

Attachment 4. Standards of Conduct Declaration

Bidder shall sign a Standards of Conduct Declaration, as shown below, which will be provided by RCUH at the time of contract execution.

For purposes of this declaration:

“Controlling interest” means an interest in a business or other undertaking which is sufficient in fact to control, whether the interest is greater or less than fifty percent (50%).

“Employee” means any nominated, appointed, or elected officer or employee of the State, including members of boards, commissions, and committees, and employees under contract to the State or of the Constitutional Convention, but excluding legislators, delegates to the constitutional convention, justices and judges. “Employee” includes RCUH and UH employees. (HRS § 84-3).

On behalf of _____ (CONTRACTOR), the undersigned does declare, under penalty of perjury, as follows:

1. CONTRACTOR (is) (is not) a legislator, an employee, or a business in which a legislator or employee has a “Controlling interest”. (HRS § 84-15(a)).
2. CONTRACTOR (is) (is not) a UH employee. Under 2 C.F.R. § 200.459 Professional service costs, a UH employee cannot be hired as an independent contractor on a project funded by a federal agency.
3. CONTRACTOR has not been represented or assisted personally on matters related to this Contract by an individual who has been an employee of RCUH or UH within the preceding two years, and who participated while so employed in the matter with which this Contract is directly concerned. (HRS § 84-15(b)).
4. CONTRACTOR has not been assisted or represented by a legislator or employee for a fee or other compensation to obtain this Contract, and *will not* be assisted or represented by a legislator or employee for a fee or other compensation in the performance of this Contract, if the legislator or employee was involved in the development or award of this Contract. (HRS § 84-14(d)).
5. CONTRACTOR has not been represented on matters related to this Contract, for a fee or other consideration by an individual who, within the past twelve (12) months, served as a legislator or RCUH or UH employee, and participated while a legislator or RCUH or UH employee on matters related to this Contract. (HRS §§ 84-18(b) and (c)).

CONTRACTOR understands that the Contract to which this document is attached is voidable on behalf of the RCUH if the Contract was entered into in violation of any provision of Chapter 84, Hawaii Revised Statutes, commonly referred to as the Code of Ethics, including the provisions which are the source of the above declarations. Additionally, any fee, compensation, gift, or profit received by any person as a result of violating the Code of Ethics may be recovered by RCUH.

Date: , 20 .

CONTRACTOR

By

Its

(Title)

* Reminder to the Project: If the "(is)" in No. 1, above, is selected, and this Contract involves goods or services of a value in excess of \$10,000, this Contract must be awarded by a competitive sealed bid or proposal. Otherwise, the Project may not enter into this Contract unless it posts a notice of intent to award this Contract and files a copy of the notice with the Hawaii State Ethics Commission at least 10 days before this Contract is awarded. (HRS § 84-15(a)).