

# ADDENDUM NO. 1

RFP-BHA-2026-04-IT — Website Design and Development Services

Issued: May 18, 2026

<b>Original RFP:</b>	RFP-BHA-2026-04-IT, issued April 20, 2026
<b>Addendum No.:</b>	1
<b>Date Issued:</b>	Monday, May 18, 2026
<b>Subject:</b>	U.S.-Based Performance Requirement and Verification
<b>Proposals Due:</b>	Wednesday, May 27, 2026 — 5:00 PM PST (unchanged)

**Notice to Proposers:** This Addendum No. 1 is hereby incorporated into and made part of RFP-BHA-2026-04-IT. All other terms, conditions, and requirements of the RFP remain unchanged. Proposers must acknowledge receipt of this Addendum in their Cover Letter as required by Section 5 of the RFP. Failure to acknowledge this Addendum may render a proposal non-responsive.

## 1. Purpose of This Addendum

This Addendum establishes a requirement that all work performed under the resulting contract — including design, development, configuration, content migration, testing, deployment, hosting administration, and post-launch maintenance — be performed by personnel physically located within the United States and employed by a United States–based firm. This requirement is added in recognition of (i) the Housing Authority of the City of Bellingham ("BHA") receiving federal financial assistance from the U.S. Department of Housing and Urban Development (HUD); (ii) the federal domestic-preference framework governing such assistance; and (iii) the sensitivity of resident, applicant, and landlord data that will be handled, transmitted, or stored in connection with the new website and its supporting systems.

## 2. Federal Authority for Domestic Performance Requirement

BHA's procurement activities funded in whole or in part by HUD are subject to the Uniform Administrative Requirements at 2 CFR Part 200. The following provisions provide the basis for the requirements set forth in this Addendum:

### 2.1 Domestic Preferences for Procurements — 2 CFR § 200.322

2 CFR § 200.322(a) directs that:

*"The recipient or subrecipient should, to the greatest extent practicable and consistent with law, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States... The requirements of this section must be included in all subawards, contracts, and purchase orders under Federal awards."*

### 2.2 Executive Order 14005 — Ensuring the Future Is Made in All of America by All of America's Workers

Executive Order 14005 directs federal agencies to maximize the use of goods, products, materials, **and services offered in** the United States when administering federal financial assistance awards and federal procurements. HUD has incorporated this policy into its grants administration framework. HUD Grants

Management Handbook 2210.17 states:

*“HUD should, consistent with applicable law, use terms and conditions of Federal financial assistance awards and Federal procurements to maximize the use of goods, products, and materials produced in, and services offered in, the United States.”*

Because the deliverables under this RFP consist principally of professional services (design, software development, hosting, training, and ongoing maintenance), the “services offered in” clause of EO 14005 — as carried into HUD’s Handbook 2210.17 — is the operative domestic-preference standard for this procurement.

### **2.3 Contract Administration Authority — 2 CFR § 200.318(h)**

Under 2 CFR § 200.318(h), BHA, as a non-Federal entity, is required to maintain a documented system of contract administration for determining the adequacy of contractor performance. Verifying the location of work performance is a permissible and customary element of that system where, as here, the location of performance is a material term of the contract.

### **2.4 Access to Records and Personnel — 2 CFR § 200.337**

2 CFR § 200.337(a) provides BHA, HUD, the HUD Office of Inspector General, the Comptroller General of the United States, and their authorized representatives:

*“...the right of access to any records of the recipient or subrecipient pertinent to the Federal award... This right also includes timely and reasonable access to the recipient’s or subrecipient’s personnel for the purpose of interview and discussion related to such documents or the Federal award in general.”*

This provision is the direct authority for the staff interview and payroll-record review rights set forth in Section 4 of this Addendum.

## **3. U.S.-Based Performance Requirement**

### **3.1 Eligible Proposers**

The Proposer (and any subcontractor proposed to perform any portion of the work) must be:

- Organized and existing under the laws of a State, Commonwealth, or Territory of the United States;
- Maintaining its principal place of business within the United States;
- Licensed to do business in the State of Washington, consistent with Section 7.2 of the RFP;
- Not appearing on the GSA Excluded Parties List or HUD’s Limited Denial of Participation list, consistent with Section 7.2 of the RFP.

### **3.2 Location of Work Performance**

All work performed under the resulting contract — including, without limitation, discovery; information architecture; visual design; logo and brand development; software engineering and CMS configuration; content migration; quality assurance and accessibility testing; deployment; training; hosting administration; security patching; and 12-month post-launch maintenance — shall be performed by personnel physically located within the United States at the time the work is performed.

**No offshore development is permitted.** For purposes of this Addendum, “offshore development” means any portion of the work performed by personnel physically located outside the United States, whether such personnel are employees, contractors, subcontractors, affiliates, captive offshore subsidiaries, or independent

freelancers, and regardless of the employer's country of organization.

### 3.3 Data Residency

All BHA data — including resident, applicant, and landlord personally identifiable information (PII), draft content, system backups, and log files — shall be stored, processed, and accessed only within data centers located in the United States. Remote access to BHA data from outside the United States is prohibited.

### 3.4 Permitted Exceptions

The following limited categories are not considered “offshore development” under this Addendum, provided no BHA data is transmitted outside the United States:

- Use of commercially available, off-the-shelf software or open-source libraries developed by third parties, regardless of the country of origin of the original developers;
- Use of widely available cloud infrastructure services, provided the specific compute and storage regions used to host BHA's environments are located within the United States;
- Standard third-party CDN edge caching of static, public-facing website assets that contain no PII.

## 4. Verification Methods

BHA reserves the right to verify compliance with Section 3 of this Addendum at any time during proposal evaluation, contract negotiation, and contract performance. Verification will rely on the methods set forth below. The selected vendor's acceptance of the contract constitutes consent to each method.

Method	Description	Authority
<b>Signed Certification</b>	At proposal submission and again prior to contract execution, the Proposer shall submit a signed certification (form to be provided by BHA at award) attesting to compliance with Section 3 of this Addendum, including a list of all personnel and subcontractors expected to perform work, with each person's U.S. work location identified.	Contract term; 2 CFR § 200.318(h)
<b>Staff Roster Review</b>	BHA may require the vendor to produce, on reasonable notice, an updated roster identifying each individual performing work under the contract, that individual's role, employment status (W-2 employee, 1099 contractor, or subcontractor employee), and the U.S. city and state from which the work is performed.	2 CFR § 200.318(h); § 200.337(a)
<b>Payroll and Employment Record Review</b>	BHA, HUD, the HUD Office of Inspector General, the Comptroller General of the United States, and their authorized representatives may inspect payroll records, IRS Form W-2 and Form 1099 documentation, state unemployment-insurance filings, and other employment records sufficient to confirm that personnel performing work under the contract are employed by U.S.-based entities and are working from U.S. locations. Trade-secret and personally identifying information may be redacted by the vendor consistent with applicable law.	2 CFR § 200.337(a)

Method	Description	Authority
<b>Staff Interviews</b>	BHA and authorized federal representatives may conduct interviews with personnel assigned to the contract for the purpose of confirming the individual's role, employer, and work location. Interviews may be conducted remotely or in person and shall be scheduled with reasonable notice during normal business hours.	2 CFR § 200.337(a)
<b>Site Visits</b>	BHA may, with reasonable notice, conduct site visits to the vendor's principal place of business or to any subcontractor facility from which work under the contract is being performed.	2 CFR § 200.337(a)
<b>Network / Access Log Review</b>	BHA may require the vendor to produce access logs from systems used to develop, host, or maintain the website, sufficient to confirm that administrative and developer access has not occurred from locations outside the United States.	Contract term; § 200.318(h)

### 5. Relationship to HUD Section 3 (24 CFR Part 75)

Nothing in this Addendum modifies, supersedes, or substitutes for the Proposer's obligations under HUD Section 3 (24 CFR Part 75), which addresses economic opportunities for low- and very-low-income persons and Section 3 business concerns. Section 3 compliance is evaluated on the basis of worker income status and business certification, not on the basis of national origin or location of work. The U.S.-based performance requirement in this Addendum and the Section 3 requirements operate independently, and the Proposer shall comply with both.

### 6. Proposal Submission Updates

Section 5 of the RFP (Proposal Requirements) is supplemented as follows. In addition to the items listed in Section 5 of the RFP, the Cover Letter shall include:

- An express acknowledgment of receipt of this Addendum No. 1;
- A statement confirming that 100% of the work under the resulting contract will be performed by personnel physically located within the United States, employed by U.S.-based entities;
- Identification of any proposed subcontractors, their principal places of business, and the U.S. work locations of personnel they will assign to the project.

The proposal submission deadline of **Wednesday, May 27, 2026 at 5:00 PM PST** is unchanged. All other dates in the RFP timeline (Section 1) remain unchanged.

### 7. Remedies for Non-Compliance

A material misrepresentation in any certification submitted under this Addendum, or any breach of the U.S.-based performance requirement during contract performance, shall constitute a material breach of the contract and may result in any one or more of the following at BHA's discretion: (a) immediate suspension of work; (b) withholding of payment for non-compliant work; (c) termination of the contract for cause; (d) recovery of damages, including the cost of remediation and re-procurement; (e) disqualification from future BHA solicitations; and (f) referral to HUD and applicable enforcement authorities.

## 8. Questions Regarding This Addendum

Questions specific to this Addendum may be submitted in writing to [procurement@BellinghamHousing.org](mailto:procurement@BellinghamHousing.org) with the subject line **Website Design Services RFP-BHA-2026-04-IT — Addendum 1 Question**. Phone inquiries will not be accepted. Responses to substantive questions will be distributed to all known Proposers.

### Issued by:

*Chris Longwell*  
Chris Longwell (May 18, 2026 11:17:18 PDT)

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Date Issued: May 18, 2026

**END OF ADDENDUM NO. 1**