**CERTIFIED ASSURANCES**

**For State Agencies**

**Allocation Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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:

* 1. The recipient assured compliance with the Nevada Administrative Code (NAC) 459.9912 et seq. and SERC policies found at <http://serc.nv.gov>.
	2. **FINANCIAL REPORTS –** The recipient is required to submit, at a minimum, quarterly financial report 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 allocation period and expended by the final report date as stated in the allocation award cover letter. Failure to submit proper reports pursuant to current policies may jeopardize future funding from the SERC.

* + 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 allocation. 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 funds 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.

* + 1. **Final report:** There will be no further expenditures, the allocation is closed and no further reports are necessary. This report is due within 45 days after the end of the award period, or anytime prior to the end of the award period if no further funds will be spent.
		2. **EXERCISE REPORTS –** To be eligible for funding, the state agency 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.
	1. **CHANGE REQUEST –** Allocation expenditures are authorized for the purposes set forth in this application, as approved in the allocation award, and in accordance with all applicable laws, regulations, and policies and procedures of the State of Nevada and the applicable federal granting agency. Request 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).
	2. The recipient assures, through the submission of the application for funding, neither the lead agency, county government nor any of its participating agencies are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in the transaction by any federal department or agency.
1. The recipient 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 and internal control and authority to ensure compliance with SERC’s documentation, record keeping, accounting, and reporting guidelines will reside with that individual.
2. 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 at the total award amount.
3. The recipient 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.
4. The recipient assures financial reports shall be submitted within 30 calendar days of the end of each calendar quarter and within 45 days of the end of the project period and shall be current and actual.
5. The recipient assures funds made available under this allocation will not be used to supplant state or local funds.
6. The recipient assures that it will comply with applicable federal cost principles and administrative requirements appropriate to the allocation as follows:
7. OMB Circular A-87, *Cost Principles for State, Local & Indian Tribal Governments*
8. OMB Circular A-102, *Common Rule-Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*
9. 28 CFR 66, *Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*
10. OMB Circular A-133, *Audits of States, Local Governments and Nonprofit Organizations*
11. The recipient and its contractors assure compliance with the below in any programs and activities receiving federal financial assistance:

*Title VI of the Civil Rights Act of 1964,* which prohibits discrimination on the basis of race, color and national.

*49 CFR 21*, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964.

*Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990*, which prohibits discrimination based on disability.

*The Age Discrimination Act of 1975*, which prohibits unreasonable discrimination based on age.

*Title IX of the Education Amendments of 1972*, which prohibits discrimination based on gender in educational activities.

1. 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 Allocation #**\_\_\_\_\_\_\_\_**, awarded by the Nevada State Emergency Response Commission (and, if an HMEP allocation, 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 allocation, U.S. Department of Transportation)”

1. The recipient fully understands the State Emergency Response Commission has the right to suspend, terminate or de-obligate funds to any recipient that fails to conform to the requirements or the terms and conditions of its allocation award.
2. **LOBBYING -** No 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.
3. 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.
4. 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.

The recipient acknowledges receipt of these Certified Assurances and hereby assures adherence to all the above conditions of an allocation award from the SERC.

**Agency Approval (Department Head of State Agency)**

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| Signature: | Date |

**Project Manager Approval (Chief/Administrator of Division of the State Agency)**

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