

Federal Certification Forms

Document	Instructions for Completion
1. HUD Certificate Regarding Debarment and Suspension	Submit with contract at execution.
2. EEO Certification	Submit with contract at execution.
3. Contracting and Subcontracting Activity - MBE/FBE	Submit with contract at execution.
4. Contract Certification - Prime Contractor	Submit with contract at execution.
5. Contract Certification - Subcontractor	Submit with contract at execution.
6. Certification of Eligibility	Submit with contract at execution.
7. Prime Contractor Certification of Nonsegregated Facilities	Submit with contract at execution.
8. Subcontractor Certification of Nonsegregated Facilities	Submit with contract at execution.
9. Certification Regarding Lobbying	Submit with contract at execution.
10. Certification of Drug-free Workplace	Submit with contract at execution.

**Certification Regarding
Debarment and Suspension**

**U.S. Department of Housing
and Urban Development**

**Certification A: Certification Regarding Debarment, Suspension, and
Other Responsibility Matters - Primary Covered Transactions**

1. The prospective primary participant certifies to the best of its knowledge and belief that its principals;
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal debarment or agency;
 - b. Have not within a three-year period preceding this proposal, 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 indicted 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 (1)(b) of this certification; and
 - d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Certification (A)

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause of default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to whom this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms **covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded**, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of these regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines this eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph (6) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause of default.

Certification B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Certification (B)

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms **covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded**, as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of these regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph (5) of these instructions, if a participant in a lower covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies including suspension and/or debarment.

Applicant	Date
Signature of Authorized Certifying Official	Title

The applicant hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the regulations of the Secretary of Labor at 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee, the following equal opportunity clause:

During the performance of this contract, the contractor agrees as follows:

- (1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin, such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.
- (2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, or national origin.
- (3) The contractor will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- (4) The contractor will comply with all provisions of Executive Order 11246 of September 24,

(6) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: **Provided, however,** That in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency the contractor may request the United States to enter into such litigation to protect the interests of the United States. The applicant further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work:

Provided, That if the applicant so participating is a State or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract. The applicant agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules, regulations, and relevant orders of the Secretary of Labor, that it will furnish the administering agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance. The applicant further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and Federally assisted construction contracts pursuant to the Executive order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the administering agency or the Secretary of Labor pursuant to Part II, Subpart D of the Executive order. In addition, the applicant agrees that if it fails or refuses to comply with these undertakings, the administering agency may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the applicant under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such applicant; and refer the case to the

1965, and of the rules, regulations and relevant orders of the Secretary of Labor.

- (5) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to its books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

Department of Justice for appropriate legal proceedings.

Excerpt from HUD Regulations

200.410 Definition of term "applicant".

(a) In multifamily housing transactions where controls over the mortgagor are exercised by the Commissioner either through the ownership of corporate stock or under the provisions of a regulatory agreement, the term "applicant" as used in this subpart shall mean the mortgagor.

(b) In transactions other than those specified in paragraph(a) of this section, the term "applicant" as used in this subpart shall mean the builder, dealer or contractor performing the construction, repair or rehabilitation work for the mortgagor or other borrower.

200.420 Equal Opportunity Clause to be included in contracts and subcontracts.

(a) The following equal opportunity clause shall be included in each contract and subcontract which is not exempt: During the performance of this contract, the contractor agrees as follows:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of the nondiscrimination clause.

(2) The contractor will in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard race, creed, color, or national origin.

(3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided, advising the said labor union or workers' representative of the contractor's commitments under this section, and shall post copies of the notices in conspicuous places available to employees and applicants for employment.

(4) The contractor will comply with all provisions of Executive Order 10925 of March 6 1961, as amended, and of the regulations, and relevant orders of the President's Committee on Equal Employment Opportunity created thereby.

(5) The contractor will furnish all information and reports required by Executive Order 10925 of March 6, 1961, as amended, and by the regulations, and orders of the said Committee, or pursuant thereto, and will permit access to his books, records, and accounts by HUD and the Committee for purposes of investigation to ascertain compliance with such regulations, and orders.

(6) In the event of the contractor's noncompliance with the nondiscrimination clause of this contract or with any of the said regulations, or orders, this contract may be canceled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or Federally-assisted construction contracts in accordance with procedures authorized in Executive Order 10925 of March 6, 1961, as amended, and such other sanctions may be imposed and remedies invoked provided in the said Executive Order or by regulations, or order of the President's Committee on Equal Employment Opportunity, or as otherwise provided by law.

(7) The contractor will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by regulations, or orders of the President's Committee on Equal Employment Opportunity issued pursuant to Section 303 of Executive Order 10925 of March 6, 1961, as amended, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase orders as HUD may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, that in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by HUD, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

(b) Except in subcontracts for the performance of construction work at the site of construction, the clause is not required to be inserted in subcontracts below the second tier. Subcontracts may incorporate by referenced to the equal opportunity clause.

200.425 Modification in and exemptions from the regulations in this subpart.

(a) The following transactions and contracts are exempt from the regulations in this subpart:

- (1) Loans, mortgages, contracts and subcontracts not exceeding \$10,000.
- (2) Contract and subcontracts not exceeding \$100,000 for standard commercial supplies or raw material;
- (3) Contracts and subcontracts under which work is to be or has been performed outside the United States and where no recruitment of workers within the United States is involved. To the extent that work pursuant to such contracts is done within the United States, the equal opportunity clause shall be applicable;
- (4) Contracts for the sale of Government property where no appreciable amount of work is involved; and

(5) Contracts and subcontracts for an indefinite quantity which are not to extend for more than one year if the purchaser determines that the amounts to be ordered under any such contract or subcontract are not reasonably expected to exceed \$100,000 in the case of contracts or subcontracts for standard commercial supplies and raw materials, or \$10,000 in the case of all other contracts and subcontracts.

Form HUD-92010 (1/82)

Firm Name and Address	By
	Title

CONTRACTING AND SUBCONTRACTING ACTIVITY (MBE/FBE Report)

Executive Orders 12432 and 11625 require federal agencies to promote Minority Business Enterprise (MBE) participation in their programs and prescribes additional arrangements for developing and coordinating a National Program for MBE. Pursuant to Executive Order 12432, the Department of Commerce requires an annual report on MBE activities.

Agencies receiving CDBG funds for projects must ensure that contractors and subcontractors provide this information when executing a contract for construction, rehabilitation and other activities. The Henry County CDBG program compiles this MBE information in March and October of each year for submission to HUD.

Please provide the following information. If there are multiple subcontractors, please duplicate this page, complete and submit information for each.

This information pertains to (choose one and duplicate page for Subcontractors as necessary):

A Prime Contractor

A Subcontractor

Contract Amount: \$ _____ Subcontract Amount: \$ _____

Type of Trade:

- New construction
- Substantial rehabilitation
- Repair
- Service
- Project management
- Professional
- Tenant services
- Education/Training
- Architectural/Engineering appraisal
- Other _____

Prime Contractor Racial/Ethnic Code

Subcontractor Racial/Ethnic Code

- | | |
|---|---|
| <input type="checkbox"/> White American | <input type="checkbox"/> White American |
| <input type="checkbox"/> Black American | <input type="checkbox"/> Black American |
| <input type="checkbox"/> Native American | <input type="checkbox"/> Native American |
| <input type="checkbox"/> Hispanic American | <input type="checkbox"/> Hispanic American |
| <input type="checkbox"/> Asian/Pacific American | <input type="checkbox"/> Asian/Pacific American |
| <input type="checkbox"/> Hasidic Jews | <input type="checkbox"/> Hasidic Jews |

Is this a Female-owned Business Enterprise (FBE)?

- Yes No

Prime Contractor's Federal ID Number

Subcontractor's Federal ID Number

Is this a Section 3 business?

Section 3 is a HUD requirement that states that to the greatest extent feasible, opportunities for training and employment should be given to low income residents of the project area, and contracts for work in connection with the project should be awarded to business concerns which are located in, or owned in substantial part by, persons residing in the area of the project. A Section 3 business would be one located in or owned by a low income person who resides in the area of the project. This person could be is either the prime or a subcontractor.

- Yes, this is a Section 3 business No, this is not a Section 3 business.

Prime Contractor Name

Subcontractor Name

Street Address

Street Address

City/State/Zip Code

City/State/Zip Code

**CONTRACT CERTIFICATION
LABOR STANDARDS AND PREVAILING WAGE REQUIREMENTS
(Prime Contractor)**

Contractor: _____

Address: _____

Phone: _____

Project Name: _____

CDBG Recipient: _____

The undersigned, having executed a contract with the _____ for the construction of the above identified project, acknowledges that:

1. The Labor Standards provisions are included in the aforesaid contract; and
2. Corrections of any infractions of the aforesaid conditions, including infractions by any of his subcontractors and any lower tier subcontractors, is the responsibility of the contractor.

The Contractor certifies that:

1. Neither he nor any firm, partnership or association in which he has substantial interest is designated as an ineligible contractor by the Comptroller General of the United States pursuant to Section 5.6(b) of the regulations of the Davis-Bacon Act, as amended (40 U.S.C. 76a-2(a);
2. No part of the aforementioned contract has been or will be subcontracted to any subcontractor if such subcontractor or any firm, corporation, partnership or association in which such subcontractor has a substantial interest is designated as an ineligible contractor pursuant to any of the aforementioned regulatory or statutory provisions; and
3. He agrees to obtain and forward to the aforementioned recipient within ten (10) days after the execution of any subcontract, including those executed by his subcontractor and any lower tier subcontractors, a *Subcontractor's Certification Concerning labor Standards and Prevailing Wage Requirements* executed by the subcontractors.

The contractor further certifies that:

- The legal name of the business and its address are:

Name of Business

Business Address

- The undersigned is:

- A single proprietorship
- A partnership
- A corporation organized in the State of _____
- Other Organization

Describe

- 3. The names, titles and addresses of owners, partners or officers:

Name	Title	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____

- 4. The names and addresses of all persons, both natural and corporate, having a substantial interest in the undersigned, and the nature of the interests are (if none, so state):

Name	Title	Address	Interest
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

5. The names, addresses and trade classifications or all other building construction contractors in which the undersigned has a substantial interest are (if none, so state):

Name	Title	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____

Prime Contractor signature

Date

U.S. Criminal Code, section 1010, Title 18, U.S.C., provides in part that: “ Whoever.....makes, passes, utters or publishes any statement, knowing the same to be false.....shall be fined not more than \$5,000 or imprisoned not more than two (2) years or both.

**CONTRACT CERTIFICATION
LABOR STANDARDS AND PREVAILING WAGE REQUIREMENTS
(Subcontractor)**

Subcontractor Business Name: _____

Address: _____

Phone: _____

Project Name: _____

CDBG Recipient: _____

The undersigned, having executed a contract with (prime contractor) _____ as a subcontract for the construction of the above identified project, acknowledges that:

1. The Labor Standards provisions are included in the aforesaid contract; and
2. Corrections of any infractions of the aforesaid conditions, including infractions by any of the prime contractor's subcontractors and any lower tier subcontractors, is the responsibility of the prime contractor.

The Subcontractor certifies that:

1. Neither he nor any firm, partnership or association in which he has substantial interest is designated as an ineligible contractor by the Comptroller General of the United States pursuant to Section 5.6(b) of the regulations of the Davis-Bacon Act, as amended (40 U.S.C. 76a-2(a);
2. No part of the aforementioned contract has been or will be subcontracted to any subcontractor if such subcontractor or any firm, corporation, partnership or association in which such subcontractor has a substantial interest is designated as ineligible pursuant to any of the aforementioned regulatory or statutory provisions; and
3. The subcontractor agrees to provide and forward to the aforementioned prime contractor within ten (10) days after the execution of any subcontract this certification form for reporting to the CDBG recipient.

The subcontractor further certifies that:

4. The legal name of the business and its address are:

Name of Business

Business Address

5. The undersigned is:

- A single proprietorship
- A partnership
- A corporation organized in the State of _____
- Other Organization

Describe

6. The names, titles and addresses of owners, partners or officers:

Name	Title	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____

7. The names and addresses of all persons, both natural and corporate, having a substantial interest in the undersigned, and the nature of the interests are (if none, so state):

Name	Title	Address	Interest
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

8. The names, addresses and trade classifications or all other building construction contractors in which the undersigned has a substantial interest are (if none, so state):

Name	Title	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____

Subcontractor signature Date

U.S. Criminal Code, section 1010, Title 18, U.S.C., provides in part that: “ Whoever.....makes, passes, utters or publishes any statement, knowing the same to be false.....shall be fined not more than \$5,000 or imprisoned not more than two (2) years or both.

CERTIFICATION OF ELIGIBILITY

By entering into this contract, the contractor certifies that neither he, she nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded government contracts by virtue of Section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1) or to be awarded HUD contracts or participate in HUD programs pursuant to 24 CFR Part 24.

No part of this contract shall be subcontracted to any person or firm ineligible for award of a government contract by virtue of Section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1) or to be awarded HUD contracts or participate in HUD programs pursuant to 24 CFR Part 24.

The penalty for making false statement is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001, and additionally, U.S. Criminal Code, Section 1010 Title 18, U.S.C. "Federal Housing Administration transactions," provides in part "Whoever, for the purposes of ...influencing in any way the action of such administration...makes, utters or publishes any statement, knowing the same to be false...shall be fined not more that \$5,000 or imprisoned not more than two (2) years, or both."

Project Name

Project Location

Name of Prime Contractor

Name and Title of Signer

Date

Name of Subcontractor

Name and Title of Signer

Date

PRIME CONTRACTOR CERTIFICATION OF NONSEGREGATED FACILITIES

The undersigned hereby certifies that:

No segregated facilities will be maintained as required by Title VI of the Civil Rights Act of 1964.

Name of Prime Contractor

Project Name

Project Number (if applicable)

Name and Title of Signer (Print or Type)

Signature

Date

SUBCONTRACTOR CERTIFICATION OF NONSEGREGATED FACILITIES

The undersigned hereby certifies that:

No segregated facilities will be maintained as required by Title VI of the Civil Rights Act of 1964

Name of Subcontractor

Project Name

Project Number (if applicable)

Name and Title of Signer (Print or Type)

Signature

Date

CERTIFICATION REGARDING LOBBYING

The following certification published in the Federal Register (Vol. 54, No. 243, December 10, 1989, page 52321) applies to this activity; and, the undersigned certifies that to the best of his or her knowledge and belief that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any persons for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or any 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 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 office or employee of Congress, or any employee of a Member of Congress in connecting with the 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 the language of this certification be included in the award documents of all subawards at all tiers (including subcontractors, subgrants, and all contracts under grants, loans, and cooperative agreements) and that all contracted entities 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 nor more than \$100,000 for each such failure.

Signature

Date

CERTIFICATION OF DRUG - FREE WORKPLACE

Contractor/Subcontractor will provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about -
 - The dangers of drug abuse in the workplace;
 - The Contractor/Subcontractor's policy of maintaining a drug-free workplace;
 - Any available drug counseling, rehabilitation, and employee assistance programs;
 - The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the contract be given a copy of the statement required by paragraph (1) above;
4. Notifying the employee in the statement required by paragraph (1) that, as a condition of employment under the contract the employee will
 - Abide by the terms of the statement; and
 - Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every contract officer or other designee on whose contract activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number (s) of each affected contract;
6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted -
 - Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act 1973, as amended;or

- 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;
7. Making a good faith effort to continue to maintain a drug-free workplace through the implementation of paragraphs 1,2,3,4,5, and 6.

_____ 20 _____
Date

(Contractor / Sub-Contractor)

Official Address

Street

By: _____

City

Title: _____

PAYROLL FORMS

Form

Instructions

U.S. Department of Labor
Wage and Hour Division
Payroll Form WH-347

This payroll must be completed and submitted weekly to the contracting agency. Wages and fringes paid are based upon the wage rates for the work classifications used by this contract. Fringes must be paid as a part of wages, as shown in the wage rates. However, if a contractor pays toward a full-time employee's benefits, this amount may be subtracted from the fringes payment. The difference must be paid to the employee. If the benefits paid by the contractor to the employee are greater than the fringes amount required by the wage rate, no payment is required to the employee for fringes.

U.S. Department of Labor
Wage and Hour Division
Form WH-348

This statement of compliance must be completed and submitted weekly with all payroll forms.

Labor Standards Payroll
Authorization Certificate

This certification must be signed and submitted with first payroll to nonprofit agency.

LABOR STANDARDS PAYROLL AUTHORIZATION CERTIFICATE

Project Name: _____ Date: _____

Date of Contract Execution: _____

(I)(We) hereby certify that (I am)(We are) the prime contractor or subcontractor for:

_____ in connection with
(Specify "General construction", "Rehabilitation", "Plumbing", "Roofing" etc.

construction of the above mentioned project, and the (I)(We) have appointed :

_____ whose signature appears below, to

(Owner/Officer/Other employee)
supervise the payment of (my)(our) employees beginning _____, 20____.

That he/she functions in a payroll documents capacity and in the statement of compliance requirements called federal Anti Kick-Back Statute which he/she is to execute with (my)(our) full authority and approval until such time as (I)(We) submit a new Certificate appointing some other person for the purposes stated herein.

Signature of Appointee

Name of Firm or Corporation

Name of Appointee

Title of Appointee

List with signatures all owners, partners and/or officers of the firm or corporation below:

Signature

Title

Signature

Title

Signature

Title

Note: This certificate must be executed by authorized officers of the corporation and/or by members of the partnership and shall be executed prior to and submitted with the first payroll for this project. Should the appointee be changed during the term of this contract, a new certificate must accompany the first payroll for which the new appointee executes the statement of compliance required by the Anti Kick-back statute. A new designation is not necessary as long as the person signing the statement of compliance is an owner, partner or officer of the corporation whose signature appears above.

PAYMENT MAILING ADDRESS

All payments in connection with this Contract shall be made payable to:

and mailed to the following address:

The following are authorized to receive copies of Contract payment upon written request:

1. _____

2. _____

3. _____
