

CERTIFIED ASSURANCES For LEPCs

Grant Title: FY 2017 HMEP Grant

Upon acceptance of funding from the State of Nevada Emergency Response Commission (SERC), the applicant and the lead governmental unit hereby agree to the following Certified Assurances governing the awarding of funds:

- A) The applicant assures compliance with the Nevada Administrative Code (NAC) 459.9912 et seq. and SERC policies found at <http://serc.nv.gov>.
- B) **FINANCIAL REPORTS** – The recipient is required to submit, at a minimum, quarterly financial reports to the SERC. Reporting must be made in accordance with all applicable federal, state, and local laws and regulations, and SERC Policies 8.5 and 8.6.

No expenditures or obligations will be eligible for reimbursement if occurring prior to or after the award period. All funds need to be obligated by the end of the grant period and expended by the final report date as stated in the grant award cover letter. Failure to submit proper reports pursuant to current policies may jeopardize future funding from the SERC and could result in a denial of reimbursement of funds expended. Failure to comply with this requirement can result in the delay or denial of future reimbursements.

- 1) **Request for advance:** May be requested only if expenses total over \$2,000.00 and is accompanied by a dated purchase order or quote. Complete and submit a financial report form with the appropriate “request for advance” box checked.
- 2) **Report on expenditure of advance:** Show the actual expenditure of the advanced funds. Complete and submit a financial report form with the appropriate “report on expenditure of advance” box checked. This report is due **within 30 days** of the date of the advanced check and must include copies of dated invoices and proof of payment. If the amount advanced is more than the amount spent or the advanced amount is not spent within the 30 days, the unexpended funds are to be returned to the SERC within 45 days of the date of the check.
- 3) **Request for reimbursement:** Complete and submit a financial report form, at a minimum quarterly, for all expenditures funded by the grant. Include a summary breakdown of expenses, copies of dated invoices, proof of payment and any other documents required by SERC policies. Any other form of documentation for expenditures must be approved by the SERC staff. If additional non-federal funds or resources are used toward the project, report those expenditures as a **match** in the appropriate line on the report form.
- 4) **Quarterly report required:** If there are no expenditures within the quarter, a report with an explanation of why and the plan for future expenditures is due by the end of the month following the end of the quarter. Due dates for quarterly reports are as follows:

October 31 - for reporting period July 1 to September 30;
January 31 - for reporting period October 1 to December 31;
April 30 - for reporting period January 1 to March 31; and
July 31 - for reporting period April 1 to June 30.

- 5) **Final report:** There will be no further expenditures, the grant is closed and no further reports are necessary. This report is due within 30 days after the end of the award period, or any time prior to the end of the award period if no further funds will be spent. Once the final report is processed there will no additional draws allowed for the sub-grant. If reporting is not in by the final date, the remaining funds will be de-obligated.
- C) **EXERCISE REPORTS** – To be eligible for grant funding, the LEPC must report to the SERC by January 31st of each year on at least one real event and/or tabletop, functional, or full-scale exercise or drill which utilizes and implements the hazardous materials emergency response plan. An exercise is required at least once every third year.
- D) **GRANT CHANGE REQUEST** – Grant expenditures are authorized for the purposes set forth in this application, as approved in the grant award, and in accordance with all applicable laws, regulations, and policies and procedures of the State of Nevada and the applicable federal granting agency. Requests for change in the project must be submitted to the SERC and approved in writing prior to its implementation. Approval may be required by the Funding Committee if the change is significant (SERC Policy 8.7).
- E) The applicant must comply with the provisions for sub-awards stipulated at 2 *CFR* 200.311. The applicant assures the fiscal accountability of the funds received from the State Emergency Response Commission will be managed and accounted for by the lead agency's chief comptroller. Internal control and authority to ensure compliance with SERC's documentation, record keeping, accounting, and reporting guidelines will reside with that individual.
- F) SERC will reimburse the recipient reasonable, allowable, allocable cost of performance, in accordance with current federal requirements, Nevada Revised Statute, Nevada Administrative Code, State Administrative Manual, SERC policies and any other applicable fiscal rules, not to exceed the amount specified in the total award amount.
- G) The applicant assures it shall maintain data and information to provide accurate financial reports to SERC. Said reports shall be provided in form, by due dates and containing data and information as SERC reasonably requires to administer the program.
- H) The applicant will give the SERC, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant or grant requirements. The Uniform Guidance/OMB Guidance provides greater clarity to the role and expectations for pass-through entities conducting oversight of sub-recipients. The Uniform Guidance/OMB Guidance expands on the responsibilities of pass-through entities by providing a more robust system of oversight and monitoring. (see section 200.330 and section 200.331)
<http://www.gpo.gov/fdsys/pkg/CFR-2014-title2-vol1/pdf/CFR-2014-title2-vol1-sec200-331.pdf>

- I) The applicant assures financial reports shall be submitted within 30 calendar days of the end of each calendar quarter and within 30 days of the end of the grant period and shall be current and actual.
- J) The applicant assures funds made available under this grant will not be used to supplant state or local funds.
- K) The applicant assures compliance with *2 CFR 200.212 and 180, Non-procurement Suspension and Debarment*. The applicant assures, through the submission of the grant application for funding, neither the lead agency, county government, any of its participating agencies, are potential vendors, contractors or providers debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in the transaction by any federal department or agency.
- L) The applicant assures that it will comply with Administrative Requirements *2 CFR part 200*, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments appropriate to the award as follows:
1. 49 CFR 110, *Hazardous Materials Public Sector Training and Planning Grants*
 2. 49 CFR 18, *Uniform Administrative Requirements for Grants and Cooperative Agreements to State, Local and Tribal Governments*
 3. 2 CFR 225, *Cost Principles for State, Local and Indian Tribal Governments*
 4. OMB Circular A-133, *Audits of States, Local Governments and Nonprofit Organizations* (now contained in 2 CFR 200)
 5. 49 CFR 20, *New Restrictions on Lobbying*
 6. 49 CFR 32, *Government wide Requirements for Drug-Free Workplace*
- M) 1. The applicant assures compliance with *Title VI of the Civil Rights Act of 1964*, which prohibits discrimination on the basis of race, color and national origin in programs and activities receiving federal financial assistance.
2. The applicant assures compliance with 49 CFR 21, *Nondiscrimination in Federally Assisted Programs of the Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964*.
- N) Any publication (written, visual, or audio) issued by the recipient describing programs funded whole or in part with federal funds, shall contain the following statement:
- “This program was supported by Grant #_____, awarded by the Nevada State Emergency Response Commission (and, if an HMEP grant, the U.S. Department of Transportation). Points of view or opinions contained within this document are those of the author and do not necessarily represent the official position of policies of the State Emergency Response Commission (and, if an HMEP grant, U.S. Department of Transportation)”

The applicant must provide a copy of any such publication to the SERC for the sub-grant file.

- O) The applicant fully understands the State Emergency Response Commission has the right to suspend, terminate or de-obligate grant funds to any recipient that fails to conform to the requirements or the terms and conditions of its grant award.
- P) **LOBBYING** - No grant funds appropriated will be paid, by or on behalf of the recipient, to any person for influencing or attempting to influence an officer, employee, or a member of Congress, or an officer, employee, or any member of the Nevada State Legislature or local government. The applicant 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.)*
- Q) Project related income, (i.e., registration fees, royalties, sales of real and personal property) must be used for the purpose of furthering the goals and objectives of the project or program from which the income was generated. Interest earned must be returned to the State Emergency Response Commission.
- R) All activities and purchases utilizing any SERC administered sources of funding must comply with all local, state and federal laws and regulations as well as grant specific requirements. It is the responsibility of sub-grantees to be familiar with any such laws, regulations and requirements.
- S) Applicant understands that an updated addendum to the grant may be required based on the federal guidelines between now and the time of the award documents based on requirements for SERC, State of Nevada or the federal sponsoring agency.

The applicant acknowledges receipt of these Certified Assurances and hereby assures adherence to all the above conditions of a grant award from the SERC.

GOVERNMENTAL UNIT (I.E., COUNTY COMMISSION, COUNTY MANAGER)

Name (print): _____ Title: _____

Signature: _____ Date _____

LOCAL EMERGENCY PLANNING COMMITTEE CHAIRMAN

Name (print): _____ Title: _____

Signature: _____ Date _____

RETURN THIS SIGNED FORM WITH GRANT APPLICATION