

**CERTIFICATIONS AND ASSURANCES MADE TO THE DISTRICT OF COLUMBIA,
DEPARTMENT OF THE ENVIRONMENT AND THE UNITED STATES
DEPARTMENT OF JUSTICE**

The undersigned person swears to the truth of the following, that:

I. For the District of Columbia Department of the Environment:

1. The individuals, by name, title, address, and phone number who are authorized to negotiate with the Agency on behalf of the organization are:

2. The applicant is able to maintain adequate files and records and can and will meet all reporting requirements;
3. All fiscal records are kept in accordance with Generally Accepted Accounting Principles (GAAP) and account for all funds, tangible assets, revenue, and expenditures whatsoever; that all fiscal records are accurate, complete and current at all times; and that these records will be made available for audit and inspection as required;
4. The applicant is current on payment of all federal and District taxes, including Unemployment Insurance taxes and Workers' Compensation premiums.

(This statement of certification shall be accompanied by a certificate from the District of Columbia OTR stating that the entity has complied with the filing requirements of District of Columbia tax laws and has paid taxes due to the District of Columbia, or is in compliance with any payment agreement with OTR.)

5. The applicant has the demonstrated administrative and financial capability to provide and manage the proposed services and ensure an adequate administrative, performance and audit trail;
6. If required by the grant making Agency, the applicant is able to secure a bond, in an amount not less than the total amount of the funds awarded, against losses of money and other property caused by a fraudulent or dishonest act committed by any employee, board member, officer, partner, shareholder, or trainee;
7. The applicant is not proposed for debarment or presently debarred, suspended, or declared ineligible, as required by Executive Order 12549, "Debarment and Suspension," and implemented by 2 CFR 180, for prospective

Certifications and Assurances Made to DDOE and U.S. DOJ

participants in primary covered transactions and is not proposed for debarment or presently debarred as a result of any actions by the District of Columbia Contract Appeals Board, the Office of Contracting and Procurement, or any other District contract regulating Agency;

8. The applicant has the financial resources and technical expertise necessary for the production, construction, equipment and facilities adequate to perform the grant or subgrant, or the ability to obtain them;
9. The applicant has the ability to comply with the required or proposed delivery or performance schedule, taking into consideration all existing and reasonably expected commercial and governmental business commitments;
10. The applicant has a satisfactory record performing similar activities as detailed in the award or, if the grant award is intended to encourage the development and support of organizations without significant previous experience, that the applicant has otherwise established that it has the skills and resources necessary to perform the grant.
11. The applicant has a satisfactory record of integrity and business ethics;
12. The applicant has the necessary organization, experience, accounting and operational controls, and technical skills to implement the grant, or the ability to obtain them;
13. The applicant is in compliance with the applicable District licensing and tax laws and regulations;
14. The applicant complies with provisions of the Drug-Free Workplace Act; and
15. The applicant meets all other qualifications and eligibility criteria necessary to receive an award under applicable laws and regulations.
16. The applicant agrees to indemnify, defend and hold harmless the Government of the District of Columbia and its authorized officers, employees, agents and volunteers from any and all claims, actions, losses, damages, and/or liability arising out of this grant or subgrant from any cause whatsoever, including the acts, errors or omissions of any person and for any costs or expenses incurred by the District on account of any claim therefore, except where such indemnification is prohibited by law.

Certifications and Assurances Made to DDOE and U.S. DOJ

17. The applicant, any of its officers, partners, principles, members, associates or key employees, within the last three (3) years prior to the date of the application:

(a) (check one) _____ has _____ has NOT: been indicted or had charges brought against them (if still pending) and/or been convicted of:

i. any crime or offense arising directly or indirectly from the conduct of the applicant's organization; or

ii. any crime or offense involving financial misconduct or fraud; or

(b) (check one) _____ has _____ has NOT: been the subject of legal proceedings arising directly from the provision of services by the organization.

If the response is in the affirmative, the applicant shall fully describe any such indictments, charges, convictions, or legal proceedings (and the status and disposition thereof) and surrounding circumstances in writing and provide documentation of the circumstances.

18. The applicant understands that DDOE may establish additional required certifications, to be attested to at the time of the signing of the Grant Agreement.

II. For the U.S. Department of Justice, Office of Justice Programs, Office of the Comptroller:

Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters and Drug-Free Workplace Requirements

(Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, “New Restrictions on Lobbying” and 28 CFR Part 67, “Government-wide Debarment and Suspension (Non-procurement) and Government-wide requirements for Drug-free Workplace (Grants). The certifications shall be treated as a material representation of fact upon which reliance will be placed when DDOE determines to award the covered transaction, grant, or cooperative agreement.)

1. Lobbying

The applicant certifies that:

- (a) No Federally 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 any 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 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.
- (b) 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 applicant agrees that it will complete and submit, or has completed and submitted, Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.
- (c) The undersigned agrees to use, and require that the language of section II of this certification form be included, in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Certifications and Assurances Made to DDOE and U.S. DOJ

Applicant agrees that this certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into.

Applicant understands that submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S.

2. Debarment, Suspension, And Other Responsibility Matters (Direct Recipient)

(As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510.)

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily, excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, Bribery, falsification or destruction of records, making false statements, or receiving Stolen property;

(c) Are not presently indicated for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (l)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

Certifications and Assurances Made to DDOE and U.S. DOJ

B. If the applicant is unable to certify to any of the statements in this certification, it attaches an explanation to this application.

3. Drug-Free Workplace (Grantees Other Than Individuals)

(As required by the Drug Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F. for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620)

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an on-going drug-free awareness program to inform employee's about:
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. If applicant employs one or more convicted employees, it will provide notice, including position title to:

Certifications and Assurances Made to DDOE and U.S. DOJ

Sheila Besse
DDOE NRA Grants Administrator
District Department of the Environment
1200 First Street, NE 5th Floor
Washington, DC 20002.

Notice will include the identification number(s) of each affected grant;

- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted-
 - (1) Taking appropriate personnel action against such an employee, up to and incising termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency; and
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The applicant hereby inserts in the space provided below the sites for the performance of work done in connection with the specific application:

Place of Performance (Street address, city, county, state, zip code)

Applicant hereby checks, _____, if there are workplaces on file that are not identified here.

Certifications and Assurances Made to DDOE and U.S. DOJ

Drug-Free Workplace (Grantees who are Individuals)

(As required by the Drug-Free Workplace act of 1988, and implemented at 28 CFR Part 67, subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620)

- (a) As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and
- (b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to:

Sheila Besse
 DDOE NRA Grants Administrator
 District Department of the Environment
 1200 First Street, NE 5th Floor
 Washington, DC 20002

I am authorized by the applicant to make the above certifications and assurances. The applicant will comply with them, and they are true and correct to the best of my knowledge and belief. Sworn under the penalties of perjury:

1. Applicant Name and Address

2. Project Name

3. EIN #

4. Typed Name and Title of Authorized Representative

5. Signature

6. Date