

## Certified Assurances

The Applicant hereby assures and certifies compliance with all Federal Statutes, regulations, policies, guidelines and requirements, including OMB Circulars No. A-21, A-1 10, A-1 22, A-1 28, A-87; E.O. 12372 and Uniform Administrative Requirements for Grants and Cooperative Agreements – 28 CFR, Part 66, Common Rule, that govern the application, acceptance and use of Federal funds for this federally assisted project. The applicant further assures the Office of Justice Assistance (OJA) that all information contained in the application is correct; that the applicant will comply with all provisions of applicable Federal and State laws, regulations and guidelines. In addition, the applicant agrees that:

1. Recipient possesses legal authority to accept the grant; that a resolution, motion, or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurance contained therein, and directing and authorizing the person identified as official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
2. It will comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and federally-assisted programs.
3. It will comply with provisions of Federal law which limit certain political activities of employees of a unit of government whose principal employment is in connection with an activity financed, whole or in part, by Federal grants. (5 USC 5101, et seq.)
4. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act.
5. It will comply with applicable provisions of the program and with the administrative provisions of the Office of Justice Programs' current edition of "Financial Guide" and all other applicable Federal laws, orders, circulars, or regulations.
6. Recipient will keep all fund accounting, auditing, monitoring, and evaluation procedures as prescribed by OJA, to assure fiscal control, proper management of funds received under the program. Progress and financial reports will be submitted to OJA in accordance with specified requirements.
7. The fiscal accountability of the funds will be managed and accounted for by its Chief Comptroller. This individual must have the authority to ensure compliance with documentation, record keeping, accounting, and reporting guidelines; it will give the Office of Justice Assistance access to and the right to examine all records, books, papers, or documents related to the grant.
8. Recipient and its contractors will comply with the nondiscrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3789(d), or Victims of Crime Act (as appropriate); Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Subtitle A, Title II, of the Americans with Disabilities Act of 1990; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; the Department of Justice Nondiscrimination Regulations, 28 CFR Part 42, Subparts C,D,E and G; and Department of Justice regulations on disability discrimination, 28 CFR Part 35 and 39.
9. In the event a Federal or state court or Federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, or sex against a recipient of funds, the applicant will forward a copy of the finding to OJA.
10. If required, the recipient will formulate an Equal Employment Opportunity Plan (EEOP) in accordance with 28 CFR 42.301 et. seq. Federal guidelines require that any recipient having 50 or more employees which would receive an amount of \$500,000 or more, or an award to the same recipient which in the aggregate exceeds \$500,000 or more, in any fiscal year, to submit a current Equal Employment Opportunity Plan (EEOP) to the Office of Justice Assistance for review and approval by the Federal Office of Civil Rights.
11. State and local governments, nonprofit organizations and institutions of higher education are governed by OMB Circular A-133, as amended. Recipients that expend \$300,000 or more in a fiscal year in Federal awards shall have a single or project-specific audit conducted for that year in accordance with the provisions of A-133.
12. Recipient will comply with Federal laws and regulations applicable to Federal assistance projects and with the provisions of 28 CFR applicable to grants and cooperative agreements including Part 18, Administrative Review Procedure; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 42, Nondiscrimination Equal Employment Opportunity Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; and Part 63, Floodplain Management and Wetland Protection Procedures; and Federal laws or regulations applicable to Federal Assistance Programs.

13. It will insure that the facilities under its ownership, lease, or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify OJA of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.
14. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1976, Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of and Federal Financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance. Please mark box if your department is in such an area:
15. It will assist in compliance with Section 106 of the National Historic Preservation Act of 1966 (16 USC 569a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of Investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see CFR Part 800.8) by the activity, and notifying OJA of the existence of any such properties and by (b) complying with all requirements established by OJA to avoid or mitigate adverse effects upon such properties.
16. Recipient fully understands OJA has the right to suspend or terminate grant funds to any recipient that fails to conform to the requirements (Special/General Conditions and General Operating Policies) or that fails to comply with the terms and conditions of its grant award.
17. Recipient agrees to complete and keep on file, as appropriate, an Immigration and Naturalization Service Employment Eligibility Verification Form (1-9). This form is to be used by recipients of federal funds to verify that persons are eligible to work in the United States.
18. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
19. It will comply, and assure the compliance of any contractors, with the applicable provisions of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; the Juvenile Justice and Delinquency Prevention Act, or the Victims of Crime Act, as appropriate; the provisions of the current edition of the OJA Financial Guide; and all other applicable Federal laws, orders, circulars, or regulations.
20. It will comply with the provisions of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 USC 3501 et seq.) which prohibits the expenditure of most new Federal funds within units of the Coastal Barrier Resources System.
21. It will indemnify, defend and hold harmless the State and all of its officers, agents, and employees from all suits, actions or claims of any character brought for or on account of injuries or damages received by any persons or property resulting from the operation or use by of the equipment purchased under this grant.
22. It will certify that all applicable OSHA, NIOSH and NFPA standards relative to the domestic preparedness equipment purchased under this grant and the personnel utilizing the equipment will be met.

Applicable assurances above will be applied to all recipients of assistance by appropriate language incorporated in each document under which funds are to be disbursed.

### CERTIFICATION

**Chief Executive:** I certify that applicant will comply with the above certified assurances.

\_\_\_\_\_  
Signature of Highest Elected Official (Co. Board Chair, Co. Executive)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed Name/Title

( ) -

\_\_\_\_\_  
Telephone Number

**NOTE: The original signature of the Highest Elected Official is required.  
Substitute signing or stamping is not accepted.**