

## ASSURANCES

The applicant hereby assures and certifies compliance with all Federal statutes, regulations, policies, guidelines and requirements, including OMB circular No. A-21, A-110, A-122, A-128, A-87; 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 project. Also the applicant assures and certifies that:

1. It possesses 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 the applicant's 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.

2. It will comply with requirements of the provision of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 P. L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and federally-assisted programs.

3. It 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 grant. (5 USC 1501, et seq.)

4. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standard Act, if applicable.

5. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly that with whom they have family, business or other ties.

6. It will give the sponsoring agency or the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.

7. It will comply with all requirements imposed by the Federal-sponsoring agency concerning special requirements of law, program requirements, and other administrative requirements.

8. It will insure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the Federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal

Activities indicating that a facility to be used in the project is under consideration for any listing by the EPA.

9. It will comply with the flood insurance purchase requirements of Section 102 (a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1976, Section 102 (a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purpose for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.

10. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 USC 470), Executive Order 11593, and the Archeological and Historical Preservation Act of 1966 (16 USC 569a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects on such properties.

11. It will comply, and assure the compliance of all subgrantees and contractors, with the applicable provisions of Title I of the Omnibus Crime Control and Safe Streets Act 1968, as amended, the Juvenile Justice and Delinquency Prevention Act, or the Victims of Crime Act, as appropriate; the provisions of the current edition of the Office of Justice Programs Financial and Administrative Guide for Grants, M7100.1; and all other applicable Federal laws, orders, circulars, or regulations.

12. It will comply with the provision of 28 CFR applicable to grants and cooperative agreements including Part 18, Administrative Review Procedure, Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence

Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 42, Nondiscrimination/Equal Employment Opportunity Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures, and Federal laws or regulations applicable to Federal assistance programs.

13. It will comply, and all its contractor will comply, with the nondiscrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3789(d), or Victims of Crime Act (as appropriate); Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Subtitle A, Title II of the American with Disabilities Act (ADA) (1990); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Justice Non-Discrimination Regulations, 28 CFR Part 42, Subparts C, D, E, and G; and Department of Justice regulations and disability discrimination, 28 CFR Part 35 and Part 39.

14. In the event a Federal or State court or Federal or State administrative 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 funds, the recipient will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs.

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

16. It will comply with the provisions of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 USC 3501 et seq.), which prohibits the expenditure of most new Federal funds within the units of the Coastal Barrier Resources System.

17. It will comply with:

- (A) Funds granted as a result of this contract are to be expended for the purposes as set forth in the grant application for the Juvenile Justice and Delinquency Prevention Act and in accordance with all applicable laws, regulations, policies, and procedures of the State of Nevada and the US Department of Justice.
- (B) No expenditures will be eligible for inclusion of occurring prior to the effective date of the original starting date of the contract; and
- (C) The project must be operational within 60 days of the original starting date of the grant period, or the subgrantee must submit documentation to the Division of Child and Family Services (DCFS) setting forth the reasons for the delay, the steps taken to

initiate the project, and the expected starting date. If the project is not operational within 90 days of the original starting date of the grant period, the subgrantee must submit further documentation explaining the delay. DCFS may at this time cancel the project, or extend the implementation date; and

- (D) Funds awarded by DCFS may be terminated at any time for non-compliance with any terms and requirements of this agreement.

18. I will insure that the funds will be used so as to enhance and increase, but not supplant, the level of the State, local, and other non-federal funds that would in the absence of the funds be made available for programs, and will in no event replace such State, local and other non-federal funds.

19. It will comply with fund accounting procedures, auditing, monitoring, and such evaluation procedures as may be necessary to keep such records as the DCFS shall prescribe will be provided to assure fiscal control, proper management, and efficient distribution of funds received under the Juvenile Justice and Delinquency Prevention Act. Accounting procedures shall provide for accurate and timely recording of receipt of funds, and unexpended balances. Controls must be adequate to ensure that expenditures charged to grant activities are for allowable purposes and documentation is readily available to verify that such charges are accurate.

20. It will maintain such data and documentation and submit such reports, in such form, at such times, and containing such information as the DCFS may require reasonable.

21. It will provide performance reports that will be submitted to DCFS in accordance with such procedures as required by that office.

22. It will insure that procedures have been established to ensure that programs funded under the Juvenile Justice and Delinquency Prevention Act shall not disclose any records containing the identity of individual juveniles. Exceptions to this requirement:

- (A) Authorization by law;
- (B) The consent of either the juvenile or his legally authorized representative; or
- (C) Justification that otherwise the functions of this title cannot be performed. Under no circumstances may public project reports or findings contain names of actual juveniles.

23. In the event an audit report disallows costs, the grantee will forward the amount of the disallowed costs to DCFS within ninety days of such notification. Failure to do so will result in such deficiency being reported to the State Budget Division.

CERTIFICATION

I certify that the program(s) proposed in this grant meet applicable requirements of the Juvenile Justice and Delinquency Prevention Act, that all the information presented is correct, and that the grantee will comply with the provisions of the act and all other applicable federal laws. By appropriate language incorporated in each grant, subgrant, or other document under which funds are to be disbursed, the undersigned shall assure that the applicable conditions above apply to all recipients of Juvenile Justice and Delinquency Prevention Act Funds.

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Signature of Authorized Official Date

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