

## **FEDERAL REQUIREMENTS AND CERTIFICATIONS**

The applicant hereby assures and certifies that:

a) It will comply with all applicable federal and state laws, regulations, rules and Executive Orders.

b) It possesses legal authority to apply for the grant, and to execute the proposed program.

c) Its governing body has duly adopted or passed as an official act a resolution, motion or similar action authorizing the filling of the application, including all understandings and assurances contained therein, and directing and authorizing the identified as the official representative of the applicant to act about the application and to provide such additional information as may be required.

d) It is following a detailed, written Citizen Participation Plan which will provide opportunities for citizen participation, hearings, and access to information with respect to its community development program that are comparable to those required of grantees under Section 104(a) of the Housing and Community Development Act and by regulations at 24 CFR 570,486(a).

e) Its chief elected official or other duly authorized officer of the applicant if assistance is approved and hereby:

1. Consents to assume the status of the “responsible Federal Official” as that term is used in Section 102 of the National Environmental Policy Act (NEPA), Section 104(f) of Title 1 of the Housing and Community Development Act of 1974, as amended, and other provisions of Federal law, as specified in 24 CFR 58.5 which further the purposes of NEPA.

2) Is authorized and consents on behalf of the applicant and him/herself to accept the jurisdiction of the Federal courts for the purpose of enforcement of his/her responsibilities as such an official.

3) Consents to review and comment on all Environmental Impact Statements prepared for Federal projects which may have an impact on the applicant’s/recipient’s community development program.

4) Consents to perform all coordination functions required under 24 CFR Part 58 and 40 CFR Parts 1500-1508.

f) The ***MN CDBG-CV Program*** has been developed to give maximum feasible priority to activities which will benefit low and moderate-income families. The requirement for this certification will not preclude the accepting and approving an application where the applicant certifies, and DEED determines, that all or part of the ***MN CDBG-CV*** ***Program*** activities are designed to meet other community development needs having urgency as specifically explained in the application.

g) Its program will be conducted and administered in conformity with Civil Right Act of 1964 (Public Law 88-352) and the Fair Housing Act (Public Law 90-284), and that it will affirmatively further fair housing.

h) It will comply with all provisions of the Uniform Administrative Forms of the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program.

i) It will give DEED, HUD and the Comptroller General through any authorized representative access to and the right to examine all records, books, papers or documents related to the grant.

j) It will establish safeguards to prohibit employees from using 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.

k) It will follow a Residential Anti-displacement and Relocation Assistance Plan that is in accordance with the provisions of Section 104(d) and all other provisions of the Act.

l) It has or will develop a plan that identifies community development and housing needs, including the needs of low and moderate-income persons, and the activities to be undertaken to meet such needs.

m) Its notification, inspection, testing and abatement procedures concerning lead-based paint will comply with 24 CFR Part 35.

n) When issuing statements, press releases, request for proposals, bid solicitation and other documents describing the above-mentioned program such as the environmental review, public hearings, fair housing notices, etc., it shall clearly state:

1) The percentage of the total cost of the project which will be financed with ***CDBG-CV*** money, and 2) the dollar amount of ***CDBG-CV*** funds for the project.

o)

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 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 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 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- LLL, “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 grant, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

p) It has adopted and will enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations and has adopted and is enforcing a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstration within its jurisdiction in accordance with Section 519 of Public Law 101-144, (the 1990 HUD Appropriations Act).

q)The Grantee agrees to provide a drug free workplace by notifying employees that unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the Grantee's workplace and specifying actions that will be taken against employees for violation of such prohibition. The Grantee must have an Awareness Program, or establish a drug free workplace awareness program to inform employees about the dangers of drug abuse, the availability of drug counseling and penalties for violations of the drug free workplace policy. Prior to release of funds, Grantee will provide evidence of a drug-free workplace to the State. If applicable, all secondary communities involved with this project will adhere to this condition.

r) Floodplain Management - Executive Order 11988 requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.

HUD’s regulations in 24 CFR Part 55 outline HUD’s procedures for complying with EO 11988. Part 55 applies to all HUD actions that could be harmed or cause harm if located in a floodplain, including but not limited to proposed acquisition, construction, demolition, improvement, disposition, and financing actions under any HUD program. The purpose of Part 55 is not in most cases to prohibit actions in a floodplain, but to provide the method for HUD projects to comply with EO 11988 and avoid unnecessary impacts.

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**CERTIFICATION OF ABILITY**

The City/County of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ hereby certifies its ability to meet Federal Performance and Procurement Requirements with Certification as further expanded in the preceding attachments.

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| **Name of Chief Elected Official** | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **Title** | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **Signature** | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **Date** | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |