

ASSURANCES – CONSTRUCTION PROGRAMS

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. In addition, certain Federal assistance awarding agencies may require applicants to certify to additional assurances not included in this document. You will be instructed by the awarding agency if additional assurances are required.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial, and financial capability (including funds sufficient to pay the non-federal share of project costs) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards, or agency directives.
3. Will not dispose of, modify the use of or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives, and will include a covenant in the title of real property acquired in whole or part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review, and approval of construction plans and specification.
5. Will provide and maintain competent, adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specification, and will furnish progress reports and other information as required by the assistance awarding agency, or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes, or presents the appearance or personal or organizational conflict or interest or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C §§ 4728-4783) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes, or regulations specified in Appendix A or OPM's Standards for Merit System of Personal Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of a lead based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include, but are not limited to:
 - a. Title VI of the Civil Rights Act of 1964 (p>L. 88-352) which prohibits discrimination on the basis of race, color, or national origin.
 - b. Title IX of the Federation Amendments of 1972, as amended (20 U.S.C. §§ 1681 – 1683, and 1685 – 1686) which prohibits discrimination on the basis of sex.
 - c. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794) which prohibits discrimination on the basis of handicaps.
 - d. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107) which prohibits discrimination on the basis of age.
 - e. The Drug Abuse Office and Treatment Act of 1972 (P.L. 93-255), as amended, relating to non-discrimination on the basis of drug abuse.

- f. The Comprehensive Alcohol Abuse and Alcoholism Prevention Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to confidentiality of alcohol and drug abuse patient records.
 - g. Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to non-discrimination in the sale, rental, or financing of housing.
 - h. Any other non-discrimination provisions in the specific statute(s) under which application for Federal assistance is being made.
 - i. The requirements on any other non-discrimination statute(s) which may apply to the application.
11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646), which provides fair and equitable treatment of persons displaced, or whose property is acquired as a result of Federal and Federally assisted programs. These requirements apply to all interests in real property purposes regardless of Federal participation.
 12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§ 1501 – 1508 and 7324 – 7328), which limits the political activities of employees whose principle employment activities are funded in whole, or in part, with Federal funds.
 13. Will comply with the flood insurance purchase requirements of Section 102a of the Flood Disaster Protection Act of 1973 (P.L. 93-234), which requires recipients in special flood hazard area to participate in the program, and to purchase flood insurance if the total cost of insurable construction and acquisition is \$5,000.00 or more.
 14. Will comply with the environmental standards which may be prescribed pursuant to the following:
 - a. Institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514.
 - b. Environmental Policy Act of 1969 (P.L. 91-190) and EO 11514.
 - c. Notification of violating facilities pursuant to EO 11990.
 - d. Evaluation of flood hazards in flood plains in accordance with EO 1988.
 - e. Assurance of project consistency with the approved State management program developed under the Costal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et. seq.)
 - f. Conformity of Federal actions to State (Clean Air) Implementation Plans under Section 1764.0 of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.)
 - g. Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, (P.L. 93.523), as amended.
 - h. Protection of endangered species under the Endangered Species Act of 1973, (P.L. 93.205), as amended.
 15. Will comply with the Wild Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et. seq.) related to protecting components of potential components of the national wild and scenic rivers system.
 16. Will assist the awarding agency in assuring compliance with Section 108 of the National Historic Preservation Act of 1966, as amended, (16 U.S.C. 470), EO 11593 (identification and preservation of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et. seq.)
 17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.
 18. Will comply with all applicable requirements of all other Federal laws, Executive Orders, regulations, and policies governing this program.

Signature of Authorized Certifying Official

Title

Applicants Organization

Date Submitted