Applicant's Certifications and Assurances:

I. Certifications

1. Bribery: Applicant certifies that it has not been convicted of bribery or attempting to bribe an officer or employee of the State of Illinois, nor made an admission of guilt of such conduct which is a matter of record (30 ILCS 500/50-5).

2. Bid Rigging: Applicant certifies that it has not been barred from contracting with a unit of State or local government as a result of a violation of Paragraph 33E-3 or 33E-4 of the Criminal Code of 1961 (720 ILCS 5/33E-3 or 720 ILCS 5/33E-4, respectively).

3. Debt to State: Applicant certifies that neither it, nor its affiliate(s), is/are barred from receiving an Award because Applicant, or its affiliate(s), is/are delinquent in the payment of any debt to the State, unless Applicant, or its affiliate(s), has/have entered into a deferred payment plan to pay off the debt, and Applicant acknowledges Grantor may declare the Agreement void if the certification is false (30 ILCS 500/50-11).

4. Internal Revenue Code Compliance: Applicant certifies that it does and will comply with all provisions of the Federal Internal Revenue Code (26 USC 1), the Illinois Revenue Act (35 ILCS 5), and all rules promulgated thereunder, including withholding provisions and timely deposits of employee taxes and unemployment insurance taxes.

5. Lobbying: Applicant certifies that it has not paid prior grant funds, or upon receiving an Award and Grant Agreement, will not be paying Grant Funds by or on behalf of Applicant to any person for influencing or attempting to influence an officer or employee of any government agency, a member of Congress or Illinois General Assembly, an officer or employee of Congress or Illinois General Assembly, or an employee of a member of Congress or Illinois General Assembly in connection with the awarding of any agreement, the making of any grant, the making of any loan, the entering into of any cooperative or intergovernmental agreement, or the extension, continuation, renewal, amendment or modification of any agreement, grant, loan or cooperative or intergovernmental agreement. 31 USC 1352.
Additionally, Applicant certifies that it has filed the required certification under the Byrd Anti-Lobbying Amendment (31 USC 1352), if applicable.

i. Federal Form LLL: If any funds, other than Federally-appropriated funds, were paid or will be paid to any person for influencing or attempting to influence any of the above persons in connection with a Uniform Application for State Grant Assistance and subsequent Award and Agreement, the undersigned must also complete and submit Federal Form LLL, Disclosure of Lobbying Activities Form, in accordance with its instructions.

ii. Lobbying Costs: Applicant certifies that it is in compliance with the restrictions on lobbying set forth in 2 CFR Part 200.450. For any Indirect Costs associated with a Grant Agreement pursuant to an Award, total lobbying costs shall be separately identified in the Program Budget, and thereafter treated as other Unallowable Costs.

iii. Procurement Lobbying: Applicant warrants and certifies that it and, to the best of its knowledge, its subgrantees, if Applicant intends to use sub-grantees upon issuance of an Award and subsequent

Grant Agreement, have complied and will comply with Executive Order No. 1 (2007) (EO 1-2007). EO 1-2007 generally prohibits Grantees and subcontractors from hiring the then-serving Governor's family members to lobby procurement activities of the State, or any other unit of government in Illinois including local governments, if that procurement may result in a contract valued at over $25,000. This prohibition also applies to hiring for that same purpose any former State employee who had procurement authority at any time during the one-year period preceding the procurement lobbying activity.

iv. Sub-awards: If Applicant is issued an Award and subsequent, Grant Agreement, and intends to utilize sub-Grantees, Applicant certifies it will include the language of this certification in the award documents for any sub-awards made pursuant to this Award at all tiers. All sub-awardees are also subject to certification and disclosure. Pursuant to Appendix II(I) to 2 CFR Part 200, Applicant shall forward all disclosures by contractors regarding this certification to Grantor.

6. Educational Loan: Applicant certifies that it is not barred from receiving State awards or agreements as a result of default on an educational loan (5 ILCS 385/1 et seq.).

7. International Boycott: Applicant certifies that neither it nor any substantially owned affiliated company is participating or shall participate in an international boycott in violation of the provision of the U.S. Export Administration Act of 1979 (50 USC Appendix 2401 et seq. or the regulations of the U.S. Department of Commerce promulgated under that Act (15 CFR Parts 730 through 774).

8. Dues and Fees to a Discriminatory Club: Applicant certifies that it is not prohibited from receiving an Award because it pays dues or fees on behalf of its employees or agents, or subsidizes or otherwise reimburses them for payment of their dues or fees to any club which unlawfully discriminates (775 ILCS 25/1 et seq.).

9. Pro-Children Act: Applicant certifies that it is in compliance with the Pro-Children Act of 2001 in that it prohibits smoking in any portion of its facility used for the provision of health, day care, early childhood development services, education or library services to children under the age of eighteen (18), which services are supported by Federal or State government assistance (except such portions of the facilities which are used for inpatient substance abuse treatment) (20 USC 7181-7184).

10. Drug-Free Work Place: If Applicant is not an individual, Applicant certifies it will provide a drug free workplace pursuant to the Drug Free Workplace Act. 30 ILCS 580/3. If Applicant is an individual and the Award applied for is valued at more than $5,000, Applicant certifies it shall not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance during the performance of the Agreement. 30 ILCS 580/4. Applicant further certifies that it is in compliance with the government-wide requirements for a drug-free workplace as set forth in 41 USC 8102.

11. Motor Voter Law: Applicant certifies that it is in full compliance with the terms and provisions of the National Voter Registration Act of 1993 (52 USC 20501 et seq.).

12. Clean Air Act and Clean Water Act: Applicant certifies that it is in compliance with all applicable standards, order or regulations issued pursuant to the Clean Air Act (42 USC §7401 et seq.) and the Federal Water Pollution Control Act, as amended (33 USC §1251 et seq.).

13. Debarment: Applicant certifies that it is not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this Agreement by any Federal department or agency (45 CFR Part 76), or by the State (See 30 ILCS 708/25(6)(G)).

14. Non-procurement Debarment and Suspension: Applicant certifies that it is in compliance with Subpart C of 2 CFR Part 180 as supplemented by 2 CFR Part 376, Subpart C.

15. Grant for the Construction of Fixed Works: Applicant certifies that all Programs for the construction of fixed works which are financed in whole or in part with funds provided by this Notice of Funding Opportunity shall be subject to the Prevailing Wage Act (820 ILCS 130/0.01 et seq.) unless the provisions of that Act exempt its application. In the construction of the Program, Applicant shall comply with the requirements of the Prevailing Wage Act including, but not limited to, inserting into all contracts for such construction a stipulation to the effect that not less than the prevailing rate of wages as applicable to the Program shall be paid to all laborers, workers, and mechanics performing work under the Award and requiring all bonds of contractors to include a provision as will guarantee the faithful performance of such prevailing wage clause as provided by contract.

16. Health Insurance Portability and Accountability Act: Applicant certifies that it is in compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law No. 104-191, 45 CFR Parts 160, 162 and 164, and the Social Security Act, 42 USC 1320d-2 through 1320d-7, in that it may not use or disclose protected health information other than as permitted or required by law and agrees to use appropriate safeguards to prevent use or disclosure of the protected health information. Applicant shall maintain, for a minimum of six (6) years, all protected health information.

17. Criminal Convictions: Applicant certifies that neither it nor any officer, director, partner or other managerial agent of Applicant has been convicted of a felony under the Sarbanes-Oxley Act of 2002, nor a Class 3 or Class 2 felony under Illinois Securities Law of 1953, or that at least five (5) years have passed since the date of the conviction. Applicant further certifies that it is not barred from receiving an Award under 30 ILCS 500/50-10.5, and acknowledges that Grantor shall declare the Award and subsequent Grant Agreement void if this certification is false (30 ILCS 500/50-10.5).

18. Federal Funding Accountability and Transparency Act of 2006: Applicant certifies that it is in compliance with the terms and requirements of 31 USC 6101. Applicant further certifies it does and will comply with the reporting requirements of the Federal Funding Accountability and Transparency Act of 2006 (P.L. 109-282) (FFATA) with respect to Federal Awards greater than or equal to $25,000. A FFATA sub-award report must be filed by the end of the month following the month in which the award was made.

19. Compliance with Uniform Grant Rules (2 CFR Part 200): Applicant certifies that it shall adhere to the applicable Uniform Administrative Requirements, Cost Principles, and Audit Requirements, which are published in Title 2, Part 200 of the Code of Federal Regulations, and are incorporated herein by reference for all grants receiving federal pass-through funding.

20. Compliance with Non-Discrimination Laws: Applicant, its employees and subcontractors under subcontract made pursuant to an Award and subsequent Grant Agreement, certifies that it shall comply with all applicable provisions of State and Federal laws and regulations pertaining to

nondiscrimination, sexual harassment and equal employment opportunity including, but not limited to, the following laws and regulations and all subsequent amendments thereto:

(a) The Illinois Human Rights Act (775 ILCS 5/1-101 et seq.), including, without limitation, 44 Illinois Administrative Code Part 750, which is incorporated herein;

(b) The Public Works Employment Discrimination Act (775 ILCS 10/1 et seq.);

(c) The United States Civil Rights Act of 1964 (as amended) (42 USC 2000a- and 2000h-6). (See also guidelines to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons [Federal Register: February 18, 2002 (Volume 67, Number 13, Pages 2671-2685)]);

(d) Section 504 of the Rehabilitation Act of 1973 (29 USC 794);

(e) The Americans with Disabilities Act of 1990 (42 USC 12101 et seq.); and

(f) The Age Discrimination Act (42 USC 6101 et seq.).

21. Never Contract with the Enemy: Applicant certifies that it will comply with guidance implementing Never Contract with the Enemy in 2 CFR part 138 for covered contracts, grants, and cooperative agreements that are expected to exceed $50,000 during the period of performance, are performed outside the United States and its territories, and are in support of a contingency operation in which members of the Armed Forces are actively engaged in hostilities. (2 CFR 200.215)

22. Prohibition on Certain Telecommunications & Video Surveillance Equipment: Applicant certifies that it will not obligate or expend loan or grant funds to (1) procure or obtain covered telecommunications equipment or services; (2) extend or renew a contract to procure or obtain covered telecommunications equipment or services; or (3) enter into a contract (or extend or renew a contract) to procure or obtain covered telecommunications equipment or services. (2 CFR 200.216)

23. Domestic Preference for Procurement; Buy American for Infrastructure: Applicant certifies that it will, to the greatest extent practicable and consistent with the law, provide a preference for the purchase, acquisition, or use of good, products, or materials produced in the United States, and will include the requirements of 2 CFR 200.322 in all subawards, contract, and purchase orders. In addition, applicant certifies that it will implement the Buy America preferences set forth in 2 CFR part 184 for infrastructure projects. (2 CFR 200.322)

24. Procurement of Recovered Materials: Applicant, if a State agency or agency of a political subdivision of a State and its contracts, certifies that it will comply with § 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976. In addition, applicant, whether a governmental entity or not, certifies that it will, to the greatest extent practicable and consistent with the law, purchase, acquire, or use products and services that can be reused, refurbished, or recycled; contain recycled contact, are biobased, or are energy and water efficient; and are sustainable. (2 CFR 200.323)

II. Assurances

1. Applicant Standing and Authority: Applicant assures it is duly organized, validly existing and in good standing under the laws of the State in which it was incorporated or organized and that it has the requisite power and authority to:

i. Execute and deliver the Uniform Application for State Grant Assistance on behalf of the Applicant;

ii. Execute and file the required certifications, assurances, Intergovernmental Agreements and Grant Agreements on behalf of the Applicant binding the Applicant;

iii. Execute Grant Agreements, Intergovernmental Agreements, and all other documents to be executed by Applicant in connection with the Award and subsequent Agreement with Grantor on behalf of the Applicant.

iv. Upon receiving an award and subsequent Intergovernmental Agreement or Grant Agreement, perform its obligations hereunder and to consummate the transactions contemplated within the Agreement.

v. If Applicant is organized under the laws of another jurisdiction, Applicant warrants that it is also duly qualified to do business in Illinois and, if applicable, is in good standing with the Illinois Secretary of State.

2. General Assurances:
i. Applicant assures it will comply with all applicable State, Federal, and local laws and State administrative regulations in carrying out any project supported by a State of Illinois Grant Agreement or Intergovernmental Agreement, and any and all license requirements or professional certification provisions.

ii. Applicant agrees that it is under a continuing obligation to comply with the terms and conditions of the Grant Agreement or Intergovernmental Agreement with Grantor issued for its project.

iii. Where applicable, Applicant assures it will comply with applicable State and Federal statutes, Federal regulations and Grantor administrative rules regarding confidential records or other information obtained by Applicant concerning persons served under an Intergovernmental Agreement or Grant Agreement. The records and information shall be protected by Applicant from unauthorized disclosure.

iv. Applicant recognizes that Federal and State laws and regulations may be modified from time to time, and those modifications may affect project implementation. The Applicant understands that Presidential executive orders, executive orders from the Office of the Governor, Federal and State directives, including policies and program guidance may be issued concerning matters affecting the Applicant or the project.

v. The Applicant agrees that the most recent Federal and State laws, regulations, and directives will apply to the project, unless Grantor issues a written determination otherwise.

3. Other Assurance: Applicant assures it and any sub-grantees it might intend to utilize shall:
i. be in good standing with the Illinois Secretary of State, if applicable; and
ii. have a valid UEI number issued by sam.gov.

Applicant understands its responsibility to remain current with these requirements. If Applicant's status regarding any of these requirements change, or the certifications made in and information provided in the Uniform Application for State Grant Assistance changes, Applicant must notify the Grantor.

4. Gift Ban Assurance: Applicant understands it is prohibited from giving gifts to State employees and assures it will not give any gifts pursuant to Officials and Employees Ethics Act (5 ILCS 430/10-10) and Executive Order 15-09.

5. Freedom of Information Act (FOIA) Assurance: Applicant assures that upon request, Applicant shall make available to Grantor all documents in its possession that Grantor deems necessary to comply with requests made under the Freedom of Information Act. (5 ILCS 140/7(2)

6. Whistleblower Protections: Applicant assures that it will inform employees in writing of whistleblower protections in accordance with 2 CFR 200.217.

7. **Disclosure of Violation of Federal Law:** Applicant assures it will disclose any violation of federal law involving fraud, conflict of interest, bribery, or gratuity violations or a violation of the False Claims Act in accordance with 2 CFR 200.113.