas in a proposal regardless of whether that proposal is selected. Proposals become the property of the City and information contained therein shall become public property subject to disclosure laws after Notice of Intent to Award.

Submission of a proposal indicates acceptance by the individual or vendor of the conditions contained in this request for proposals, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the City and the vendor selected. There is no

expressed or implied obligation for the City to reimburse responding vendors for any expenses incurred in preparing proposals in response to this request.

Proposer must notify City in advance of any proprietary or confidential material contained in the proposal and provide justification for not making such material public. City shall have sole discretion to disclose or not disclose such material subject to any protective order which Proposer may obtain.

1.e. Cancellation

This solicitation does not obligate the City to enter into an agreement. The City will endeavor to administer the proposal process in accordance with the terms and dates outlined in this RFP, however, the City reserves the right to cancel, modify the activities, time line, or any other aspect of the process at any time, as deemed necessary by City staff.

1.f. Term of Engagement

It is the intent of the City to contract for body worn cameras presented herein for five fiscal years ending June 30, 2027, with an optional extension based on performance and mutual agreement. Additional years are subject to the satisfactory negotiation of terms, including a price acceptable to both the City and the selected vendor.

The proposal package presented shall be for five years and subject to future negotiation and ratification, if extended. If a lump sum payment for the five-year period would result in savings, then the lump sum option should be presented along with the annual proposed pricing model.

1.g Byrd Anti-Lobbying Amendment 31, U.S.C. § 1352

The City may use federal funds in connection with some or all of this purchase, therefore, contractors who apply or bid for an award of \$100,000.00 or more shall file the required certification, included as Appendix C. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee or any agency, a Member of Congress, officer or employee of Congress, or an employee of a Member of Congress in connection with obtaining any Federal contract, grant, or any other award covered by 31 U.S.C § 1352. Each tier shall also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier up to the recipient who in turn will forward the certification(s) to the awarding agency.

2. COMMUNICATION WITH STAFF, PROPOSAL REQUIREMENTS AND BUDGET

2.a. Communication with Staff

From the date the RFP is issued until a contract is executed, communication regarding this project between potential vendors and individuals employed by the City of Brawley is prohibited. Only written communication with the procurement contact, as listed on page one of this Request for Proposal, is permitted.

Once a determination is announced regarding the selection of a vendor, the Vendor will be permitted to speak with person(s) participating in contract negotiations.

Violation of these conditions may be considered sufficient cause to reject a vendor's proposal and/or selection irrespective of any other condition.

The following exceptions to these restrictions are permitted:

- Contacts made pursuant to any pre-existing contracts or obligations; and

- Presentations, key personnel interviews, clarification sessions or discussions to finalize a contract, as requested by the City of Brawley.

2.b. Proposal Requirements

The Potential Vendors shall provide the appropriate information in sufficient detail to demonstrate that the evaluation criteria has been satisfied as specified. To allow for easier comparison of proposals during evaluation, proposals should contain the following sections and attachments and be arranged in consecutive order.

Executive Summary. This section shall serve to provide the City with the key elements and unique features of the proposal by briefly describing how the Potential Vendor is going to provide the best solution. The Executive Summary should include a schedule of major milestones to accomplish the implementation.

The Executive Summary should also include a list of high risk or problematic areas which were identified during the proposal process that are reasons for concern. Potential Vendor will not be evaluated on this paragraph and cannot lose evaluation points for listing areas of concern. These concerns will be addressed with the successful Vendor during negotiations.

Experience & References. Provide a list of at least three (3) references where you have provided similar goods and services to include name, address, contact name, phone number, number of cameras in use, number of years each has been using your system, and proposed corresponding interfacing systems that will be used by the Department.

Staff Qualifications and Availability. Provide information concerning the experience, background and resumes of those persons who would actually perform work on the project. Indicate the present workload of the project staff to demonstrate their ability to devote sufficient time to meet the proposed schedule.

Conceptual Treatment of Project and Work Plan. Describe in more detail the approach to the project. Include a preliminary project plan that includes Potential Vendor's concept of the project including the methodology to be used, proposed timeline, and the major deliverables to be produced. In addition, the Potential Vendor must provide and specify the roles and responsibilities for the City, Potential Vendor, and any companies providing the video storage solution. Include any assumptions and constraints.

Body Worn Camera Selection and Assessment Tool. All potential vendors must complete and submit this form for review by the Department. See attached Appendix A.

License Agreement, Software Maintenance Agreement and Hosted Agreement and Fees must be provided for review and evaluation by the Department.

Financial Statement. The Potential Vendor must substantiate their financial stability along with the financial stability of any subcontractors. The most recent audited financial statements must be submitted with your bid. Provide a complete written description concerning your past, current, and future financial stability relative to your ability to meet the long-term requirements of this contract. The information should be supported with appropriate documentation, such as a current Dunn & Bradstreet report. The City will exclusively determine financial stability of respondents to this RFP process.

The Potential Vendor should provide, at a minimum, the following financial data:

- Most current audited financial statement including an Income Statement, Statement of Cash Flows and a Balance Sheet (publicly held firms should include quarterly reports since the last annual report);
- Financial information specific to the division within the organization responsible for research, development, marketing and support of the proposed Products and Services;

- Bank references and name of auditing firm; and
- Identification of any and all parent or subsidiaries relationships.

2.c. Budget

A sample Budget Detail Worksheet is included in Appendix B. Vendors that submit their budget in a different format should include the budget categories listed in the sample budget worksheet.

Budget Narrative

The budget narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. Proposed budgets must be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities). Vendors should demonstrate in their budget narratives how they will maximize cost effectiveness of grant expenditures. Budget narratives should generally describe cost effectiveness in relation to potential alternatives and the goals of the project. The narrative should be mathematically sound and correspond with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the vendor estimated and calculated all costs, and how they are relevant to the completion of the proposed project. The narrative may include tables for clarification purposes but need not be in a spreadsheet format.

The Budget Narrative must include the following:

- Unit price for wearable cameras
- Unit price for camera accessories (mounts, collars, etc.)
- Unit price for evidence transfer managers (docking stations)
- Annual price for hardware maintenance and support
- Annual price for software maintenance and support
- Price for hosting storage for immediate access
- Price for hosting archival storage
- Hourly rates for training services

Specifically, the initial order is estimated to be for 21 cameras plus an additional 3 cameras as a back-up option in the event a camera is lost, damaged or stolen. The equipment pricing will be used for purchases of equipment throughout the term of the contract. All yearly maintenance and support fees shall be provided at a "fixed" per year price. Operation of all software and hardware products shall be warranted at no additional cost.

3. EVALUATION AND AWARD CRITERIA**3.a. Evaluation Method**

Proposals will be reviewed by an Evaluation Panel made up of representatives of the City. The Evaluation Panel will select a "short list" of qualified Service Providers who will be formally interviewed and may be requested to provide a formal demonstration to the City. The contract will be awarded to the Potential Vendor whose proposal the City determines, in its sole discretion, is the most advantageous to the City and in the City's best interest. Evaluations will be based on the required criteria listed, and qualitative evaluation will also be based on the evaluation criteria set forth in section 3.b.

3.b. Evaluation Criteria

The proposals will be evaluated and ranked in accordance with the evaluation criteria described below.

Overall cost to City and ability to guarantee pricing for contract period	30 points
Ability to meet the requirements of the RFP Scope of Services	25 points
Maintenance, training, support offering and ease of solution's use	25 points
Acceptance of City's RFP Terms and Conditions	20 points

Discussions will be conducted with the most qualified bidders for the purpose of clarification to assure the full understanding of, and conformance to, the solicitation requirements.

4. CAMERA AND SOFTWARE CONSIDERATIONS**4.a. Camera Characteristics**

- Maximum total combined weight of device to be worn by officers, in ounces
- Minimum recording capability on a single battery charge, in hours
- Minimum storage capacity on the device, in hours
- Minimum sustained stand-by battery life without recharging, in hours
- Recording indicator visible to the operator
- Ability for the officer/operator to turn the recording indicator off and on
- Minimum field of vision, in degrees
- Low light functionality similar to the human eye
- Ability to disable night vision function,
- Ability to transfer camera between multiple locations on the body
- Maximum number of wire or cable connections for the worn device
- Auto-tagging function for date/time, including hours, minutes, and seconds
- Additional product literature

4.b. Display and Access

- Ability to view the video in the field
- Presence of enhanced user authentication
- Existence of a log showing users that have viewed and copied the video
- Ability to set and control the length of video retention by the System Administrator
- Identified management of account administration
- Ability to support multiple concurrent user log-ins
- Existence of customized search criteria
- Built in audio and video redaction capability
- Customizable logs/reports

4.c. Technical Capabilities

- Capability with existing Department software

[NOTE: For additional camera criterion, see 'Body Worn Cameras for Criminal Justice: Market Research', NIJ 2014. <https://www.justnet.org/pdf/Body-Worn-Camera-Market-Survey-508.pdf>]

4.d. System Warranty

- Minimum warranty for all patches, hardware, and software with option to extend warranty
- Articulated Return Material Authorization process
- Maximum time allowed for replacement of inoperable equipment by the vendor

4.e. Qualifications and Experience

- The Potential Vendor shall provide a history of the business including the date established, the type of ownership or legal structure of the business (sole proprietor, partnership, corporation, etc.), the length of time that the firm has been operating as the legal entity, and the length of time the firm has been providing the requested service.
- The Potential Vendor shall list the proposed key members of staff to be assigned to the City's contract including their roles and estimated participation in delivering the services.
- The Potential Vendor shall disclose and explain any litigation, threatened litigation, investigation, reorganization, receivership, filing, strike, audit, corporate acquisition, unpaid judgments or other action that could have an adverse impact on their ability to provide the required needs.
- The Potential Vendor shall disclose and explain whether they have been unable to complete a contract, been removed from a contract, or been replaced during a contract period in the past five years.
- If selected, Vendor, and any of their employees who work with the video system, must agree to submit and pass a criminal background check.

4.f. Storage

- Ability to export video in an industry standard file format
- Acknowledgment that all data is property of the city and must be made available at no additional cost
- Storage solution compliance with law enforcement Criminal Justice Information Services (CJIS) data protection and transport (i.e. SSL) standards. No external party-initiated connections will be allowed. The storage facility must be located within the United States (lower 48) including data storage for disaster recovery (DR) solutions. *[NOTE: For additional information on CJIS standards, please see <https://www.fbi.gov/about-us/cjis/cjis-security-policy-resource-center>.]*
- Clear indication of storage costs, equipment replacement costs, and cloud transactions costs. Disclosure of all additional costs.
- Ability to export audit trail along with video, including redactions. Identified scope of audit trail.
- Identified data integrity.
- Capability to produce digitally authenticated duplicates.

4.g. Technical Component

- Ability to index data, e.g. officer name, serial number, date/time of recording, report number, and type of crime.
- Ability to automatically integrate with CAD systems and list or identify supported CAD vendors.
- Identified technical support and assistance that will include, but not be limited to the following; devices worn by police personnel, docking/charging stations, networking equipment, WAN/LAN connectivity, system software, system upgrades, and video retrieval software and procedures.
- Identified areas of expertise and resources available both nationally and locally to provide the requested services.
- Described process for video uploading
- Supported integration system to support integration for the backup of data (including video and database with audit logs) for data integrity in the event of corruption or malware.
- Supported local backend infrastructure in addition to CJIS compliant cloud storage with the ability to migrate in either direction at the discretion of the police department.

5. DESCRIPTION OF THE GOVERNMENT**4.a. Background Information**

The City of Brawley is located on the southeastern region of the State of California, in the center of the Imperial County. Although the region is a desert with arid conditions, it is also one of the most fertile agricultural areas in the United States. This is possible through water provided by the All American Canal from the nearby Colorado River in addition to an intricate system of canals throughout the region.

The City was incorporated on April 6, 1908, as a general law city which operates under the council/manager form of government. The City is governed by a five-member City Council. Council members serve for a period of four years on staggered schedules. Every year, the City Council selects a Mayor from its members to serve for a one-year term. The Brawley City Council hires a City Manager to act as the chief administrator for the City's day to day operations.

The City is a full-service city. Services provided include police, fire, street maintenance, parks, recreation, library, water, sewer, solid waste, airport, housing, planning, building inspection, and general administrative services.

The City contracts with other government agencies and organizations for specific services, including electricity service, refuse collection, public transit, and street sweeping.

Brawley's operating budget in fiscal year 2021/22 is approximately \$42.1 million for all its funds combined. The City's General Fund budget is approximately \$17.3 million.

6. SCHEDULE OF EVENTS

EVENT		DATE
1.	Release Request for Proposal	Tuesday, December 7, 2021
2.	Deadline to submit written questions	Friday, December 31, 2021
3.	Deadline for receipt of proposal	Friday, January 7, 2022 by 5:00PM
4.	Evaluation Period	Monday, January 10 to Friday, January 28, 2022
5.	Final recommended selection	Monday, January 31 to Friday, February 11, 2022
6.	Contract Negotiations	Starting on Monday, February 14, 2022
7.	Tentative contract award date	Tuesday, March 15, 2022



Brawley Police Department

Jimmy Duran

Chief of Police

Camera Selection and Assessment



SYSTEM QUESTIONS

If you would like multiple solutions considered, please submit one form for each proposed solution.

No.	Question	Vendor Response	Cost of Any Modification
General Requirements			
1.0 PHYSICAL ASPECTS			
1.1	What is the Model Number and Name of the Body Worn Camera (BWC) which you are proposing?		
1.2	Describe and Explain the BWC mounting options (e.g., Head, Chest, Glasses, Helmet, Various).		
1.3	Identify optional mounting locations and devices w/costs required to use the optional mounting location.		
1.4	What is the weight of the device?		
1.5	What are the dimensions of the device?		
1.6	How is the battery recharged?		
1.7	Is the device instant-on with battery replacement?		
1.8	Describe the field serviceability of the replaceable battery.		
1.9	How long does it take for the battery to recharge?		
1.10	Is there a battery charge indicator light? If so, please describe.		
1.11	Is there a back-up battery in the event that the primary battery fails? If so, please describe.		
1.12	Is there a visual indicator of active Recording? If so, please describe.		
1.13	Describe the in-field playback capabilities and the user interface (audio and visual).		
1.14	What is your certified International Protection Rating for Dust and Water protection?		
1.15	What is your certified drop test rating per Mil Standard 810?		



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1.16	Describe any restrictions on downloading or uploading data outside of the formal process.		
1.17	Does the proposed device allow for expanded optional memory? If so, describe the process to upgrade the memory.		
2.0 EQUIPMENT PERFORMANCE			
	Video Resolution and Frame Rate		
2.1	*Recording frame rate at 60 frames preferred second (fps) is required. Please describe any deviation from this.		
2.2	What is your maximum resolution for recording at 60 fps?		
2.3	Please define your maximum camera resolution.		
2.4	Does your video recording comply with H.264 video compression standards? If not, please describe the proposed equipment standard.		
2.5	Field of View		
2.6	Please list the field of view specification and describe how it balances depth versus breadth.		
2.7	Does the unit have the ability to capture still photo? If yes, at what Megapixel?		
2.8	Does the unit apply date and time stamp? Identify the format.		
2.9	Describe GPS marking capabilities and attributes.		
2.10	Operational time and Storage capacity of (12) hours continuous at highest video resolution and frame rate available per device is required. Describe any deviation from this. *please note resolution and frame rate in response		
2.11	What is the Lux rating (to what lux operational scale?)		
2.12	Please describe night mode; distance, clarity and field of view.		
2.13	Does the camera capture 30 Seconds pre-event record?		



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2.14	What capabilities exist to prevent deletion or modification of any captured video locally (on the device)?		
2.15	Is there functionality to allow for event marking at any time during recording? Please describe.		
3.0 APPLICATION PERFORMANCE			
3.1	Describe the functionality of the proposed application.		
3.2	How is the application deployed and supported? Is it an on premise or cloud application or a hybrid?		
3.3	How often is the application upgraded? Please describe the upgrade process.		
3.4	Describe how the video content is moved from the BWC to the application repository.		
3.5	Will the proposed application support the management of uploaded video from other recording sources? (Will the application allow import, playback and editing of other video formats?)		
3.6	System must have 24x7 help / support services available. Please describe any deviations from this.		
3.7	Describe security access and permissions. Is it granular enough to segregate / limit access to video content data? Please describe how your application accomplishes this.		
3.8	Where is the data stored (video, audio and metadata)?		
3.9	How is the data backed up?		
3.10	System must support an enterprise-wide single sign-on user authentication process that allows individual users to log-on to different systems with one global user ID and password. Please describe how you accomplish this.		
3.11	What capabilities exist to set retention periods for data storage and can this be managed by system administrators.		
3.12			



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3.13	System should be certified to National Standards. What certifications does your system have?		
3.14	System must be compatible with current web browsers (Chrome, Firefox, Safari, Internet Explorer) to access system functions and ensuring security of the system and data. Please describe your approach to browser compatibility.		
3.15			
3.16	Video clearinghouse methodology -- how does the application/process prevent flooding the network with uploading requests?		
3.17	Are there restrictions on the number of simultaneous uploads?		
3.18	Please describe any performance metrics		
3.19	What are the bandwidth requirements for one unit downloading the maximum video capacity?		
3.20	Describe any attributes of your system that allow for download management.		
3.21	Does your software allow video marking with searchable metadata?		
3.22	Please describe redaction capabilities within the software, if any.		
3.23	What capabilities exist to audit system access and modifications? Please describe the chain of custody abilities to determine who has accessed, viewed, edited or copied data.		
4.0 Training and Implementation			
4.1	Vendor must train all staff on-site. Staff consists of: Maximum of ___ Officers, ___ Command Staff, ___ Administrators. Please describe your approach to training.		
4.2	System must have system administrators trained by vendor on-site for how to do configurations, user permissions, etc. Please describe your approach to admin training.		



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4.3	System must have Vendor provided training on Quality Control through audit trail. Please describe your approach.		
4.4	System Vendor must provide training on how the system produces customized, ad-hoc, aggregate reports.		
5.0 Contract Terms and Conditions			
5.1	Please provide a sample contract.		
5.2	Please describe our data rights and how we would retrieve our data and information in the event of our relationship being terminated.		
5.3	Please provide a cost summary and itemization. Include the cost of any modifications.		
5.4	If a cloud solution, please describe CALEA and CJIS compliance for both the application and hosting. Please describe any other compliance		
5.5	Please describe the length of contract you are proposing and how replacements and upgrades will be handled.		
5.6	Describe the equipment refresh contracts available; i.e. Lease, hardware maintenance, warranty, etc		
5.7	Please describe how the contract will be structured to allow for expansion of additional units or to other law enforcement entities.		
5.8	Will the company send legal representation to present in a legal case in the event there is a lawsuit pertaining to use and application of the BWC?		

**Brawley Police Department Body Worn Camera Procurement
Budget Detail Worksheet**

Purpose: The Budget Detail Worksheet may be used as a guide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

A. Hardware--Itemize each piece of hardware equipment necessary for body-worn camera program implementation and show basis for computation. Generally, include any materials that are expendable or consumed during the course of the project.

Hardware Items	Computation		Cost
	Quantity	Unit Price	
Wearable Cameras			\$0.00
Accessories (collar, epaulette, etc.)			\$0.00
Evidence Transfer Manager (docking station)			\$0.00
Hardware Maintenance & Support- Yr2 and Yr3			\$0.00
Hardware Maintenance & Support- Yr4 and Yr5			\$0.00
Subtotal Hardware			\$0.00

B. Software--Itemize each piece of software equipment necessary for body-worn camera program implementation and show basis for computation. Generally, include any materials that are expendable or consumed during the course of the project.

	TOTAL
Software Maintenance & Support- Yr2 and Yr3	\$0.00
Software Maintenance & Support- Yr4 and Yr5	\$0.00
Hosting Storage --immediate access	\$0.00
Hosting Storage --cold storage Tier 2 Archival storage	\$0.00
Subtotal Software	\$0.00
Total Hardware and Software	TOTAL \$0.00

C. Services-- Please provide information on costs associated with the body-worn camera program implementation including (but not limited to): training activities, additional storage, etc. Show basis for computation. Generally, include any additional services or fees that are incurred during the course of the project.

	Quantity	Unit Price	
Training Program			\$0.00
End Users -- Train the Trainer			\$0.00
System Administrator			\$0.00
Fixed Labor Rates for additional training			\$0.00
Evidence Transfer via Wireless Solution			\$0.00
Additional Storage			\$0.00
Subtotal Services			\$0.00

Budget Summary--When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

Budget Category	Amount
A. Hardware	\$0.00
B. Software	\$0.00
C. Services	\$0.00
TOTAL PROJECT COSTS	\$0.00

APPENDIX C

44 C.F.R. PART 18 – CERTIFICATION REGARDING LOBBYING Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

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

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

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

Signature of Contractor's Authorized Official

Name and Title of Contractor's Authorized Official

Date