



THIS SECTION FOR STATE USE ONLY
DISASTER: 4145

FEMA Identification Number:
Date Applications Received:
Date State Approval:
FEMA Application Submittal Date:

Colorado Point of Contact:
State Hazard Mitigation Office
Colorado DHSEM
9195 East Mineral Avenue, Suite 200
Centennial, Colorado 80112
Office: 720-852-6694
Fax: 720-852-6750
Email: Sean.Settle@state.co.us

NOTE: Application must be submitted in digital form.

PROJECT OVERVIEW

- 1. Applicant Legal Name:
Organizational Unit:
2. Applicant Type: Local Government, State Government, Native American Tribe, Private Non-Profit

- 3. Project Title:
4. Proposed Project Total Cost:
Federal Share (75%):
State Match (12.5%):
Local Match (12.5%):

The State of Colorado Generator Handbook and the Hazard Mitigation Grant Program Scoring Sheet accompanies this application. Much of the information needed to complete this application, and particularly those areas marked with an asterisk, can be found in these documents. In addition, e-mail and telephone technical assistance may be requested.

- 5. Enter the Benefit Cost benefits, cost, and ratio determined prior to application. Export the Benefit Cost file and provide in electronic format, along with all supporting documentation used to develop the ratio. If Benefit Cost Analysis was waived, place an "N/A" in the blanks, and provide explanation below for the exemption. Attach Documentation

Benefit: \$ Cost: \$ Ratio:

[Redacted area for Benefit Cost details]

- 6. Certifications:
The undersigned assures fulfillment of all requirements of the Hazard Mitigation Grant Program as contained in the program guidelines and that all information contained herein is true and correct to the best of my knowledge. The governing body of the applicant has duly authorized the document, and hereby applies for the assistance documented in this application. Also, the applicant understands that the project may proceed ONLY AFTER FEMA APPROVAL is gained.

Typed Name of Authorized Representative/Applicant Agent Title Telephone Number
Date Signed

APPLICANT INFORMATION

1. Does your community have a current FEMA approved multi-hazard mitigation plan? [ ] Yes [ ] No
Location of proposed project in mitigation plan strategies Page [ ] Section/Part [ ]

2. Is the community a member of good standing with the National Flood Insurance Program? [ ] Yes [ ] No

3. Has the community adopted the IBC nationally recognized building code? [ ] Yes [ ] No

4. FIPS Code: [ ] DUNS Number: [ ]

5. U.S. Congressional District: [ ] Congressman Name: [ ]

6. State Senatorial District: [ ] Senator Name: [ ]

7. State Legislative District: [ ] Representative Name: [ ]

8. Primary Point of Contact: The Primary Point of Contact is the person responsible for coordinating the implementation of this proposal, if approval is granted.

[ ] Ms. [ ] Mr. [ ] Mrs. First Name: [ ] Last Name: [ ]
Title: [ ] Organization: [ ]
Street Address: [ ]
City: [ ] State: [ ] Zip Code: [ ]
Telephone: [ ] Fax: [ ] Mobile: [ ] E-mail Address: [ ]

9. Alternate Point of Contact: The Alternate Point of Contact is the person that can address questions or concerns in the Primary Point of Contact's absence.

[ ] Ms. [ ] Mr. [ ] Mrs. First Name: [ ] Last Name: [ ]
Title: [ ] Organization: [ ]
Street Address: [ ]
City: [ ] State: [ ] Zip Code: [ ]
Telephone: [ ] Fax: [ ] Mobile: [ ] E-mail Address: [ ]

10. Application Prepared by: [ ] Ms. [ ] Mr. [ ] Mrs. First Name: [ ] Last Name: [ ]

Title: [ ] Organization: [ ]
Street Address: [ ]
City: [ ] State: [ ] Zip Code: [ ]
Telephone: [ ] Fax: [ ] Mobile: [ ] E-mail Address: [ ]

11. Authorized Applicant Agent: The Authorized Applicant Agent MUST be the chief executive officer, mayor, etc. This person must be able to sign contracts, authorize funding allocations or payments, etc.

[ ] Ms. [ ] Mr. [ ] Mrs. First Name: [ ] Last Name: [ ]
Title: [ ] Organization: [ ]
Street Address: [ ]
City: [ ] State: [ ] Zip Code: [ ]
Telephone: [ ] Fax: [ ] Mobile: [ ] E-mail Address: [ ]

**Generator Scoring Worksheet:** (to be used in project ranking) Answer all questions

- Does the project reduce the needs for emergency services? Yes  No  (0, 5, or 10 pts.)
- Does the project reduce threats to multiple communities? Yes  No  (0 or 5 pts.)
- Does the project reduce death and injury vulnerability? Yes  No  (0, 5, or 10 pts.)
- Does the project reduce costs of future disaster damages? Yes  No  (0, 5, or 10 pts.)
- Does the applicant have an approved mitigation plan (existing or being added)? Yes  No  (10 or 0 pts.)
- Has the applicant previously submitted for mitigation funding? Yes  No  (0 or 5 pts.)
- Is the applicant willing to increase their local match of funding for their project? Yes  No  (10 or 0 pts.)
- Has the applicant made a plan for future operation and maintenance costs (O&M)? Yes  No  (0 or 5 pts.)
- Has the applicant successfully implemented previous mitigation grants? Yes  No  (0 or 5pts.)
- Has the applicant submitted a complete proposal that does not lead to confusion? Yes  No  (0, 5, or 10 pts.)

**PROJECT DESCRIPTION**

12. Site Address: (No PO or Route No.)

13. City, State, Zip Code:

14. Tax Parcel ID:  15. Property Tax ID:

16. Latitude (*in decimal form*):  17. Longitude (*in decimal form*):

**(Site information and latitude / longitude should be entered on Individual Generator Worksheets and not here if more than one generator / connection site is proposed.)**

18. Flood Zone Designation:  AE or A 1-30  A (no base flood elevation given)  
 B or X (shaded)  C or X (un-shaded)

19. Panel Number of the FIRM used to determine the above:  20. Date of FIRM:

21. Describe, in detail, the proposed project. Explain how the proposed project will solve the problem(s) and provide the level(s) of protection. Include a description of the desired outcome and methodology of the mitigation activity in terms of mitigation objectives to be achieved. Identify the critical components and describe the facility/location of the proposed project.

22. Is this a new or replacement generator or connection?  New  Replacement
23. Is this a stand-alone or a portion of an existing structure?  Stand-Alone  Existing Structure
24. Power Generation Worksheet- for emergency power generation only

Instructions for Worksheet:

- Prepare separate worksheet for each individual site requesting generator or connection systems.
- In order to ensure timely processing of your application, please number and prioritize all sites.
- Include certification of the emergency power generation capacity needed for structure. This certification should include the criteria used for determination, along with the calculated safety factor. A professional engineer, Power Company representative or the generator manufacturer’s representative shall submit the certification (See Attached Data Sheet).

**Generator Data Worksheet:**

THIS IS WORKSHEET #   OF   (Total Number of Worksheets)

1. Site Information:
2. Site Name:
3. Priority #
4. Street Address (including city, state, zip code, tax map & parcel, and county) or Physical/Legal Location:
  - 4a. Latitude (*in decimal form*):
  - 4b. Longitude (*in decimal form*):
5. Population Affected
 

Provide the number of each type of structure (listed below) in the project area. Include all structures in project area.

  - residential properties
  - businesses / commercial properties
  - public buildings
  - schools / hospitals / houses of worship
  - for 5% water and wastewater generator connection projects list the number of customer connections
6. How long was site without power?
7. Do you currently have back-up power for this site?      If so, what type?
8. Structure Information:
9. Date of Construction
10. Kilowatt/Hour Usage
11. Will the generator be mounted on the building?
12. On the ground or in a separate housing?
13. Is generator elevated on a platform or in a flood-proofed location?
14. Funding Sources (round figures to the nearest dollar). The maximum FEMA share for HMGP projects is 75%. The other 25% can be made up of State and Local funds as well as in-kind services. HMGP funds may be packaged with other Federal funds, but other Federal funds (except for Federal funds which lose their Federal identity at the State level) may not be used for the State or Local match.

<i>Estimated FEMA Share</i>	\$ <span style="background-color: #cccccc; border: 1px solid black; padding: 2px 20px;"> </span>	_____ % of Total
<i>Non-Federal Share</i>		
Estimated Local Share	\$ <span style="background-color: #cccccc; border: 1px solid black; padding: 2px 20px;"> </span>	_____ % of Total
(Include In-Kind Values)		
List Funding Sources	_____	
Estimated State Share	\$ <span style="background-color: #cccccc; border: 1px solid black; padding: 2px 20px;"> </span>	_____ % of Total
List Funding Sources	_____	
<i>Estimated Other Agency Share</i>	\$ <span style="background-color: #cccccc; border: 1px solid black; padding: 2px 20px;"> </span>	_____ % of Total
Identify Other Non-Federal Agency	_____	
<i>Other Non-FEMA Federal Funds</i>	\$ <span style="background-color: #cccccc; border: 1px solid black; padding: 2px 20px;"> </span>	Do Not Include In Total
Identify Other Federal Agency	_____	

15. Generator Data:

**Manufacturer Name:**

**Model Number:**

**Date of Manufacture:**

- A. Running Load (KW) \_\_\_\_\_
- B. Starting Load (KW) \_\_\_\_\_
- C. Is load being stepped in? \_\_\_\_\_
- D. Generator Specified (KW) \_\_\_\_\_
- E. Generator Voltage \_\_\_\_\_
- F. Maximum Power Output \_\_\_\_\_
- G. Single or Three Phase \_\_\_\_\_
- H. Number of Poles \_\_\_\_\_
- I. Type of Controls \_\_\_\_\_  

	Automatic	Manual	Remote	
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- J. How Fast Can Controls Respond: \_\_\_\_\_  

0-19 Seconds	20 Seconds – 3 Minutes	Greater than 3 Minutes
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- K. Type of Fuel \_\_\_\_\_  

Gas	Diesel	Propane	Steam	Other
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Additional information/remarks:

I certify that I have visited the project site, performed all necessary tests, and have verified that the attached calculated loads and generator specifications will meet all requirements of this proposed installation as described in the Project Application’s description of work.

Signature	Title	Date
Print Name	Organization	Telephone Number

NOTES:

1. The generator must be installed in accordance with all applicable local and national building and electrical codes.
2. Please attach available information on proposed equipment, load and sizing data, etc.
3. The Applicant should develop and implement a generator maintenance plan which includes periodically exercising the generator under load.

**SCOPE OF WORK / BUDGET**

25. This section details all of the costs estimated for the project and is broken into three areas that cover (1) Materials; (2) Labor; and (3) Fees Paid. To assist in understanding what types of costs are eligible, we have provided a synopsis for you below from FEMA’s 2013 Hazard Mitigation Assistance Unified Guidance, Part X, Appendix G. List all items and costs in line item fashion. Do not include contingency costs in the budget.

26. Materials

Item	Dimensions	Quantity	Cost per Unit	Cost
				\$

27. Labor (Include equipment costs -- please indicate all "soft" or in-kind matches)

Description	Hours	Rate	Cost
			\$

28. Fees Paid Include any other costs associated with the project

Description of Task	Hours	Rate	Cost
			\$

Total Estimated Project Cost \$

**29. LINE-ITEM BUDGET**

**\*\*\*ATTACH EXCEL BUDGET HERE (may use the EXCEL worksheet provided by the Grantee) \*\*\***

1. TOTALS FROM SPREADSHEET:

a. Total Materials	\$	
b. Total Labor	\$	
c. Total Fees Paid	\$	
2. Total Project Cost (a+b+c)	\$	
75% Federal Share	\$	
12.5% State Match	\$	
12.5% Local Match	\$	

If CDBG-DR funds are included in this cost estimate, the value of general and/or professional labor wages must be tabulated in accordance with the Davis Bacon Act of 1931.

*NOTE: Round Federal Share to nearest dollar.*

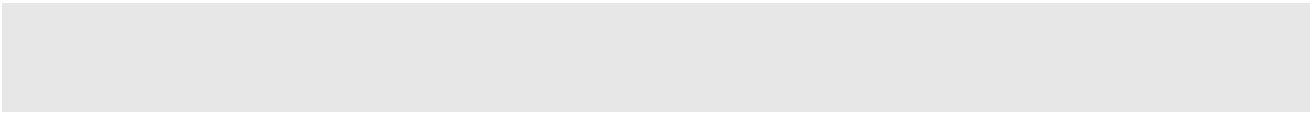
30. Non-Federal Funding Share (25% of Total Cost)

List all sources and amounts utilized in the non-federal share including all in-kind services. In-Kind services may not exceed the 25% non-federal share. If any portion of the non-Federal share will come from non-applicant sources (donated services, private donation, etc.), attach letters of funding commitment for each non-applicant source.

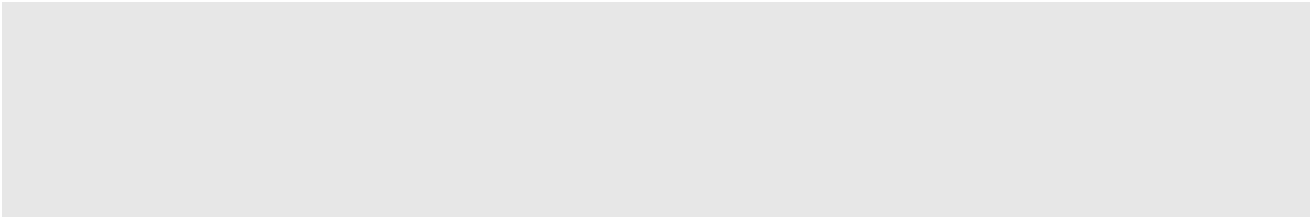
Source	Name of Source Agency	Type Funding	Amount	Commitment Letter Attached
			\$	
			\$	
			\$	
<b>In-Kind Labor</b>	<b>In-Kind Labor</b>	<b>In-Kind</b>	\$	<b>n/a</b>
<b>In-Kind Materials</b>	<b>In-Kind Materials</b>	<b>In-Kind</b>	\$	<b>n/a</b>

Source = State, Local, Private Non-Profit, Other  
 Source Agency = Specific entity providing match  
 Type Funding = Administration, Cash, Consulting Fees, Engineering Fees, Equipment Operation/Rental, Labor, Supplies, Other

31. Describe how you will manage the costs and schedule, and how you will ensure successful performance.



32. Enter any additional comments related to the proposed project’s funding, if desired.



**Eligible Costs Notes:**

- HMGP funding of emergency stand-by power generators may be either classified as regular or initiative projects depending on whether or not a benefit cost ratio (BCR) can be determined. If a BCR can be determined, the ratio must satisfy the requirements of cost-effectiveness (e.g. the minimum ratio must be 1.0 benefit or higher to 1.0 cost). If the applicant’s proposal is determined not to be cost-effective after the results of a Benefit Cost Analysis is known, the same project may not be resubmitted as an initiative proposal.
- HMGP funding for stand-alone connection systems may only be considered for approval under the 5% initiative grant.
- Generators and/or connections may not be funded under the HMGP for single family residential structures. Multi-family critical facility residential structures may be funded under the HMGP as either a regular or initiative project. Non-critical multi-family residential structures may only receive 5% initiative HMGP funding.
- A separate HMGP emergency stand-by generator application is not required if the applicant is including a generator or connection as part of a larger HMGP funded construction proposal.

**TIMELINE / MAINTENANCE**

1. Timeline

Insert the proposed work schedule as tasks to accomplish the overall goal of the proposed activity, i.e., appraisals, title search, closing, etc., and provide a description of the task’s purpose. This timeline will be used as a measurement tool for progress in the project’s implementation and is included in the required Quarterly Reports. Also, FEMA uses the timeline for determining the approved period of performance. It will be the basis used to justify delays or extensions, if necessary, and should be estimated carefully. The first and last entries are state requirements and have already been entered.

1.	Task 1:	<b>Colorado State Contract Process</b>	Timeframe:	<b>3 Months</b>
		The State contract is the State’s legal mechanism required to ensure funding or services to the applicant. The timeframe reflects up to a 3 month period.		
	Task 2:		Timeframe:	
	Task 3:		Timeframe:	
	Task 4:		Timeframe:	
	Task 5:		Timeframe:	
	Task 6:		Timeframe:	
	Task 7:		Timeframe:	
	Task 8:	<b>State Compliance Review and Closeout</b>	Timeframe:	<b>3 Months</b>
		Financial and project reconciliation with local, state, and federal concurrence.		

**Total Timeframe (must not exceed 1,095 days, 36 months, or 3 years) Timeframe:**

**SPECIAL NOTE: If CDBG-DR funds are included as part of this application, the timeframe may not exceed 730 days, 24 months, or 2 years in accordance with HUD regulations. Time extensions will not be approved.**



2. The start date for any proposed project begins upon FEMA approval. If a specific timeframe is needed, provide the timeframe and an explanation.

[Blank response area]

3. An **Operations and Maintenance (O&M) plan** must be developed for each generator / connection project. For application purposes, there must be an assurance acknowledging that the generator and/or connection will be operated and maintained in a manner that will achieve the proposed hazard mitigation. The final plan must be submitted prior to project closeout, because FEMA will review the final O & M plan during project closeout.

For the application, do you provide assurance that:

- A. The generator will be operated and maintained in a manner that will achieve the proposed hazard mitigation?  Yes  No
- B. The final O&M Plan will be provided prior to project closeout, for review by FEMA?  Yes  No
- C. Is a signed Maintenance Agreement attached to this application?  Yes  No

4. In addition to #3 above, the following questions are to give assurance on the project’s maintenance over its useful life. Please answer each question and give a brief explanation.

a. Who will be responsible for providing maintenance to the generator and/or connection(s)?

[Blank response area]

b. What is the cost of maintenance on an annual basis?

[Blank response area]

**Note: Cost of maintenance is considered an application prioritization weighting factor. Projects containing high maintenance costs have a greater risk of future failure due to deferred maintenance. Therefore, the responses provided above should be as complete and verifiable as possible in order to minimize the likelihood of ranking points reductions due to maintenance concerns.**

### ALTERNATIVE ACTIONS

List **two feasible** alternative projects to mitigate the hazard(s) in the project area. One alternative is the “No Action Alternative.”

**1. No Action Alternative**

Discuss the impacts on the project area if no action is taken.

[Blank response area]

**2. Other Feasible Alternative Project Title:**

[Blank response area]

a. Project Description and Scope of Work

Discuss a feasible alternative to the proposed project. This could be an entirely different mitigation method or a significant modification to the design of the current proposed project. Please include scope of work, engineering details (if applicable), estimated budget and the impacts of this alternative. Also, explain how the alternative project will solve the problem(s) and/or provide protection for the hazard(s).

[Blank response area]

## ENVIRONMENTAL/CONSULTATION REQUIREMENTS

Regulations governing the Hazard Mitigation Grant Program (HMGP) state that any project must “*be in conformance with 44 CFR part 9, Floodplain Management and Protection of Wetlands, and 44 CFR part 10, Environmental Considerations.*” To comply with this mandate, written coordination must occur with the state and Federal agencies listed below to provide documentation relative to its potential effect on the physical, biological and built environment.

*NOTE: In coordinating with the below listed agencies, please provide photographs of the project site and adjacent area/structures, a description of the project referencing structure/site addresses, site map, property map and USGS map with the property location marked. Maps must be of sufficient scale and detail that show the project site and surrounding project area (area of potential effects).*

Attach copies of the correspondence sent and received from below agencies (letters, permits, etc.). A list of contacts, addresses, and phone numbers, as well as an example letter, are provided in the Applicant Handbook.

### State Historical Preservation Office

Environmental Requirement: *National Historic Preservation Act: Historical Structures and Archeological Resources*  
 Questions Addressed: Does your project affect or is it in close proximity to any buildings or structures of any kind?  
 Does your project involve disturbance of ground?

### Colorado Division of Wildlife-T&E Species AND U.S. Department of the Interior (Fish and Wildlife Service)

Environmental Requirement: *Endangered Species Act and Fish and Wildlife Coordination Act*  
 Questions Addressed: Does your project remove vegetation?  
 Is your project in or near any type of waterway or body of water? (within ½ mile)  
 Is the project not contained within existing structures, or may it result in changes or potential effects to the natural environment?  
 Are there threatened or endangered species or their critical habitat present in the project area or within the county the project is located within?  
 Will this activity require an Aquatic Resource Alteration Permit?

### Colorado Department of Public Health and Environment AND U.S. Army Corps of Engineers

Environmental Requirement: *Clean Water Act, Rivers and Harbors Act, and Executive Order 11990 (Protection of Wetlands) Executive Order 11988 (Floodplain Management)*  
 Questions Addressed: Will the project involve work near or in a waterway, dredging or disposal of dredged material, excavation, adding fill material or result in any modification to water bodies or wetlands designed as “waters of the U.S.” as identified by the US Army Corps of Engineers or on the National Wetland Inventory?  
 Will the project require a National Pollutant Discharge Elimination System (NPDES) permit from the U.S. Environmental Protection Agency?  
 Will this activity require a Construction Storm-water Permit?  
 Does the project alter a watercourse, water flood patterns, or a drainage way, regardless of its floodplain designation? Will the activity require a CLOMR (Conditional Letter of Map Revision)?

### U.S. Department of Agriculture (Natural Resources Conservation Services)

Environmental Requirement: *Farmland Protection Policy Act*  
 Questions Addressed: Will the project convert more than 5 acres of farmland outside community limits and require documentation from the USDA Natural Resource Conservation Service (Prime, Unique or other Important Farmlands)?

### U.S. Army Corps of Engineers AND Colorado Department of Transportation

Regulatory Requirement: *44 CFR §80.13(b): Consultation regarding other ongoing Federal Activities*  
 Question Addressed: (1) The sub-applicant must demonstrate that it has consulted with USACE regarding the subject land’s potential future use for the construction of a levee system. The subapplicant must also demonstrate that it has, and will, reject any future consideration of such use if it accepts FEMA assistance to convert the property to permanent open space.  
 (2) The sub-applicant must demonstrate that it has coordinated with its State Department of Transportation to ensure that no future, planned modifications, improvements, or enhancements to Federal aid systems are under consideration that will affect the subject property.

**Additional Comments**

Enter any additional comments related to environmental concerns for the proposed project if desired.

**ASSURANCES****Construction Programs**

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

***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 in 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 specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be 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 of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel 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 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 Education 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. 92-255), as amended, relating to nondiscrimination 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 nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination 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 provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federal-

assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

- 12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
- 13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction sub-agreements.
- 14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- 15. Will comply with 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) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the

approved State management program developed under the Coastal 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 176(c) 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, as amended (PL. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

- 16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
- 17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
- 18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
- 19. 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

\_\_\_\_\_  
APPLICANT ORGANIZATION

\_\_\_\_\_  
DATE SUBMITTED

## ASSURANCES CONTINUED

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

Section 17.630 of the regulations provide that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for FEMA funding. States and State agencies may elect to use a Statewide certification.

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 on this form provides for compliance with certification requirements under 44 CFR Part 18, "New Restrictions on Lobbying; and 28 CFR Part 17, "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 the Federal Emergency Management Agency (FEMA) determines to award the covered transaction, grant, or cooperative agreement.

#### 1. LOBBYING

- A. As required by the section 1352, Title 31 of the US Code, and implemented at 44 CFR Part 18 for persons entering into a grant or cooperative agreement over \$100,000, as defined at 44 CFR Part 18, the applicant certifies that:
- (a) 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 making of any Federal grant, the entering into of any cooperative agreement and extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
  - (b) If any other funds 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 grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities", in accordance with its instructions;
  - (c) The undersigned shall require that the language of this certification be included in the award documents for all the sub awards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontract(s)) and that all subrecipients shall certify and disclose accordingly.

#### 2. DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 44 CFR Part 67, for prospective participants in primary covered transactions, as defined at 44 CFR Part 17, Section 17.510-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 civilian judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or perform 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 locally) 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 had one or more public transactions (Federal, State, or local) terminated for cause or default; and
- B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach 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 44 CFR Part 17, Subpart F, for grantees, as defined at 44 CFR part 17, Sections 17.615 and 17.623:

- (A) The applicant certifies that it 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 grantee'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 employees 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 to 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 employee 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.
  - (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. Employers of convicted employees must provide notice, including position title, to the applicable FEMA awarding office, i.e. regional office or FEMA office.
  - (f) Taking one of the following actions against such an employee, 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 including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
    - (2) Require 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.
  - (g) Making a good effort to continue to maintain a drug free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).
- (B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance	Street	City	State	Zip Code

\_\_\_\_\_  
*SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL*

\_\_\_\_\_  
*TITLE*

\_\_\_\_\_  
*APPLICANT ORGANIZATION*

\_\_\_\_\_  
*DATE SUBMITTED*