



## JOINT HPD-NYSERDA Future Housing Initiative for New Construction, Round #2, 2024

*No communication intended to influence this procurement is permitted except by contacting (Patrick Whitford) (Designated Contact) at (646) 584-1281 or by e-mail [futurehousinginitiative@nyserda.ny.gov](mailto:futurehousinginitiative@nyserda.ny.gov) (for technical questions). If you have contractual questions concerning this solicitation, contact Gregory Frank at [gregory.frank@nyserda.ny.gov](mailto:gregory.frank@nyserda.ny.gov). Contacting anyone other than the Designated Contacts (either directly by the proposer or indirectly through a lobbyist or other person acting on the proposer's behalf) in an attempt to influence the procurement: (1) may result in a proposer being deemed a non-responsible offerer, and (2) may result in the proposer not being awarded a contract.*

### Program Description

#### 1. Overview:

**The Future Housing Initiative** will provide owners and developers of multifamily projects being financed through HPD New Construction Programs an opportunity to receive additional NYSERDA Incentives to fund the construction of high-performance all-electric multifamily buildings that will achieve Passive House Certification. The Program will have two application rounds. Round Two, which will grant a total of \$5.8 million, is outlined in this document.

**Eligibility:** The Future Housing Initiative will be open to projects in HPD's New Construction Pipeline that are closing by December 31<sup>st</sup>, 2026. Projects slated to close prior to December 2024 or that are subject to Uniform Land Use Review Process (ULURP) and have not started the ULURP Review Process will not be considered eligible for Round #2 of FHI. Projects will be competitively selected through an application review process.

### Funding:

Table 1: Incentive Cap (\$/DU)

Base Funding	"Boost" Funding, if eligible	Maximum Potential Incentive
\$7,000	\$2,000	\$9,000

Up to \$9,000 per dwelling unit is available to a select number of projects that can demonstrate a financing gap to achieve the program's performance goals. Funding will be capped at a maximum of \$1,500,000 per project. Projects may use incentives to cover both hard and soft costs.

NYSERDA reserves the right to exceed the stated maximum per project cap for specific projects on a case by case at its sole discretion, based upon availability of funds and a project showing a gap between the maximum per project cap and the incentive required to hit program goals.

## 2. Background:

HPD is committed to working toward the City's goals of carbon neutrality by 2050, while focusing on the resiliency and health of our buildings and our residents. To achieve these goals, while building capacity for our internal and external stakeholders, HPD has partnered with NYSERDA to pilot a streamlined approach for incorporating clean energy incentives and technical assistance to support the development of highly efficient, all-electric new construction projects. The selected project team will be required to directly provide data to HPD and NYSERDA on projected and actual performance and incremental costs related to Passive House/all-electric construction.

## 3. Funding Description:

A **total of \$5.8 million** will be available to projects in HPD's New Construction Pipeline that will close by December 31, 2026. Projects will be reviewed and scored by NYSERDA and HPD and will be selected based on the evaluation criteria outlined in this document. Incentive levels will be based on the project's demonstrated need but cannot exceed the per-dwelling unit and per-project amounts outlined below.

Once selected, the project team will work with a NYSERDA funded Technical Assistance Provider (TAP) to ensure the project complies with the HPD FHI Program Requirements. This provider **DOES NOT** replace the project's energy, Passive House or design team consultants. The Technical Assistance Provider will assist in:

- a. Supporting an integrated design process for Passive House, all-electric construction; integrated design is required for FHI projects.
- b. Providing technical guidance, as needed, to project teams new to Passive House and/ or all-electric new construction.
- c. Utility data analysis and other Measurement and Evaluation for two years post lease up.
- d. Benchmarking as outlined in the regulatory agreement.

### Boost Criteria:

Projects that meet any of the following "Boost Criteria" can receive an additional \$2,000 per dwelling unit (total incentives up to \$9,000 per dwelling unit).

Boost Criteria for difficult to develop projects (up to \$2,000 additional per dwelling unit):

- Project is prevailing wage.
- Owner/developer has not completed a certified multifamily Passive House project in NYC or in a similar climate zone at the time of application.

#### 4. Program Requirements

All projects must be able to meet the below program requirements and must indicate their ability to do so in Attachment A, Program Requirements. Any project who fails to complete Attachment A, or who answers “No” to any question in Attachment A will be deemed ineligible and their application will not be reviewed by the Scoring Committee.

1. Projects must be currently accepted into HPD’s New Construction Pipeline (with an HPD Project #ID provided in FHI application). If a project is not currently accepted into HPD’s New Construction Pipeline, it will be deemed ineligible and will not be reviewed by the Scoring Committee.
2. Projects must meet ONE of the following below:
  - a. Project design complies with the Future Housing Initiative scope and has a gap in funding.
  - b. Project requires an enhanced design to meet the Future Housing Initiative scope that would result in a funding gap.
3. Projects must demonstrate a funding need in achieving the Future Housing Initiative scope.
4. Projects must commit to applying for and recognizing as a source all applicable tax, utility and solar incentives that can be combined with Future Housing Initiative incentives. All incentives and tax benefits shall be included in the project application. Benefits and/or incentives can be estimates, as applicable.
5. Projects must close before December 31<sup>st</sup>, 2026. Projects must be able to complete any necessary redesign and any other work needed to achieve FHI Scope requirements prior to closing (3 months prior to closing recommended as minimum time to complete FHI program depending, additional time required if project requires redesign).
6. Applicable projects must have started their Uniform Land Use Review Process (ULURP). Applicants will need to provide documentation (see in Application documents) indicating ULURP review status as part of their application.
7. A project must be, or be capable of and intend to be, a New York State electricity distribution customer of a participating utility company that pays into **the System Benefits Charge (SBC)**.
8. The development team commits to directly provide data to HPD, NYSERDA, and technical consultants on projected and actual performance and incremental costs related to high-performance/all-electric construction.
9. Incentivized scope items are not subject to LL154 (all electric systems in New Construction) or any other codes and regulations pertaining to required FHI scope items.

#### 5. Project Evaluation Criteria:

Projects will be evaluated by a scoring committee comprised of HPD and NYSERDA staff. Projects will be equally scored on the following evaluation criteria:

1. Project Scope & Feasibility:
  - a. Projects will be evaluated on the technical feasibility of the presented scope of work to be implemented within the project’s stated timeline and budget.
  - b. Projects will be evaluated based on their estimated timelines and progress vis-a-vis objective processes or milestones (BLDS process, DOB approval, 9% tax

credit status)

2. Budget & Cost Effectiveness:

- a. Is the funding requested appropriate relative to the scope and is it reasonable?
- b. Has there been a clear demonstration of need related to the funding amount requested?
- c. For projects with a remaining funding gap after FHI incentives, what is the quality & feasibility of the strategy to fill this gap?
- d. Projects must be able to justify the basis for Budget & Cost Effectiveness estimates and data provided in the Application.

3. Design Strategies and Technologies:

- a. Does the project include strategies to reduce energy usage and meet or exceed program requirements using repeatable, proven, and/or defensible approaches and technologies?
- b. Is the project proposing to use cutting edge technologies and/or unique approaches to reduce energy usage and meet or exceed program requirements?
- c. Does the project present strategies to reduce energy usage using cost effective and/or passive techniques?

4. Populations & Market Impact:

- a. The project's anticipated impact on the tenants and the community, the project's impact on market uptake for high-performance design, and the project's ability to build capacity across the organizations involved in the project.
- b. Experience of the project team, including their experience with Passive House and electrification scopes.
- c. How will funding this project build capacity for the organizations involved in this project to design and build Passive House projects in the future?
- d. Have all questions and application fields been answered and are responses relevant, detailed, and clear?

## 6. Future Housing Initiative Scope and Project Requirements (FHI Scope):

*All-Electric, Passive House Level Performance:*

The goal of the Future Housing program is to build **all-electric, high performance affordable housing**. This means that projects exclude fossil fuels from all building systems and equipment and are designed and constructed with a highly energy efficient building shell. Projects that rely on a fossil fuel-fired generator for emergency use only may qualify if fossil fuel use is excluded from all other building systems and equipment. HPD, at its sole direction, will consider exceptions to the all-electric rule on a limited, case-by-case basis based on technical infeasibility.

*The Future Housing Initiative Specifically Requires:*

To demonstrate compliance as all-electric with Passive House levels of performance, participating projects must:

- 1) Design **AND** certify under one of the Passive House programs below:
  - PHI Classic
  - Phius+ 2018 Core or Phius+ 2021
  - Phius Prescriptive

Note: All projects must pre-certify to a Passive House standard. However, projects that design and test to a Passive House standard but fail to certify after verification testing will still be able to invoice for the full amount of the awarded incentive so long as the following criteria have been met:

- Install all Future Housing Initiative scope items
- Complete all verification testing outlined in Passive House certification requirements
- Provide details of finalized energy model
- Receive confirmation from NYSERDA TAP that a “Good Faith” effort was made to certify.

2) Include **ALL** of the following in the project scope:

- Electric high-performance heat pumps for space heating, cooling and domestic hot water
  - i. See HPD Technical Requirements ([on HPD webpage](#)) for minimum performance requirements.
- Energy Recovery Ventilation (ERV) meeting Passive House requirements.
- High-performance electric laundry equipment as defined below:
  - i. All clothes washing machines must be ENERGY STAR labeled.
  - ii. All in-unit clothes dryers must be ENERGY STAR labeled heat pump type.
  - iii. All central residential (non-commercial) dryers must be ENERGY STAR labeled heat pump type.
  - iv. All central commercial dryers must be electric, either heat pump or traditional electric. If the latter, units must have demand control exhaust and make-up air without the use of electric resistance tempering of make-up air.
- Provide a building operations and maintenance manual for all HVAC and domestic hot water equipment. This should include but not be limited to maintenance requirements, training resources, control setpoints, and sequence of operations.
- Provide a resident manual for all in-unit systems and appliances. This should include but not be limited to clear and simple operating instructions, recommended setpoints, and guidance on repair and service requests.
- The development team will consent to participating in publicly available case studies, including but not limited to release of project photos and cost/ performance data.

## 7. Exceptions and Exemptions of the Use of Funds:

Projects selected for Future Housing Initiative funding may not receive funding from the following programs: HCR's Clean Energy Initiative, NYSERDA Building of Excellence.

Projects with Ground Source Heat Pumps (GSHP) are required to comply with the [NYS Clean Heat](#) Program Requirements and apply for and receive all applicable Clean Heat Incentives, if available. If Clean Heat Incentives are obtained, these incentives must be recognized within the construction cost estimate and the project budget.

Other NYSERDA programs, such as but potentially not limited to, the following programs shall be considered to be acceptable to use in conjunction with this award: [Real Time Energy Management Program \(RTEM\)](#), Charge Ready NY, and [NY Sun](#). Projects may also be eligible to receive federal or state tax credits for some aspects of their project. HPD requires project teams to research and apply for all applicable eligible funding programs.

## 8. How to Apply:

Email all application materials to [futurehousinginitiative@nyserda.ny.gov](mailto:futurehousinginitiative@nyserda.ny.gov). By July 10th, 2024. Application must include:

1. Submit a Soft Commitment Letter from HPD Program.
2. Completed Attachment A - Program Requirements Checklist (can be found on HPD FHI webpage)
3. Completed Attachment B - Disclosure of Prior Findings of Non-responsibility Form (attached to this document)
4. Completed Attachment C - Certification Under Executive Order No. 16 (attached to this document)
5. Complete the Future Housing Initiative Program Application which includes multiple tabs.
6. Submit at least 3 renderings or other descriptive images showing building massing and facades, plus 1 building section.
7. Please feel free to submit any additional drawings and/or supporting documents that would be helpful in illustrating how this project will be successful in meeting the FHI requirements. If these files will result in a submission greater than 10 megabytes, please do not send by email but provide a cover memo and link to download the files in your application package.
8. Submit a signed contract with a licensed or certified professional who is able to certify the project as Passive House.
9. Documentation of ULRUP Review status, if applicable.

Applications must be consolidated into a zip file of no larger than 10 megabytes, and named: FutureHousing\_ProjectName\_HPDI

## 9. General Conditions

**Proprietary Information** - Careful consideration should be given before confidential information is submitted to NYSERDA/HPD as part of your proposal. Review should include whether it is critical for evaluating a proposal, and whether general, non-confidential information, may be adequate for review purposes. The NYS Freedom of Information Law, Public Officers law, Article 6, provides for public access to information NYSERDA possesses. Public Officers Law, Section 87(2)(d) provides for exceptions to disclosure for records or portions thereof that "are trade secrets or are submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise." Information submitted to NYSERDA that the proposer wishes to have treated as proprietary, and confidential trade secret information, should be identified and labeled "Confidential" or "Proprietary" on each page at the time of disclosure. This information should include a written request to except it from disclosure, including a written statement of the reasons why the information should be excepted. See Public Officers Law, Section 89(5) and the procedures set forth in 21 NYCRR Part 501 <https://www.nyserda.ny.gov/-/media/Project/Nyserda/Files/About/Contact/NYSERDA-Regulations.ashx>. However, NYSERDA cannot guarantee the confidentiality of any information submitted.

**Omnibus Procurement Act of 1992** - It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority- and women-owned business enterprises, as bidders, subcontractors, and suppliers on its procurement Agreements.

Information on the availability of New York subcontractors and suppliers is available from:

Empire State Development  
Division for Small Business  
625 Broadway  
Albany, NY 12207

A directory of certified minority- and women-owned business enterprises is available from:

Empire State Development  
Minority and Women's Business Development Division  
625 Broadway  
Albany, NY 12207

**State Finance Law sections 139-j and 139-k** - NYSERDA is required to comply with State Finance Law sections 139-j and 139-k. These provisions contain procurement lobbying requirements which can be found at <https://online.ogs.ny.gov/legal/lobbyinglawfaq/default.aspx>. Proposers are required to submit a completed Attachment B with proposal submission, which will include making required certification under the State Finance Law and to disclose any Prior Findings of Non-Responsibility (this includes a disclosure statement regarding whether the proposer has been found non-responsible under section 139-j of the State Finance Law within the previous four years).

**Contract Award NYSERDA/HPD** anticipate making multiple awards under this solicitation. NYSERDA anticipates a contract duration of five years, unless NYSERDA management determines a different structure is more efficient based upon proposals received. A contract may be awarded based on initial applications without discussion, or following limited discussion or negotiations pertaining to the Statement of Work. Each proposal should be submitted using the most favorable cost and technical terms. NYSERDA may request additional data or material to support applications. NYSERDA may at its discretion elect to extend and/or add funds to any project funded through this solicitation. NYSERDA expects to notify applicant by the end of Q3 2024 weeks whether your application has been selected to receive an award. Upon receipt of this notification, a proposer can request to schedule a debrief on the selection process and the strengths and weaknesses of its proposal by contacting the contact listed in the solicitation. NYSERDA may decline to contract with awardees that are delinquent with respect to any obligation under any previous or active NYSERDA agreement.

**Limitation** - This solicitation does not commit NYSERDA to award a contract, pay any costs incurred in

preparing a proposal, or to procure or contract for services or supplies. NYSERDA reserves the right to accept or reject any or all proposals received, to negotiate with all qualified sources, or to cancel in part or in its entirety the solicitation when it is in NYSERDA's best interest. NYSERDA reserves the right to disqualify proposers based upon the results of a background check into publicly available information or the presence of a material possibility of any reputational or legal risk in making of the award.

**Disclosure Requirement** - The proposer shall disclose any indictment for any alleged felony, or any conviction for a felony within the past five years, under the laws of the United States or any state or territory of the United States and shall describe circumstances for each. When a proposer is an association, partnership, corporation, or other organization, this disclosure requirement includes the organization and its officers, partners, and directors or members of any similarly governing body. If an indictment or conviction should come to the attention of NYSERDA after the award of a contract, NYSERDA may exercise its stop-work right pending further investigation or terminate the agreement; the contractor may be subject to penalties for violation of any law which may apply in the particular circumstances. Proposers must also disclose if they have ever been debarred or suspended by any agency of the U.S. Government or the New York State Department of Labor.

**Vendor Assurance of No Conflict of Interest or Detrimental Effect** - The proposer shall disclose any existing or contemplated relationship with any other person or entity, including any known relationships with any member, shareholders of 5% or more, parent, subsidiary, or affiliated firm, which would constitute an actual or potential conflict of interest or appearance of impropriety, relating to other clients/customers of the proposer or former officers and employees of NYSERDA, in connection with proposer's rendering services as proposed. If a conflict does or might exist, please describe how your company would eliminate or prevent it. Indicate what procedures will be followed to detect, notify NYSERDA of, and resolve any such conflicts.

The proposer must disclose whether it, or any of its members, or, to the best of its knowledge, shareholders of 5% or more, parents, affiliates, or subsidiaries, have been the subject of any investigation or disciplinary action by the New York State Commission on Public Integrity or its predecessor State entities (collectively, "Commission"), and if so, a brief description must be included indicating how any matter before the Commission was resolved or whether it remains unresolved.

**Public Officers Law** – For any resulting awards, the Contractor and its subcontractors shall not engage any person who is, or has been at any time, in the employ of the State to perform services in violation of the provisions of the New York Public Officers Law, other laws applicable to the service of State employees, and the rules, regulations, opinions, guidelines or policies promulgated or issued by the New York State Commission on Ethics and Lobbying in Government, or its predecessors (collectively, the "Ethics Requirements"). Proposers are reminded of the following Public Officers Law provision: contractors, consultants, vendors, and subcontractors may hire former NYSERDA employees. However, as a general rule and in accordance with New York Public Officers Law, former employees of NYSERDA may neither appear nor practice before NYSERDA, nor receive compensation for services rendered on a matter before NYSERDA, for a period of two years following their separation from NYSERDA service. In addition, former NYSERDA employees are subject to a "lifetime bar" from appearing before any state agency or authority or receiving compensation for services regarding any transaction in which they personally participated, or which was under their active consideration during their tenure with NYSERDA.

Any awardee will be required to certify that all of its employees, as well as employees of any subcontractor, whose subcontract is valued at \$100,000 or more who are former employees of the State and who are assigned to perform services under the resulting contract, shall be assigned in accordance with all Ethics Requirements. During the term of any agreement, no person who is employed by the contractor or its subcontractors and who is disqualified from providing services under the contract pursuant to any Ethics Requirements may share in any net revenues of the contractor or its subcontractors derived from the contract. NYSERDA may request that contractors provide it with whatever information the State deems appropriate about each such person's engagement, work cooperatively with the State to solicit advice from the New York State Commission on Ethics and Lobbying in Government, and, if deemed appropriate by the State, instruct any such person to seek the opinion of the New York State Commission on Ethics and Lobbying in Government. NYSERDA shall have the right to withdraw or withhold approval of any subcontractor if utilizing such subcontractor for any work performed would be in conflict with any of the Ethics Requirements. NYSERDA shall have the right to terminate any contract at any time if any work performed is in conflict with any of the Ethics Requirements.

**Due Diligence** – NYSERDA, at its discretion, may conduct broad due diligence to validate any or all



elements of an application and to assess applicants' prospects of success, including gathering information to assess a proposal relative to any of the topics listed in evaluation criteria, whether or not such topic is explicitly addressed in a proposal. NYSERDA may conduct due diligence on some or all proposals based on NYSERDA's current guidelines at the time of a review. NYSERDA staff may follow up with proposers to request additional information or clarification regarding applicant's proposal, including questions regarding applicant's business prospects and resources, whether or not those questions are specifically related to the elements of the proposal. Additionally, customized due diligence may be conducted by internal or external staff or contractors based on questions on any proposal raised by NYSERDA staff and/or the Scoring Committee. Due diligence may include (but is not limited to): interviews of independent references and background checks of team members; assessment of prior business experience of any team member associated with a proposal; research on intellectual property claims; customer and partner reference checks; market research on the applicants' target market and any other related or possibly competitive technology or market area; research to validate any assumptions on current or future revenues, costs, capital needs, and financing prospects for proposers' business, including similar (or unrelated) technologies, processes, or competitive solutions; or any other research that could reasonably inform the evaluation of a proposal, or the prospects for commercial success of the proposers' business (whether directly related to, or unrelated to the specific elements in a proposal). Due diligence may include discussions with proposers' former and current business partners, employees, investors, customers, and competitors. Due diligence may be conducted by NYSERDA personnel or contractors including members of the scoring committee, before, during, or after a scoring process, and prior to finalization of a contract award, any information gleaned in diligence may be used to score or re-score a proposal or apply a program policy factor.

**EO 16 Protocols** – Pursuant to Executive Order No. 16 issued on March 17, 2022, all vendors responding to bids or contracting with New York State must certify, using the form as Attachment C provided as part of this solicitation, their status with regard to conducting business operations in Russia, and that any such business operations in Russia conducted on behalf of the vendor are determined to be permitted under any of the allowable exemptions. The term vendor is intended to encompass bidders prior to contract award, contractors who have received a contract award, contract assignees, or contractors for whom an extension to an existing contract is being pursued. Exemption decisions are in NYSERDA's sole discretion and are final decisions. NYSERDA reserves the right to solicit additional materials or information regarding the responses or materials provided by a vendor.

Pursuant to Executive Order No. 16, all vendors will be vetted to ensure that they are not on the federal sanctions list at <https://sanctionssearch.ofac.treas.gov/>. There is no waiver or exemption process for vendors appearing on the federal sanctions list.

The Executive Order remains in effect while sanctions imposed by the federal government are in effect. Accordingly, vendors who may be excluded from award because of current business operations in Russia are nevertheless encouraged to respond to solicitations to preserve their contracting opportunities in case sanctions are lifted during a solicitation, or after award in the case of some solicitations.

**Attachment B**  
**Disclosure of Prior Findings of Non-responsibility Form**  
**(Mandatory)**

Name of Individual or Entity seeking to enter the procurement contract:		
Address:		
Date:		
Solicitation or Agreement Number: <b>N/A</b>		
Name and Title of Person Submitting this Form:		
Has any Governmental Entity made a finding of non-responsibility regarding the Individual or Entity seeking to enter the Procurement Contract in the last four years? (Please indicate with an "X")		Yes
		No
Was the basis for the finding of non-responsibility due to a violation of §139-j of the State Finance Law? (Please indicate with an "X")		Yes
		No
Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please indicate with an "X")		Yes
		No
If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below.		
Government Agency or Authority:		
Date of Finding of Non-responsibility:		
Basis of Finding of Non-responsibility: (Add additional pages as necessary)		

Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named Individual or Entity due to the intentional provision of false or incomplete information? (Please indicate with an "X")		Yes
		No
If you answered yes, please provide details below.		
Government Agency or Authority:		
Date of Termination or Withholding of Contract:		
Basis of Termination or Withholding: (Add additional pages as necessary)		
<p>Offerer certifies that all information provided to NYSERDA with respect to State Finance Law §139-k is complete, true, and accurate.</p> <p>By: _____ Date: _____</p> <p style="text-align: center;">Signature</p> <p>Name: _____ Title: _____</p>		

## **Certification Under Executive Order No. 16 Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia**

Executive Order No. 16 provides that “all Affected State Entities are directed to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia.” The complete text of Executive Order No. 16 can be found [here](#).

The Executive Order remains in effect while sanctions imposed by the federal government are in effect. Accordingly, vendors who may be excluded from award because of current business operations in Russia are nevertheless encouraged to respond to solicitations to preserve their contracting opportunities in case the sanctions are lifted during a solicitation or even after award in the case of some solicitations.

As defined in Executive Order No. 16, an “entity conducting business operations in Russia” means an institution or company, wherever located, conducting any commercial activity in Russia or transacting business with the Russian Government or with commercial entities headquartered in Russia or with their principal place of business in Russia in the form of contracting, sales, purchasing, investment, or any business partnership.

Is Vendor an entity conducting business operations in Russia, as defined above? Please answer by checking one of the following boxes:

- ☐ 1. No, Vendor does not conduct business operations in Russia within the meaning of Executive Order No. 16.
- ☐ 2.a. Yes, Vendor conducts business operations in Russia within the meaning of Executive Order No. 16 but has taken steps to wind down business operations in Russia or is in the process of winding down business operations in Russia. (Please provide a detailed description of the wind down process and a schedule for completion.)
- ☐ 2.b. Yes, Vendor conducts business operations in Russia within the meaning of Executive Order No. 16 but only to the extent necessary to provide vital health and safety services within Russia or to comply with federal law, regulations, executive orders, or directives. (Please provide a detailed description of the services being provided or the relevant laws, regulations, etc.)
- ☐ 3. Yes, Vendor conducts business operations in Russia within the meaning of Executive Order No. 16.

The undersigned certifies under penalties of perjury that they are knowledgeable about the Vendor’s business and operations and that the answer provided herein is true to the best of their knowledge and belief.

Vendor Name: \_\_\_\_\_  
(legal entity)

By: \_\_\_\_\_  
(signature)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_