

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: August 21, 2007 Consent Regular
 Ordinance Public Hearing

Department

Submitted By: Community Services

Submitted For: Head Start/Early Head Start & Children's Services

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to ratify: the Chairperson's signature on a Grant Application to the U.S. Department of Health & Human Services, Administration for Children and Families, for the period of October 1, 2006, through September 30, 2007, in the amount of \$218,399 for Cost Of Living Allowance (COLA) and Training & Technical Assistance (T/TA).

Summary: The COLA increase will be used to help maintain the quality of Head Start services by supporting the grantee and its delegates in efforts to attract and retain qualified staff and offset higher operating costs. The emergency signature process was used because there was insufficient time to submit the item through the regular agenda process and meet the submission deadline of July 1, 2007. County match funds of \$54,600 are required and are included in the current budget (Head Start) Countywide (TKF).

Background and Justification: The Department of Health and Human Services has issued instructions for Head Start programs to apply for 1.5% COLA increase to base funding. The Funding Guidance requires that COLA increases are to be applied in a manner that permanently increases the agency's Head Start/Early Head Start pay scales or a justification of why such an approach is not used must be submitted. The COLA letter from the Regional Office was received June 19, 2007, with instructions to submit the application by July 1, 2007, which left insufficient time to submit the application through the regular agenda process and meet the deadline. Therefore, the emergency signature process was utilized.

	COLA
Federal	\$218,399
County	<u>\$ 54,600</u>
	\$272,999

Attachments

COLA Application signed by Chairperson Addie L. Greene

Recommended by:  8-1-2007
Department Director Date

Approved By:  8-8-08
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	<u>272,999</u>	_____	_____	_____	_____
External Revenue	<u>(218,399)</u>	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>54,600</u>	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included In Current Budget: Yes X No _____
 Budget Account No. : Fund 1002 Dept. 147 Unit Various Object Various
 Program Code: Various

B. Recommended Sources of Funds/Summary of Fiscal Impact:

80% funding by the Department of Health and Human Services, and a 20% match.
20% County Fund in Fiscal Year 2007 Budget

C. Departmental Fiscal Review: *[Signature]*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:

[Signature] 8-6-07
 OFMB
[Signature] 8/6/07
[Signature] 8/6/07

[Signature] 8/7/07
 Contract Development & Control

This item complies with current County policies.

B. Legal Sufficiency:

[Signature] 8/7/07
 Assistant County Attorney

C. Other Department Review:

 Department Director

This summary is not to be used as a basis for payment.



Department of Community Services

810 Datura Street
West Palm Beach, FL 33401
(561) 355-4700
FAX: (561) 355-3863
www.pbcgov.com

**Palm Beach County
Board of County
Commissioners**

- Addie L. Greene, Chairperson
- Jeff Koons, Vice Chair
- Karen T. Marcus
- Warren H. Newell
- Mary McCarty
- Burt Aaronson
- Jess R. Santamaria

County Administrator

Robert Weisman

*"An Equal Opportunity
Affirmative Action Employer"*



June 28, 2007

To: Addie L. Greene, Chairperson
Board of County Commissioners

From: Robert Weisman, County Administrator

Re: Head Start/Early Head Start COLA Application

Pursuant to PPM#CW-F-003, your signature is needed on the FY 2006-2007 Head Start/Early Head Start Cost of Living Adjustment (COLA) Application. The total amount of the grant is \$218,399.00

The application was due to the Department of Health and Human Services by May 25, 2007. However, the COLA letter from The Regional Office was received by fax June 19, 2007 after a telephone call was made to inquire about the COLA. There is not sufficient time to submit through the regular BOCC agenda process. The application is past due and must be submitted by July 1.

Staff will submit this item on the Board's August 21, 2007 Commissioner Agenda.

If additional information is needed, please contact Dr. Carmen Nicholas, Head Start Director at (561) 233-1611.

Assistant County Attorney

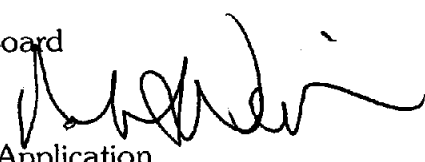
OFMB



Department of Community Services

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July 17, 2007

To: Addie L. Greene, Chairperson and the Board
Of County Commissioners
From: Robert Weisman, County Administrator 
Re: Head Start/Early Head Start Refunding Application

**Palm Beach County
Board of County
Commissioners**

- Addie L. Greene, Chairperson
- Jeff Koons, Vice Chair
- Karen T. Marcus
- Warren H. Newell
- Mary McCarty
- Burt Aaronson
- Jess R. Santamaria

County Administrator

Robert Weisman

Pursuant to PPM#CW-F-003, your signature is needed on the FY 2007-2008 Head Start/Early Head Start Refunding Application. The total amount of the grant is \$14,331,041.00

The application was due to the Department of Health and Human Services by June 30, 2007. Preparation of the packet was delayed due to the property tax legislation and the resulting impact on the amount of funding provided to the Head Start program by the county. A request to the Region IV office of Head Start to delay submission was granted, and the deadline for submission extended to July 20, 2007.

A copy of the approval letter is attached. There is not sufficient time to submit for approval through the regular Board of County Commissioner agenda process.

Staff will submit this item on the Board of County Commissioner's August 21, 2007, meeting agenda.

If additional information is needed, please contact Dr. Carmen Nicholas, Head Start Director at (561) 233-1611.


Assistant County Attorney


OFMB

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Department of Health and Human Services
Administration For Children and Families
Region IV

61 Forsyth Street, Suite 4M60
Atlanta, Georgia 30303-8909

Telephone (404) 562-2800/2900
Fax (404) 562-2981

June 22, 2007

Ms. Addie Greene, Chairperson
Board of Directors
301 North Olive Avenue – 12th Floor
Palm Beach County Board of County Commissioners
West Palm Beach, Florida 33401

Dear Ms. Greene:

This letter is in reference to correspondence received from the Palm Beach County Board of County Commissioners Head Start Program requesting an extension of the submission of its Program Year 2007-2008 refunding application. The delay results from the State of Florida's plans to implement significant tax cuts, which may adversely impact (non-federal) funding received by the grantee. Subsequently, preparation and submission of the Program Year 2007-2008 refunding budget will be delayed. Upon the receipt of the refunding application, the Regional Office will review and make a determination concerning your proposed strategies.

Your request to delay submission of your refunding application until July 20, 2007 is approved. Should you have any questions, please contact Olissa H. Williams, Program Specialist, at 404-562-2863 or Gayle Howard, Financial Operations Specialist, at 404-562-2851.

Sincerely,

Marsha W. Lawrence, Regional Program Manager
Region IV - Office of Head Start

Cc: Executive Director
Head Start Director
Policy Council

**APPLICATION FOR
FEDERAL ASSISTANCE**

Version 7/03

1. TYPE OF SUBMISSION: Application		2. DATE SUBMITTED	Applicant Identifier 04CH3046/41
<input type="checkbox"/> Construction	Pre-application	3. DATE RECEIVED BY STATE	State Application Identifier
<input checked="" type="checkbox"/> Non-Construction	<input type="checkbox"/> Construction	4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier 59-6000785
<input type="checkbox"/> Non-Construction			
5. APPLICANT INFORMATION			
Legal Name: Palm Beach County, Board of County Commissioners		Organizational Unit: Department: Community Services	
Organizational DUNS: 078470481		Division: Head Start & Children Services	
Address: Street: 3323 Belvedere Road, Building 502		Name and telephone number of person to be contacted on matters involving this application (give area code)	
City: West Palm Beach		Prefix: Dr.	First Name: Carmen
County: Palm Beach		Middle Name A.	
State: Florida	Zip Code 33406	Last Name Nicholas	
Country:		Suffix:	
		Email: cnicholas@co.palm-beach.fl.us	
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 59-6000785		Phone Number (give area code) (561)233-1611	Fax Number (give area code) (561)233-1633
8. TYPE OF APPLICATION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify) <input type="checkbox"/> <input type="checkbox"/>		7. TYPE OF APPLICANT: (See back of form for Application Types) B. County Other (specify)	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE (Name of Program): 93-6000		9. NAME OF FEDERAL AGENCY:	
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: FY 2007 COLA Funding and Training & Technical Assistance Services PA-22; PA-25; PA-20	
13. PROPOSED PROJECT Start Date: 10/01/06 Ending Date: 09/30/07		14. CONGRESSIONAL DISTRICTS OF: a. Applicant FL 16, 19, 22, 23 b. Project FL 16, 19, 22, 23	
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$ 218,399 ⁰⁰	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:	
b. Applicant	\$ 54,600 ⁰⁰	b. No. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372	
c. State	\$ ⁰⁰	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
d. Local	\$ ⁰⁰	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?	
e. Other	\$ ⁰⁰	<input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No	
f. Program Income	\$ ⁰⁰		
g. TOTAL	\$ 272,999 ⁰⁰		
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.			
a. Authorized Representative			
Prefix	First Name Addie	Middle Name L	
Last Name Greene	Signature <i>Addie L. Greene</i>		Suffix
b. Title	c. Telephone Number (give area code) (561)355-2207		
d. Signature of Authorized Representative	e. Date Signed		

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Standard Form 424 (Rev.9-2003)
Prescribed by OMB Circular A-102

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

COUNTY ATTORNEY

BUDGET INFORMATION - Non-Construction Programs

OMB Approval No. 0348-0044

SECTION A - BUDGET SUMMARY						
Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. PA-22		\$	\$	\$ 184,396.00	\$ 46,099.00	\$ 230,495.00
2. PA-25				24,821.00	6,205.00	31,026.00
3. PA-20				9,182.00	2,296.00	11,478.00
4.						0.00
5. Totals		\$ 0.00	\$ 0.00	\$ 218,399.00	\$ 54,600.00	\$ 272,999.00
SECTION B - BUDGET CATEGORIES						
6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)	
	(1) PA-22	(2) PA-25	(3) PA-20	PA-20		
a. Personnel	\$	\$	\$	\$	\$ 0.00	
b. Fringe Benefits					0.00	
c. Travel					0.00	
d. Equipment	11,300.00				11,300.00	
e. Supplies	40,000.00	8,028.00			48,028.00	
f. Contractual	74,236.00	16,793.00			91,029.00	
g. Construction					0.00	
h. Other	58,860.00		9,182.00		68,042.00	
i. Total Direct Charges (sum of 6a-6h)	184,396.00	24,821.00	9,182.00	0.00	218,399.00	
j. Indirect Charges					0.00	
k. TOTALS (sum of 6i and 6j)	\$ 184,396.00	\$ 24,821.00	\$ 9,182.00	\$ 0.00	\$ 218,399.00	
7. Program Income	\$	\$	\$	\$	\$ 0.00	

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SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS	
8. PA-22	\$ 46,099.00	\$	\$	\$ 46,099.00	
9. PA-25	6,205.00			6,205.00	
10. PA-20	2,296.00			2,296.00	
11.				0.00	
12. TOTAL (sum of lines 8-11)	\$ 54,600.00	\$ 0.00	\$ 0.00	\$ 54,600.00	
SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ 0.00	\$	\$	\$	\$
14. Non-Federal	0.00				
15. TOTAL (sum of lines 13 and 14)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
(a) Grant Program	FUTURE FUNDING PERIODS (Years)				
	(b) First	(c) Second	(d) Third	(e) Fourth	
16. PA-22	\$	\$	\$	\$	
17. PA-25					
18. PA-20					
19.					
20. TOTAL (sum of lines 16-19)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	
SECTION F - OTHER BUDGET INFORMATION					
21. Direct Charges:		22. Indirect Charges:			
23. Remarks:					

HEAD START

COLA

Fiscal Year 2006-2007

CONTRACTUAL SERVICES

	ACYF	PBC	TOTAL
Apostolic Child Development Center	6,758	1,690	8,448
Education Development Centers	6,511	1,628	8,139
Florence Fuller Child Development Centers	11,862	2,966	14,828
Hispanic Human Resources	22,948	5,737	28,685
Kings Kids Early Learning Center	2,726	682	3,408
Delray Full Service Center	12,906	3,227	16,133
A Step Above Learning Center	1,653	413	2,066
YWCA of Palm Beach County	6,310	1,577	7,887
Union Missionary Baptist Church, Inc.	2,561	640	3,201
SUBTOTAL	74,236.00	18,559	92,795

OTHERS

Equipment Purchase	11,300	2,825	14,125
Food /Dietary(non CCFP reimbursed)	42,860	10,715	53,575
Local Mileage	16,000	4,000	20,000
Operating Supplies	40,000	10,000	50,000

TOTAL

184,396	46,099	230,495
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EARLY HEAD START

COLA

Fiscal Year 2006-2007

CONTRACTUAL SERVICES

Apostolic Child Development Center
Emmanuel Child Development Centers
Family Central
Florence Fuller Child Development Centers
Hispanic Human Resources

ACYF	PBC	TOTAL
------	-----	-------

2,429.00	607.00	3,036
1,912.00	478.00	2,390
1,141.00	285.00	1,426
2,030.00	507.00	2,537
2,470.00	618.00	3,088
9,982.00	2,495	12,477

SUBTOTAL

OTHERS

Other Contractual
Supplies

6,811	1,703	8,514
8,028	2,007	10,035

TOTAL

24,821	6205	31,026
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Head Start

Grantee

The Palm Beach County Board of County Commissioners, through its Classification and Pay section conducts the Annual Wage Comparability Study. Data is used to ensure that its employees maintain parity with employees with similar job responsibilities, skills, education and experience, in other similar agencies. As a result, the most recent (2007) Wage Comparability Study states "Palm Beach County Head Start is competitive in the market place."
See 2007 Wage Comparability Study. Attachment 1.

Also in FY 2006/2007, the Grantee awarded 7% across-the-board increases to all staff. (See Attachment 2: Memo FY 2006/2007 Pay Policies dated September 28, 2006). The grantee will use its FY 06/07 to maintain quality and offset higher operating costs as follows:

- 1) Purchase and install walk-in cooler/freezer for central kitchen which caters meals for 660 Head Start and Early Head Start children. \$14,125.00
- 2) Food and Dietary
This includes food costs for food expense and a second snack for children in extended care not reimbursable under the CCFP agreement. \$53,575.00
- 3) This includes the increase in mileage reimbursements to allow administrative staff to travel to remote Head Start/Early Head Start sites throughout the county to provide monitoring, provide training, technical assistance and conduct other program-related activities. \$20,000.00
- 4) Materials & Supplies Operating
This includes classroom educational supplies \$50,000.00

Contract Providers

The grantee also elected to award a portion of the COLA to the Contract Provider agencies. The grantee has required that all agencies use these funds toward supporting their efforts to meet the classroom staff education qualifications and CDA credentials.

Delegate Agencies

As per ACF-PI-HS-001-03, the grantee allocated 1.5% cost-of-living increase to each delegate. The Delegate Agencies will use their allocation as follows:

- 1) Delray Full Service Center will use its COLA allotment of \$16,133.00 to increase salaries, health insurance and fringe benefits (\$15,583.40) and the balance (\$549.60) will be used towards offsetting the cost of health and disabilities services.
- 2) Hispanic Human Resources, Inc. (HHRC) will use its COLA allotment of \$28,685.00 to increase salaries and fringe benefits. (See supportive documentation attached).
- 3) Florence Fuller Child Development Centers, Inc. will use its COLA allotment of \$14,828.00 to increase salaries and fringe benefits. (See supportive documentation attached).
- 4) YWCA of Palm Beach County, Inc. will use its COLA allotment of \$7,887.00 to increase salaries and benefits. (See supportive documentation attached).

Early Head Start

Grantee

The Palm Beach County Board of County Commissioners, through its Classification and Pay section conducts the Annual Wage Comparability Study. Data is used to ensure that its employees maintain parity with employees with similar job responsibilities, skills, education and experience, in other similar agencies. As a result, the most recent (2007) Wage Comparability Study states "Palm Beach County Head Start is competitive in the market place."
See 2007 Wage Comparability Study. Attachment 1.

Also in FY 2006/2007, the Grantee awarded 7% across-the-board increases to all staff. (See Attachment 2: Memo FY 2006/2007 Pay Policies dated September 28, 2006). The grantee will use its FY 06/07 to maintain quality and offset higher operating costs as follows:

- | | |
|--|------------|
| 1) Early Head Start Nurse Contracted Services | \$8,514.00 |
| 2) Materials and Supplies including classroom supplies, diapers, wipes, etc. | \$3,830.00 |

Contract Providers

The Grantee also elected to award a portion of the COLA to the Contract Provider agencies. The grantee has required that all agencies use these funds towards supporting their efforts to meet classroom staff education qualifications and CDA credentials.

Delegate Agency

Hispanic Human Resources Council, Inc. (HHRC) will use its COLA allotment of \$3,088 towards staff salary increases and benefits. (See supportive documentation attached).

**EARLY HEAD START
BUDGET NARRATIVE
PROGRAM ACCOUNT 25
2006-2007**

COST OF LIVING (COLA)

Cost of Living Award Application	\$24,821.00
Match at 20%	6,205.00
TOTAL	\$ 31,026.00

Allocations:

The grantee allocated to delegate agencies / contracted services/
Child care providers as follows:

Apostolic child Development Centers	\$ 3,036.00
Emmanuel child Development Centers	\$ 2,390.00
Family Central	\$ 1,426.00
Florence Fuller Child Development Centers	\$ 2,537.00
Hispanic Human Resources, Inc.	\$ 3,088.00
Total	\$12,477.00
Grantee	\$18,549.00
GRAND TOTAL	\$ 31,026.00

**HEAD START
BUDGET NARRATIVE
PROGRAM ACCOUNT 22
2006-2007**

COST OF LIVING (COLA)

Cost of Living Award Application	\$ 184,396.00
Match at 20%	46,099.00

TOTAL	\$230,495.00
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Allocations:

The grantee allocated to delegate agencies / contracted services/
Child care providers as follows:

Apostolic child Development Centers	\$ 8,448.00
Education Development Centers, Inc.	\$ 8,139.00
Florence Fuller Child Development Centers	\$14,828.00
Hispanic Human Resources Inc.	\$28,685.00
Kings Kids Early Learning Center	\$ 3,408.00
Delray Full Service Center	\$ 16,133.00
A Step Above Learning Center	\$ 2,066.00
YWCA of Palm Beach County, Inc.	\$ 7,887.00
Union Missionary Baptist Church, Inc.	\$ 3,201.00

Total	\$ 92,795.00
Grantee	\$137,700.00

GRAND TOTAL	\$ 230,495.00
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**TRAINING
BUDGET NARRATIVE
PROGRAM ACCOUNT 20
2006-2007**

COST OF LIVING (COLA)

Cost of Living Award Application	\$ 9,182.00
Match at 20%	2,296.00
TOTAL	\$ 11,478.00

Allocations:

Grantee	\$11,478.00
GRAND TOTAL	\$ 11,478.00

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB
0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

(See reverse for public burden disclosure.)

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known:	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known:	
6. Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number, if applicable: _____	
8. Federal Action Number, if known:	9. Award Amount, if known: \$ _____	
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI):	b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: <u>Addie L. Greene</u> Print Name: <u>Addie L. Greene</u> Title: <u>Chairperson</u> Telephone No.: <u>355-2207</u> Date: _____	
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APPROVED AS TO TERMS AND CONDITIONS

BY: [Signature]
DEPARTMENT HEAD

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

[Signature]
COUNTY ATTORNEY

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

Certification Regarding Drug-Free Workplace Requirements (Instructions for Certification)

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies.
4. For grantees who are individuals, Alternate II applies.
5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).

8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

Controlled substance means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

Criminal drug statute means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

Employee means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

Certification Regarding Drug-Free Workplace Requirements

Alternate I. (Grantees Other Than Individuals)

The grantee certifies that it will or 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 ongoing 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 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 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;
- (e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant 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 grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (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) 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;
- (g) Making a good faith 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 address, city, county, state, zip code)

Check if there are workplaces on file that are not identified here.

Alternate II. (Grantees Who Are Individuals)

(a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

[55 FR 21690, 21702, May 25, 1990]

CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE

Public Law 103227, Part C Environmental Tobacco Smoke, also known as the Pro Children Act of 1994, requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1000 per day and/or the imposition of an administrative compliance order on the responsible entity. By signing and submitting this application the applicant/grantee certifies that it will comply with the requirements of the Act.

The applicant/grantee further agrees that it will require the language of this certification be included in any subawards which contain provisions for the children's services and that all subgrantees shall certify accordingly.

ASSURANCES - NON-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 (0348-0040), 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 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 cost) 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 award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. 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.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. 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).
6. Will comply with all Federal statutes relating to nondiscrimination. 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.
7. 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 or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with 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.

9. 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 subagreements.
10. Will comply, if applicable, 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.
11. 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 (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. 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.
13. 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.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. 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.
17. 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."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

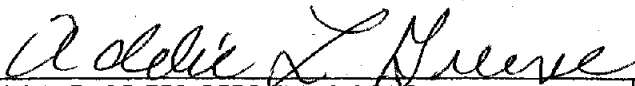
**APPROVED AS TO TERMS
AND CONDITIONS**

BY: 

DEPARTMENT HEAD

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**


COUNTY ATTORNEY



SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL Addie L. Greene	TITLE Chairperson
APPLICANT ORGANIZATION Palm Beach County Board of County Commissioners	DATE SUBMITTED

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, 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 person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an 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 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 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 that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. 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 not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any 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 commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement 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 statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Addie L. Greene

Signature _____
Addie L. Greene
Title _____
Chairperson
Organization _____

**APPROVED AS TO TERMS
AND CONDITIONS**

BY: *[Signature]*
DEPARTMENT HEAD

Palm Beach County Board of County Commissioners

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

[Signature]
COUNTY ATTORNEY

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

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Addie L. Greene **APPROVED AS TO TERMS
AND CONDITIONS**
Signature Addie L. Greene
Title Chairperson
Organization Palm Beach County Board of County Commissioners **BY:** [Signature]
DEPARTMENT HEAD

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

[Signature]
COUNTY ATTORNEY

CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE

Public Law 103227, Part C Environmental Tobacco Smoke, also known as the Pro Children Act of 1994, requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1000 per day and/or the imposition of an administrative compliance order on the responsible entity. By signing and submitting this application the applicant/grantee certifies that it will comply with the requirements of the Act.

The applicant/grantee further agrees that it will require the language of this certification be included in any subawards which contain provisions for the children's services and that all subgrantees shall certify accordingly.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

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

Instructions for Certification

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 or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which 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 those 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 proposed for debarment under 48 CFR part 9, subpart 9.4, 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 proposed for debarment under 48 CFR part 9, subpart 9.4, 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 List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

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 proposed for debarment under 48 CFR part 9, subpart 9.4, 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 or default.

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 it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department 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.

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

Instructions for Certification

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 had 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 meaning 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 those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, 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 proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, 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 List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

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 covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, 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.

Certification Regarding Debarment, Suspension, Ineligibility an 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.
