

Applicant Assurances and Certifications

By signing below, the applicant hereby assures and certifies with respect to this project/program, by the submission of this application, that:

1. *It possesses legal authority to apply for the grant and to finance the proposed request; 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 assurances contained therein, and directing and authorizing the person identified as the 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 the Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards as codified in Title 2, Part 200 of the Code of Federal Regulations (UAR) and agrees to adhere to the accounting principles and procedures required therein, utilizing adequate internal controls and maintaining necessary source documentation for all costs incurred.*
3. *If it expends One Million Dollars (\$1,000,000) or more of federal funds in a fiscal year, it will comply with the Single Audit Act of 1984.*
4. *It will comply with the provisions of Executive Order 11988, relating to evaluation of flood hazards, and Executive Order 11990, relating to protection of wetlands. 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, and approved December 31, 1976. Section 102(a).*
5. *It will have sufficient funds available or the ability to obtain the non-federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purposes constructed.*
6. *It will give the Grantee and the federal funder, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.*
7. *It will cause work on the project to be commenced within a reasonable time after receipt of notification from GHURA that funds have been approved and that the project will be performed to completion with reasonable diligence.*
8. *It will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and in accordance with Title VI of that Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives federal financial assistance and will immediately take any measures necessary to effectuate this agreement.*
9. *It will comply with the requirements of Title II and Title III 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.*
10. *It will comply with the provisions of the Mini Hatch Act, which limits the political activity of employees.*
11. *It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act as they apply.*
12. *It will assist the local/federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.).*
13. *It will ensure that all information collected, assembled or maintained by the applicant relative to this project shall be available to the public during normal business, unless otherwise expressly provided by law.*
14. *It will conduct and administer the program in conformity with the Fair Housing Act (42 USC Section 3901 et. Seq.) and that it will affirmatively further fair housing.*
15. *It will minimize displacement of persons as a result of activities assisted with CDBG funds. In the event that displacement of residential dwellings will occur in connection with a grant-assisted project, it will follow a*

residential anti-displacement and relocation assistance plan as specified by GHURA.

16. *It certifies that it is not now, nor has it ever been, on the Federal List of Debarred Contractors.*
17. *It will not attempt to recover any capital costs of public improvements assisted in whole or in part with such funds by assessing any amount against properties owned and occupied by persons of LMI, including any fee charged or assessment made as a condition of obtaining access to such public improvements unless (a) such funds are used to pay the proportion of such fee or assessment that related to the capital costs of such public improvements that are financed from revenue sources other than such funds; or (b) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, applicant certifies that it lacks sufficient funds under this contract to comply with the requirements of clause (a).*
18. *It agrees to comply with the requirements of Title 24 of the Code of Federal Regulations, Part 570 (the U.S. Housing and Urban Development regulations concerning Community Development Block Grants (CDBG)) including subpart J and subpart K of these regulations, except that (1) the Agency does not assume the recipient's environmental responsibilities described in 24 CFR 570.604 and (2) Agency does not assume the recipient's responsibility for initiating the review process under the provisions of 24 CFR Part 52. The Agency also agrees to comply with all other applicable Federal, State, and local laws, regulations, and policies governing the funds provided. The Agency further agrees to utilize funds available to supplement rather than supplant funds otherwise available. Agency shall comply with all applicable Federal laws, regulations, and requirements, which include compliance with the provisions of the HCD Act and all rules, regulations, guidelines, and circulars promulgated by the various Federal departments, agencies, administrations, and commissions relating to the CDBG Program. The applicable laws and regulations include, but are not limited to:*
 - *24 CFR Part 570;*
 - *24 CFR Parts 84 and 85;*
 - *The Davis-Bacon Fair Labor Standards Act;*
 - *The Contract Work Hours and Safety Standards Act of 1962;*
 - *Copeland "Anti-Kickback" Act of 1934;*
 - *Sections 104(b) and 109 of the Housing and Community Development Act of 1974;*
 - *Section 3 of the Housing and Urban Development Act of 1968;*
 - *Equal employment opportunity and minority business enterprise regulations established in 24 CFR Part 570.904;*
 - *Non-discrimination in employment, established by Executive Order 11246 (as amended by Executive Orders 11375 and 12086);*
 - *Section 504 of the Rehabilitation Act of 1973 Uniform Federal Accessibility Standards;*
 - *The Architectural Barriers Act of 1968;*
 - *The Americans with Disabilities Act (ADA) of 1990;*
 - *The Age Discrimination Act of 1975, as amended;*
 - *National Environmental Policy of 1969 (42 USC 4321 et seq.) as amended;*
 - *Lead Based paint regulations established in 24 CFR Parts 35, 570.608, and 24 CFR 982.401;*
 - *Asbestos guidelines established in CPD Notice 90-44;*
 - *HUD Environmental Criteria and Standards (24 CFR Part 51);*
 - *The Energy Policy and Conservation Act (Public Law 94-163) and 24 CFR Part 39;*
 - *Procurement Standards (2 CFR 200.322)*
 - *Rights to Inventions Made Under a Contract or Agreement (37 CFR 401.2 (a));*
 - *Recycling (2 CFR Part 200 Appendix II).*

Certifications Regarding Lobbying:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit standard form – *“Disclosure Form to Report Lobbying”*, in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
4. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

General Certification

I certify that:

1. To the best of my knowledge and belief, the information in this application is true and correct.
2. I have reviewed and accept the instructions for submission of this application for review and evaluation.
3. The organization responsible for carrying out the project activities under this proposal will comply with all applicable local and Federal laws and regulations.
4. The organization will verify that no person who is an employee, agent, consultant, officer, or recipients which are receiving CDBG funding may obtain a financial interest or benefit, have an interest in or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect to CDBG activities, with the exception of administrative or personnel costs.
5. The organization will not attempt to recover capital costs for the construction of public improvements, assisted in whole or in part with CDBG funds, by charging special assessments or fees against properties owned or occupied by persons of low and moderate income, including any fee, charge or assessment made as a condition of obtaining access to such public improvements, unless:
 - a. CDBG funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than CDBG funds; or
 - b. For purposes of assessing any amount against properties owned and occupied by persons of low and moderate income who are not persons of very low income, and the applicant certifies that it lacks sufficient funds to comply with the requirements of clause (a) above.
6. The organization will provide in a timely manner for citizen participation, public hearings, access to information with respect to the proposed project/program.

CERTIFIED BY:

Signature of Authorized Representative	
Print Name and Title	
Organization Name	
Date Signed	

WARNING Title 18, Section 1001 of the United States Code states that a person is GUILTY OF A FELONY FOR KNOWINGLY AND WILLINGLY MAKING FALSE OR FRAUDULENT STATEMENTS to any department or agency of the United States.

MAKING FALSE STATEMENTS IS ALSO A FELONY UNDER GUAM LAWS.

I do hereby certify under the penalty of perjury that all of the information contained in these documents, as well as any additional information and/or documentation provided in support of it, is true and correct. I understand and acknowledge that making false statements is a crime under Federal and Guam law.

Organization’s Authorized Representative (Print Name):

Title:

Signature:

Date:



APPLICANT CERTIFICATION

Organization (Project Sponsor):
Project Name:
Community Development Block Grant Program Funding Request: \$ _____
<p>By submitting these documents, I am responsible for the contents and understand that the information contained in such documents are intentional and accurate representations. _____ (INITIAL HERE)</p> <p>WARNING Title 18, Section 1001 of the United States Code states that a person is GUILTY OF A FELONY FOR KNOWINGLY AND WILLINGLY MAKING FALSE OR FRAUDULENT STATEMENTS to any department or agency of the United States.</p> <p>MAKING FALSE STATEMENTS IS ALSO A FELONY UNDER GUAM LAWS.</p> <p>I do hereby certify under the penalty of perjury that all of the information contained in these documents, as well as any additional information and/or documentation provided in support of it, is true and correct. I understand and acknowledge that making false statements is a crime under Federal and Guam law.</p>
Organization's Authorized Representative (Print Name):
Title:
Signature:
Date: