



Whenever a term defined by the Uniform Commercial Code, as enacted by the State of Texas, is used in the Contract, the UCC definition shall control, unless otherwise defined in the Contract.

1. **Addendum** - a written instrument issued by the Contract Awarding Authority that modifies or clarifies the Solicitation prior to the Due Date. "Addenda" is the plural form of the word.
2. **Agreement or Grant Agreement** - a binding legal agreement between the City and the Applicant. The Agreement includes, without limitation the Terms and Conditions and applicable exhibits.
3. **Agreement Awarding Authority** - a City department authorized to enter into Grant Agreements on behalf of the City.
4. **Applicant** - a person, firm, or entity that submits an Application in response to a Request for Grant Application. Any Applicant may be represented by an agent after submitting evidence demonstrating the agent's authority. The agent cannot certify as to his own agency status
5. **Application** – a complete, properly signed response to a Request for Grant Application, which if accepted, would bind the Applicant to perform the resultant Agreement.
6. **Appropriate, Appropriated, or Appropriation** - the adoption by the City Council of a budget for a fiscal year that includes payments to be made under the Contract during the respective fiscal year.
7. **Austin Public Health** - means the City of Austin Department – Austin Public Health.
8. **Authorized City Representative** - a person designated by the City Manager to act for the Contract Awarding Authority.
9. **Authorized Contact Person** – a person responsible for all communications and questions regarding the solicitation. Only answers from the Authorized Contact Person are valid regarding any questions about the RFA.
10. **Best Application** - means the best evaluated Application in response to a Request for Applications.
11. **Best Applicant** - means the Applicant submitting the Best Application.
12. **Business Entity** – any entity recognized by law through which business is conducted, including a sole proprietorship, partnership, or corporation.
13. **City** - the City of Austin, a Texas home-rule municipal corporation.
14. **Controlling Interest** means: (1) an ownership interest or participating interest in a business entity by virtue of units, percentage, shares, stocks or otherwise that exceeds 10 percent; (2) membership on the board of directors or other governing body of a business entity of which the board or other governing body is composed of not more than 10 members; or (3) service as an officer of a business entity that has four or fewer officers, or service as one of the four officers most highly compensated by a business entity that has more than four officers.
15. **Deliverables** - the goods, products, materials, and/or services to be provided to the City under a Purchase Order, Contract, or Master Agreement.
16. **Delivery Order** - a release against a Master Agreement authorizing delivery of goods and/or performance of services. A financial system document issued by the Department to encumber



funds to pay for the deliverables.

17. **Due Date** - the date and time specified for receipt of Applications, Bids, Proposals, Qualification Statements, Quotations, Responses, Submittals and Compliance Plans.
18. **Grantee** – the nonprofit entity awarded a Grant Agreement through the solicitation process
19. **Interested Party** – a person who has a Controlling Interest in a Business Entity with whom the City contracts or who actively participates in facilitating the Contract or negotiating the terms of the Contract, including a broker, intermediary, adviser, or attorney for the Business Entity.
20. **Late Submission** – an Application, Proposal, Quote, Response, or Submittal that is received after the Due Date and time specified in the Solicitation.
21. **Master Agreement** - a term contract that is used when the total quantity required cannot be definitely fixed, but can be stated as an estimate or within maximum and minimum limits with deliveries on demand. A Master Agreement does not create a financial obligation.
22. **Offer** - a complete signed response to a Solicitation including, but not limited to, an Invitation for Bid, a Request for Proposal, a Request for Qualification Statements, or a Request for Quotation.
23. **Offeror** - a person, firm, or entity that submits an Offer in response to a City Solicitation. Any Offeror may be represented by an agent after submitting evidence demonstrating the agent's authority. The agent cannot certify as to his own agency status. Includes Bidders, Proposers, Quoters, Contractors and Consultants.
24. **Pre-Application / Bid / Proposal / Quote / Response / Submittal Conference** - a conference conducted by the Grant or Contract Awarding Authority, held in order to allow Applicants and Vendors to ask questions about the proposed Grant and particularly the Grant specifications.
25. **Professional Services** - services that use skills that are predominantly mental or intellectual, rather than physical or manual such as accounting, architecture, land surveying, law, medicine, optometry, professional engineering, etc.
26. **Proposal** - a complete, properly signed response to a Request for Proposals, which if accepted, would bind the Proposer to perform the resultant Contract.
27. **Proposal Guaranty** - a form of security assuring that the Proposer (a) will not withdraw the Proposal within the period specified for acceptance, and (b) will execute a Contract and furnish required bonds and any necessary insurance within the time specified in the Solicitation, unless a longer time is allowed by the City. The guarantee will be returned to the Proposer upon execution of a Contract.
28. **Proposer** - a person, firm or entity that submits a Proposal in response to a Request for Proposals. Any Proposer may be represented by an agent after submitting evidence demonstrating the agent's authority. The agent cannot certify as to his own agency status.
29. **Purchase Order (PO)** - an order placed by a City department for the purchase of Goods and/or Services written on the City's standard Purchase Order form and which, when accepted by the Vendor becomes a Contract. The Purchase Order is the Vendor's authority to deliver and invoice the City for Goods and/or Services specified, and the City's commitment to accept the Goods and/or Services for an agreed upon price.



30. **Purchasing Office** - refers to the Purchasing Office in the Financial and Administrative Services Department of the City.
31. **Request for Applications (RFA)** – a solicitation used to acquire social services from a nonprofit entity to address community needs resulting in a grant agreement for services.
32. **Request for Proposal (RFP)** - a solicitation used to acquire goods and/or services when a clearly defined scope of work or specification is not available.
33. **Request for Qualification Statements (RFQS)** - a solicitation used to acquire professional services as defined by the State of Texas Government Code, Chapter 2254.
34. **Request for Quotation (RFQ)** - a solicitation used to acquire goods and/or services with a total dollar value less than the State of Texas competitive bidding amount.
35. **Resident Bidder** - a person, firm, or entity whose principal place of business is in the State of Texas, including a Contractor whose ultimate parent company or majority owner has its principal place of business in the State of Texas.
36. **Responsible Applicant** - means the financial and practical ability of the Applicant to perform the Contract and takes into consideration resources, expertise, and past performance of the Applicant as well as compliance with all City ordinances concerning the purchasing process.
37. **Responsive** - meeting all the requirements of a Solicitation.
38. **Services** - include all work or labor performed for the City on an independent Contractor basis other than construction.
39. **Solicitation** - as applicable, includes Request for Applications, Request for Proposal, Request for Qualification Statements, Request for Quotation, , Request for Information, Request for Interest, or such other request as defined by the City.
40. **Subgrantee** - a person, firm, or entity providing goods and/or services to a prime Grantee / to be used in the performance of the prime Grantee obligations under a Grant Agreement.
41. **Vendor** - a person, firm, or entity that sells Goods and/or Services.

HIV/AIDS specific terminology

1. **Acquired immunodeficiency syndrome (AIDS) or related diseases** - means the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome, including infection with the human immunodeficiency virus (HIV).
2. **Administrative costs** - Costs for general management, oversight, coordination, evaluation, and reporting on eligible activities. Such costs do not include costs directly related to carrying out eligible activities, since those costs are eligible as part of the activity delivery costs of such activities.
3. **Facility-Based Housing Assistance** - All eligible HOPWA Housing expenditures for or associated with supporting facilities including community residences, SRO dwellings, short-term facilities, project-based rental units, master leased units, and other housing facilities approved by HUD.
4. **Faith-Based Organization** - Religious organizations of three types: (1) congregations; (2) national networks, which include national denominations, their social service arms (for example, Catholic Charities, Lutheran Social Services), and networks of related organizations (such as YMCA and YWCA); and (3) freestanding religious organizations, which are incorporated separately from congregations and national networks.



5. **Family** - is defined in 24 CFR 5.403 and includes one or more eligible persons living with another person or persons, regardless of actual or perceived sexual orientation, gender identity, or marital status, who are determined to be important to the eligible person or person's care or well-being, and the surviving member or members of any family described in this definition who were living in a unit assisted under the HOPWA program with the person with AIDS at the time of his or her death.
6. **HOPWA Eligible Individual** - The one (1) low-income person with HIV/AIDS who qualifies a household for HOPWA assistance. This person may be considered "Head of Household." When the CAPER asks for information on eligible individuals, report on this individual person only. Where there is more than one person with HIV/AIDS in the household, the additional PWH/A(s), would be considered a beneficiary(s).
7. **HOPWA Housing Information Services** - Services dedicated to helping persons living with HIV/AIDS and their families to identify, locate, and acquire housing. This may also include fair housing counseling for eligible persons who may encounter discrimination based on race, color, religion, sex, age, national origin, familial status, or handicap/disability.
8. **Household** - A single individual or a family composed of two or more persons for which household incomes are used to determine eligibility and for calculation of the resident rent payment. The term is used for collecting data on changes in income, changes in access to services, receipt of housing information services, and outcomes on achieving housing stability. Live-In Aides (see definition for Live-In Aide) and non-beneficiaries (e.g. a shared housing arrangement with a roommate) who resided in the unit are not reported on in the CAPER.
9. **Master Leasing** - Applies to a nonprofit or public agency that leases units of housing (scattered-sites or entire buildings) from a landlord, and subleases the units to homeless or low-income tenants. By assuming the tenancy burden, the agency facilitates housing of clients who may not be able to maintain a lease on their own due to poor credit, evictions, or lack of sufficient income.
10. **Operating Costs** - Applies to facility-based housing only, for facilities that are currently open. Operating costs can include day-to-day housing function and operation costs like utilities, maintenance, equipment, insurance, security, furnishings, supplies and salary for staff costs directly related to the housing project but not staff costs for delivering services.
11. **Permanent Housing Placement** - A supportive housing service that helps establish the household in the housing unit, including but not limited to reasonable costs for security deposits not to exceed two months of rent costs.
12. **Program Income** - Gross income directly generated from the use of HOPWA funds, including repayments. See grant administration requirements on program income at 2 CFR 200.307.
13. **Project-Based Rental Assistance (PBRA)** - A rental subsidy program that is tied to specific facilities or units owned or controlled by a project sponsor. Assistance is tied directly to the properties and is not portable or transferable.
14. **Project sponsor** - Any nonprofit organization or governmental housing agency that receives funds under a contract with the grantee to carry out eligible activities under this part. The selection of project sponsors is not subject to the procurement requirements of 2 CFR part 200, subpart D.
15. **Short-Term Rent, Mortgage, and Utility (STRMU) Assistance** - A time-limited, housing subsidy assistance designed to prevent homelessness and increase housing stability. Grantees may provide assistance for up to 21 weeks in any 52-week period. The amount of assistance varies per client depending on funds available, tenant need and program guidelines.
16. **Tenant-Based Rental Assistance (TBRA)** - TBRA is a rental subsidy program similar to the Housing Choice Voucher program that grantees can provide to help low-income households access affordable housing. The TBRA voucher is not tied to a specific unit, so tenants may move to a different unit without losing their assistance, subject to individual program rules. The subsidy amount is determined in part based on household income and rental costs associated with the tenant's lease.