**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. References to “Employee”, below, includes all State of Hawai‘i employees, including RCUH 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) an RCUH employee or an employee of the Project. (2 C.F.R. § 200.459 Professional service costs).

3. CONTRACTOR has not been, and will not be, represented or assisted personally on matters related to this Agreement by an individual who has been an employee of RCUH or the Project (if the Project is a State entity) within the preceding two years, and who participated while so employed in the matter with which this Agreement 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 Agreement, and *will not* be assisted or represented by a legislator or Employee for a fee or other compensation in the performance of this Agreement, if the legislator or Employee was involved in the development or award of this Agreement. (HRS § 84-14(d)).

5. CONTRACTOR has not been, and will not be, assisted or represented by an employee of RCUH or the Project (if the Project is a State entity) for a fee or other compensation.

6. CONTRACTOR has not been, and will not be, represented on matters related to this Agreement, for a fee or other consideration by an individual who, within the past twelve (12) months, served as a legislator or Employee, and participated while a legislator or Employee on matters related to this Agreement. (HRS §§ 84-18(b) and (c)).

7. CONTRACTOR has not been, and will not be, represented by a former employee of RCUH or the Project (if the Project is a State entity) for a fee or other compensation, where that former employee served as an employee of RCUH or the Project (if the Project is a State entity) within the past twelve (12) months.

CONTRACTOR understands that the Agreement to which this document is attached is voidable on behalf of the RCUH if the Agreement 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.

CONTRACTOR

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

By

Its

(Title)

Date

\* Reminder to the Project: If the “(is)” in No. 1 and/or 2,

above is selected: (a) contact RCUH Procurement prior

to executing this Agreement; and (b) if this Agreement

involves goods or services of a value in excess of $10,000,

this Agreement must be awarded by a competitive

sealed bid or proposal. Otherwise, the Project may

not enter into this Agreement unless it posts a notice

of intent to award this Agreement and files a copy

of the notice with the Hawaii State Ethics Commission

at least 10 days before this Agreement is awarded.

(HRS § 84-15(a)).