

### STATEMENT OF CERTIFICATION

The Applicant is required to disclose, in a written statement, the truth of which is sworn or attested to by the Applicant, whether the Applicant, or where applicable, any of its officers, partners, principals, members, associates, or key employees, within the last three (3) years prior to the date of the application, has:

- Been indicted or had charges brought against them (if still pending) and/or been convicted of:
  - A. any crime or offense arising directly or indirectly from the conduct of the Applicant or the Applicant's organization, or
  - B. any crime or offense involving financial misconduct or fraud, or
  - C. any crime or offense involving a minor
- Been the subject of legal proceeding arising directly from the provision of services by the organization
- Been listed on the Child Protection Register (CPR) as a "substantiated" case

If the response is in the affirmative, the Applicant shall fully describe any such indictments, charges, convictions, or legal proceedings (and the status and disposition thereof) and surrounding circumstances in writing and provide documentation of the circumstances.

The Applicant hereby assures and certifies compliance with all federal statutes, regulations, policies, guidelines, and requirements, including OMB Circulars No. A-21, A-87, A-102, A- 110, A-122, A-128, A-133; E.O. 12372 and Uniform Administrative Requirements for Grants and Cooperative Agreements - 28 CFR, Part 66, Common Rule, that govern the application, acceptance, and use of federal funds for this federally-assisted program.

**We hereby attest the following:**

1. We are able to maintain adequate files and records and can and will meet all grant reporting requirements.
2. Our fiscal records are kept in accordance with Generally Accepted Accounting Principles (GAAP) and account for all funds, tangible assets, revenue, and expenditures whatsoever; that all fiscal records are accurate, complete, and current at all times; and we give DOES or the District of Columbia, through any authorized representative, the right to audit and inspect all records, books, papers, or documents related to the grant.
3. We are current on payment on all federal and District taxes, including Unemployment Insurance taxes and Workers' Compensation premiums. (This statement of certification shall be accompanied by a Certificate of Good standing from the District of Columbia Office of Tax &Revenue (OTR) stating that the entity has complied with the filing requirements of District of Columbia tax laws and has paid all taxes due to the District of Columbia or is in compliance with any payment agreement with OTR).
4. We have demonstrated administrative and financial capability to provide and manage the proposed services and ensure an adequate administrative performance and audit trail.
5. We are not proposed for debarment or presently debarred, suspended, or declared ineligible, as required by Executive Order 12549, —Debarment and Suspension, and implemented by 2 CFR180, for

Department of Employment Services

prospective participants in primary covered transactions and are not proposed for debarment or presently debarred as a result of any actions by the District of Columbia Contract Appeals Board, the Office of Contracting and Procurement, or any other District contract regulating agency.

6. We have the financial resources and technical expertise necessary for the completion of the program. In addition, we have the equipment and sites adequate to perform the grant or subgrant, or the ability to obtain them.
7. We have the ability to comply with the required or proposed delivery or performance schedule, taking into consideration all existing and reasonably expected commercial and governmental business commitments.
8. We have a satisfactory record performing similar activities as detailed in the award or we can establish that we have the skills and resources necessary to provide the programming described in the grant.
9. We have a satisfactory record of integrity and business ethics.
10. We have the necessary organization, experience, accounting and operational controls, and technical skills to implement the programming described in the grant, or the ability to obtain them.
11. We are in compliance with the applicable District licensing and tax laws and regulations;
12. We are in compliance with provisions of the Drug-Free Workplace Act.
13. We meet all other qualifications and eligibility criteria necessary to receive a grant award under applicable laws and regulations.
14. We agree to indemnify, defend, and hold harmless the Government of the District of Columbia and its authorized officers, employees, agents, and volunteers from any and all claims, actions, losses, damages, and/or liability arising out of this grant or subgrant from any cause whatsoever, including the acts, errors, or omissions of any person and for any costs or expenses incurred by the Government of the District of Columbia on account of any claim therefore, except where such indemnification is prohibited by law.
15. We will ensure that the sites under our organization's ownership, lease, or supervision, which shall be utilized in providing the programming, are compliant with all District statutes, codes, and regulations
16. We possess legal authority to apply for the grant; that a resolution, motion, or similar action has been duly adopted or passed as an official act of our governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the Applicant to act in connection with the application and to provide such additional information as may be required.
17. We will comply with provisions of federal law which limit certain political activities of employees of a State or local unit of government whose principal employment is in connection with an activity financed in whole or in part by federal grants. (5 USC 1501, et. seq.).
18. We will comply with the minimum wage and maximum hour(s) provisions of the federal Fair Labor Standards Act, if applicable.
19. We will comply with all requirements imposed by the federal-sponsoring agency concerning special requirements of law, program requirements, and other administrative requirements.
20. We will comply with the provisions of the Code of Federal Regulations Title 28, Chapter 1: Part

Department of Employment Services

22 - Confidentiality of Identifiable Research and Statistical Information; Part 42 –Nondiscrimination; Equal Employment Opportunity; Policies and Procedures; Part 66 – Uniform Administrative Requirements for Grants and Cooperative.

21. We will provide an Equal Employment Opportunity Program, if required to maintain one, where the application is for \$500,000 or more.

22. We and all contractors will comply with: Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Subtitle A, Title III of the Americans with Disabilities Act (ADA) (1990); Title IX of the Education Amendments of 1972; and the Age Discrimination Act of 1975.

23. In the event a federal or State court or federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of grant funds, the recipient will forward a copy of the finding to the Office for Civil Rights, U.S. Department of Justice.

24. We understand that DOES may conduct pre-award, on-site visits to verify information submitted in the application and to determine if the Applicant's sites are appropriate for the programming intended.

25. The Grantee shall comply with all the applicable District and federal statutes and regulations as may be amended from time to time including:

- The Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq.
- Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq.
- The Hatch Act, 7 U.S.C. § 361a et seq.
- The Fair Labor Standards Act, 29 U.S.C. § 201 et seq.
- The Clean Air Act (Subgrants over \$100,000) 42 USC § 7401 et seq.
- The Occupational Safety and Health Act of 1970, 29 U.S.C. § 651 et seq.
- The Hobbs Act (Anti-Corruption), 18 U.S.C. § 1951 Equal Pay Act of 1963, 29 U.S.C. § 206(d)
- Equal Pay Act of 1963, 29 U.S.C. § 206(d)
- Age Discrimination Act of 1975, Pub. L. 94-135, Nov. 28, 1975, 89 Stat. 728 (42 U.S.C. 6101 et. seq.)
- Age Discrimination in Employment Act of 1967, 29 U.S.C. 621 et seq. Title IX of the Education Amendments of 1972, 20 U.S.C. § 1001 et seq. Immigration Reform and Control Act of 1986, 8 U.S.C. § 1101 et seq.
- Executive Order 12459 (Debarment, Suspension and Exclusion) Medical Leave Act of 1993, 5 U.S.C. § 6381 et seq.
- Medical Leave Act of 1993, 5 U.S.C. § 6381 et seq.
- Lobbying Disclosure Act of 1995, 2 U.S.C. § 1601 et seq. Drug Free Workplace Act of 1988, 41 U.S.C. § 8102 et seq.)
- Drug Free Workplace Act of 1988, 41 U.S.C. § 8102 et seq.)
- Assurance of Nondiscrimination and Equal Opportunity as found in 29 CFR § 34.20
- District of Columbia Human Rights Act of 1977, D.C. Official Code § 2-1401.01 et seq. Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.
- Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.
- District of Columbia Language Access Act of 2004, D.C. Official Code § 2-1931 et seq.
- Living Wage Act of 2006, D.C. Official Code § 2-220.01 et seq.

Department of Employment Services

- Workforce Intermediary Establishment and Reform of the First Source Amendment Act of 2011,
- D.C. Official Code § 2-219.01 et seq.
- Apprenticeship Requirements Amendment Act of 2004 (D.C. Official Code § 2-219.03 and § 32-1431)
- Universal Paid Leave Amendment Act of 2016, D.C. Official Code § 32-541.01 et seq.
- Non-Profit Reimbursement Fairness Act of 2019
- Stevens Amendment – Further Consolidated Appropriations Act 2020, at cite P.L. 116-94, Division A, Title V, Section 505.
- Mayor’s Order 2021-099 Section IV-COVID-19 Vaccination Certification.
- Mayor’s Order 2021-109 – COVID-19 Vaccination Requirement.

If there are any conflicts between the terms and conditions of the RFA and any applicable federal or local law or regulation, or any ambiguity related thereto, then the provisions of the applicable law or regulation shall control. It shall be the responsibility of the Applicant to ensure compliance.

**Acknowledgement of Authorized Representative**

As the duly authorized representative of the Applicant, I hereby certify that the Applicant will comply with the above Certifications, Licenses, and Assurances and that everything included in this application is true and accurate.

\_\_\_\_\_  
Typed/Printed Authorized Representative and Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Authorized Representative

**Disclosure Statement**

The Offeror and each of its principal team members, if any, must submit a statement that discloses any past or present business, familiar or personal relationship with any individual(s) that are currently employment by or through:

A. D.C. Department of Employment Services

Please identify any past or present business, familiar, or personal relationship in the space below. Use extra sheets if necessary.

---

---

---

---

---

This is to certify that, to the best of my knowledge and belief, and after making reasonable inquiry, the above represents a full and accurate disclosure of any past or present business, familiar, or personal relationship with any of the individuals listed above. The undersigned acknowledges and understands that this Disclosure Statement is being submitted to the False Claims Act and that a failure to disclose a material relationship(s) may constitute sufficient grounds to disqualify the Offeror.

OFFEROR:

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**NON-DISCLOSURE AGREEMENT**

I, \_\_\_\_\_ hereby affirm that DOES records and any information gathered therefrom are strictly confidential and shall not be divulged to unauthorized persons. The Applicant must demonstrate an ability to maintain the confidentiality of information. Specifically, the Applicant must agree to the following conditions:

- Participant records shall be kept confidential and shall not be open to public inspection nor shall their contents or existence be disclosed to the public. Participant records may not be divulged to unauthorized persons.
- No person receiving information concerning a participant shall publish or use the information for any purpose other than that for which it was received.
- Whoever willfully discloses, receives, makes use of, or knowingly permits the use of information concerning a child or other person shall be guilty of a misdemeanor and upon conviction shall be fined not more than \$250.00 or imprisoned for not more than 90 days, or both. (D.C. Official Code § 16-2336).
- I also affirm that I will not disclose any information from any project meetings that is not a matter of public record.
- I understand that if my organization is selected as a Grantee, then each staff person and volunteer who will be working on the program must submit a signed non-disclosure agreement, after award but prior to engaging in work.
- I will hold confidential any information gathered or disclosed to grantee as a project staff member/volunteer in accordance with all applicable District and Federal confidentiality statutes.

By signing this document, I acknowledge that I have read and fully understand the statement contained herein.

Certified By:

\_\_\_\_\_  
Applicant's Authorized Representative (Print) Title

\_\_\_\_\_  
Title

\_\_\_\_\_  
Applicant's Authorized Representative's Signature

\_\_\_\_\_  
Date