



REQUEST FOR CONTRACT UPDATE # 2

Pursuant to the terms of your awarded contract, all Contractors must notify and receive approval from Region 14 Education Service Center ("Region 14 ESC") when there is an update to the contract. No request will be officially approved without the prior written authorization from Region 14 ESC. Region 14 ESC reserves the right to accept or reject any request.

Walmart Inc. (Contractor Name) hereby provides notice of the following update to Region 14 ESC contract number 15-02 for Retail and Wholesale Merchandise (Contract Title) on this date 6/20/25.

Instructions:

Vendors must check all that may apply and provide supporting documentation. Be sure to sign the signature page with all required signatures, prior to submitting your update for approval.

This form is not intended for use if there is a change in operations, which may adversely affect members, i.e. assignment, bankruptcy, change of ownership, merger, etc.

Authorized Affiliates/Dealers/Distributors/Resellers

- Additions
- Deletions

Products/Services (check all that apply)

- Additions
- Deletions
- Modifications
- Pricing Update

Other Vendor may include other notes regarding the contract update here: (attach another page if necessary).

Attaching Walmart's EDGAR Certification Form for Contract #15-02

Walmart Inc.

Vendor Name

Ashley Hubka, SVP and General Manager

Submitted By

Ashley Hubka

6/20/25

Signature

Date

FOR USE BY Region 14 ESC ONLY:

Emily Jeffrey, Chief Financial Officer

Signed by:

Emily Jeffrey

6/23/2025

Signature

Date

**EDUCATION DEPARTMENT GENERAL ADMINISTRATIVE REGULATIONS (EDGAR) AND OTHER
FEDERAL FUNDS REQUIREMENTS**

For the purposes of this contract, Walmart is not a U.S. federal government contractor or subcontractor, nor a U.S. federal grant recipient or subrecipient. Neither NCPA, Region 14 ESC, nor any participating agency or entity shall impose any statutory, regulatory, or contractual obligation on Walmart that would cause Walmart to be a U.S. federal government contractor or subcontractor, or a U.S. federal grant recipient or subrecipient in connection with this contract.

APPENDIX II TO 2 CFR PART 200

(A) Contracts for more than the simplified acquisition threshold currently set at \$250,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

Walmart can agree to comply with all applicable standards, orders, or regulations pursuant to 41 U.S.C. § 1908.

(B) Termination for cause and for convenience by the grantee or subgrantee including the manner by which it will be affected and the basis for settlement. (All contracts in excess of \$10,000)

For the purposes of this contract, Walmart is not a U.S. federal government contractor or subcontractor, nor a U.S. federal grant recipient or subrecipient.

(C) Equal Employment Opportunity. The Equal Employment Opportunity requirements of 41 C.F.R. Part 60 apply to all contracts meeting the definition of federally assisted construction contracts.

Does not apply. Walmart is not performing construction services under this contract.

(D) Davis Bacon Act. All prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act 40 U.S.C. 3141-3144 and 3146-3148 as supplemented by Department of Labor regulations. These require payment of prevailing wages to laborers and mechanics.

Does not apply. Walmart is not performing construction services under this contract.

(E) Contract Work Hours and Safety Standards Act 40 U.S.C. 3701-3708. Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations 29 C.F.R. Part 5.

Does not apply. Walmart is not performing services involving laborers and mechanics under this contract.

(F) Rights in inventions. If the contract involves research and development work, the contract must ensure compliance with 37 C.F.R. Part 401, Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements.

Does not apply. Walmart is not performing research and development services, nor is Walmart developing inventions under this contract.

(G) Clean Air Act. 42 U.S.C. 7401-7671q and the Federal Water Pollution Control Act 33 U.S.C. 1251-1387 as amended. Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act 42 U.S.C. 7401-7671q and the Federal Water Pollution Control Act as amended 33 U.S.C. 1251-1387. Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency EPA.

Walmart can agree to comply with all applicable standards, orders, or regulations pursuant to the Clean Air Act and the Federal Water Pollution Control Act.

(H) Debarment and Suspension. Non-federal entities cannot contract with parties that are listed on the governmentwide exclusions in the System for Award Management SAM.

At the time of this contract and to the best of our knowledge, Walmart is not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation by any federal department or agency.

Byrd Anti-Lobbying Amendment 31 U.S.C. 1352. Contractors that apply or bid for an award exceeding \$100,000 must file the required lobbying certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

For the purposes of this contract, Walmart is not a U.S. federal government contractor or subcontractor, nor a U.S. federal grant recipient or subrecipient.

Walmart is committed to transparency regarding its public policy activities. Walmart submits quarterly reports to Congress that outline its federal lobbying activities, including lobbying expenditures and the specific legislative items and public policy issues that were topics of communication. In each quarterly report, Walmart identifies the specific registered lobbyist who acted on behalf of the company. Walmart also submits biannual contribution reports.

(J) Procurement of recovered materials. 2 C.F.R. § 200.323. For contracts over \$10,000, contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act collectively hereinafter RCRA. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency EPA at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

Walmart can agree to comply with all applicable standards, orders, or regulations of the Resource Conservation and Recovery Act.

(K) Prohibition on certain telecommunications and video surveillance equipment or services. 2 C.F.R. § 200.216. Recipients and subrecipients cannot use grant funds to purchase covered telecommunications equipment as defined under Section 889 of Public Law 115-232. This means contractors cannot provide such equipment in connection with grants.

For the purposes of this contract, Walmart is not a U.S. federal government contractor or subcontractor, nor a U.S. federal grant recipient or subrecipient. Walmart does not sell the covered telecommunications equipment as defined under § 889 of Public Law 115-232.

L) Domestic preferences for procurements. 2 C.F.R. § 200.322. Grant recipients should use a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States including but not limited to iron, aluminum, steel, cement, and other manufactured products. These requirements must be included in all subawards including all contracts and purchase orders for work or products under this award. For purposes of this section: 1 Produced in the United States means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States. 2 Manufactured products mean items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

Does not apply. This requirement refers to a preference program that applies to iron, aluminum, steel, cement, and other construction-related materials that are not part of this contract.

CERTIFICATION OF COMPLIANCE WITH THE ENERGY POLICY AND CONSERVATION ACT. When Participating Agency expends federal funds for any contract resulting from this procurement process, offeror certifies that it will comply with the mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act 42 U.S.C. 6321 et seq.; 49 C.F.R. Part 18.

Walmart can agree to comply with the applicable standards, orders, or regulations of the Energy Policy and Conservation Act 42 U.S.C. 6321 et seq.; 49 C.F.R. Part 18.

CERTIFICATION OF COMPLIANCE WITH BUY AMERICA PROVISIONS.

FEDERAL TRANSIT ADMINISTRATION (FTA) AND DEPARTMENT OF TRANSPORTATION (DOT) -
BUY AMERICA: CERTIFICATION REQUIREMENT FOR PROCUREMENT OF ROLLING STOCK

Certificate of Compliance with 49 USC §5323(j)

The proposer hereby certifies that it will comply with the requirements of 49 U.S.C. 5323(j), and the applicable regulations of 49 CFR 661.11.

Does not apply. For the purposes of this contract Walmart will not accept funds from the Federal Highway Administration, Federal Railroad Administration, or Federal Transit Administration.

FEDERAL TRANSIT ADMINISTRATION (FTA) AND DEPARTMENT OF TRANSPORTATION (DOT) -
BUY AMERICA: CERTIFICATION REQUIREMENT FOR PROCUREMENT OF STEEL OR
MANUFACTURED PRODUCTS Certificate of Compliance with 49 USC §5323(j)(1)

The proposer hereby certifies that it will comply with the requirements of 49 U.S.C. 5323(j)(1), and the applicable regulations in 49 CFR part 661.

Does not apply. For the purposes of this contract Walmart will not accept funds from the Federal Highway Administration, Federal Railroad Administration, or Federal Transit Administration.

RECORD RETENTION REQUIREMENTS FOR CONTRACTS INVOLVING FEDERAL FUNDS

When federal funds are expended by Participating Agency for any contract resulting from this procurement process, offeror certifies that it will comply with the record retention requirements detailed in 2 CFR § 200.333. The offeror further certifies that offeror will retain all records as required by 2 CFR § 200.333 for a period of three years after grantees or subgrantees submit final expenditure reports or quarterly or annual financial reports, as applicable, and all other pending matters are closed.

For the purposes of this contract, Walmart is not a U.S. federal government contractor or subcontractor, nor a U.S. federal grant recipient or subrecipient. Walmart can agree to comply with all applicable standards, orders, or regulations of the record retention requirements in 2 CFR § 200.333.

CERTIFICATION OF COMPLIANCE WITH THE ENERGY POLICY AND CONSERVATION ACT

When Participating Agency expends federal funds for any contract resulting from this procurement process, offeror certifies that it will comply with the mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.; 49 C.F.R. Part 18).

For the purposes of this contract, Walmart is not a U.S. federal government contractor or subcontractor, nor a U.S. federal grant recipient or subrecipient. Walmart can agree to comply with all applicable standards, orders, or regulations of the Energy Policy and Conversation Act.

CERTIFICATION OF COMPLIANCE WITH BUY AMERICA PROVISIONS

To the extent purchases are made with Federal Highway Administration, Federal Railroad Administration, or Federal Transit Administration funds, offeror certifies that its products comply with all applicable provisions of the Buy America Act and agrees to provide such certification or applicable waiver with respect to specific products to any Participating Agency upon request. Purchases made in accordance with the Buy America Act must still follow the applicable procurement rules calling for free and open competition. Additionally:

- (1) The Contractor agrees to comply with 49 USC 5323(j) and 49 CFR Part 661, which provide that federal funds may not be obligated unless steel, iron and manufactured products used in FTA-funded projects are produced in the United States, unless a waiver has been granted by FTA or the product is subject to a general waiver. General waivers are listed in 49 CFR 661.7. A general public interest waiver from the Buy America requirements applies to microprocessors, computers, microcomputers, software or other such devices, which are used solely for the purpose of processing or storing data. This general waiver does not extend to a product or device that merely contains a microprocessor or microcomputer and is not used solely for the purpose of processing or storing data. Separate requirements for rolling stock are set out at 5323(j)(2)(C) and 49 CFR 661.11.
- (2) A bidder or offeror must submit to the FTA recipient the appropriate Buy America certification with all bids on FTA-funded contracts, except those subject to a general waiver. Bids or offers that are not accompanied by a completed Buy America certification must be rejected as non-responsive. This requirement does not apply to lower tier subcontractors.



The following certificates titled FTA and DOT Buy America Certification should be completed and returned with the response as part of FTA and DOT requirements.

FEDERAL TRANSIT ADMINISTRATION (FTA) AND DEPARTMENT OF TRANSPORTATION (DOT) - BUY AMERICA: CERTIFICATION REQUIREMENT FOR PROCUREMENT OF ROLLING STOCK

CERTIFICATE OF COMPLIANCE

(select one of the two options, NOT BOTH)

Certificate of Compliance with 49 USC §5323(j)

Does not apply. For the purposes of this contract Walmart will not accept funds from the Federal Highway Administration, Federal Railroad Administration, or Federal Transit Administration.

OR

FEDERAL TRANSIT ADMINISTRATION (FTA) AND DEPARTMENT OF TRANSPORTATION (DOT) - BUY AMERICA: CERTIFICATION REQUIREMENT FOR PROCUREMENT OF STEEL OR MANUFACTURED PRODUCTS

CERTIFICATE OF COMPLIANCE (select one of the two options, NOT BOTH)

Certificate of Compliance with 49 USC §5323(j)(1)

The proposer hereby certifies that it will comply with the requirements of 49 U.S.C. 5323(j)(1), and the applicable regulations in 49 CFR part 661.

Check for YES:

Does not apply. For the purposes of this contract Walmart will not accept funds from the Federal Highway Administration, Federal Railroad Administration, or Federal Transit Administration.

CERTIFICATION OF ACCESS TO RECORDS – 2 C.F.R. § 200.336

Offeror agrees that the Inspector General of the Agency or any of their duly authorized representatives shall have access to any documents, papers, or other records of offeror that are pertinent to offeror's discharge of its obligations under the Contract for the purpose of making audits, examinations, excerpts, and transcriptions. The right also includes timely and reasonable access to offeror's personnel for the purpose of interview and discussion relating to such documents.

Walmart agrees to the Certification of Access to Records as set forth in Tab 9 of the contract.

CERTIFICATION OF APPLICABILITY TO SUBCONTRACTORS

Offeror agrees that all contracts it awards pursuant to the Contract shall be bound by the foregoing terms and conditions.

For the purposes of this contract, Walmart is not a U.S. federal government contractor or subcontractor, nor a U.S. federal grant recipient or subrecipient.

COMMUNITY DEVELOPMENT BLOCK GRANTS

Purchases made under this contract may be partially or fully funded with federal grant funds. Funding for this work may include Federal Funding sources, including Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development. When such funding is provided, Offeror shall comply with all terms, conditions and requirements enumerated by the grant funding source, as well as requirements of the State statutes for which the contract is utilized, whichever is the more restrictive requirement. When using Federal Funding, Offeror shall comply with all wage and latest reporting provisions of the Federal Davis-Bacon Act. HUD-4010 Labor Provisions also applies to this contract.

For the purposes of this contract, Walmart is not a U.S. federal government contractor or subcontractor, nor a U.S. federal grant recipient or subrecipient.



Offeror agrees to comply with all federal, state, and local laws, rules, regulations and ordinances, as applicable. It is further acknowledged that offeror certifies compliance with all provisions, laws, acts, regulations, etc. as specifically noted above.

Offeror's Name: Walmart Inc.


Address: 702 SW 8th Street, Bentonville, AR, 76716-5561

Phone Number: 479-273-4000

Fax Number: N/A

Email Address: publicsector@walmart.com

Name/Title of Authorized Representative: Ashley Hubka, Sr Vice President & General Manager

Signature of Authorized Representative: 

Date: June 20, 2025 | 15:06 CDT