

The undersigned certifies to the best of her/his knowledge and belief that the Agency identified below and its principals shall be in compliance with the following:

- (1) Agency shall not use, and require its subcontractors not to use, any of the funds, personnel, or materials received in connection with any agreement (contracts, grants, cooperative agreements) awarded by the City of San Diego to influence or attempt to influence any governmental decision or election in any manner whatsoever. This prohibition shall apply to any decision of any kind to be made by any electorate, legislative body, agency, bureau, board, commission, district, or any other instrument of federal, state, or local government. The term “influence or attempt to influence” shall mean the making, with the intent to influence, any communication to or appearance before any officer, employee, or appointee of any governmental entity, as well as any communication made to any electorate, regarding any ballot measure or candidate election.
- (2) Agency acknowledges that federal funds received from the City of San Diego for individual program(s) are provided pursuant to a federal grant, and shall comply with the laws set forth at 31 USC section 1352 and 2 CFR Part 200.
- (3) Agency shall disclose any funds from any other source which have been paid by Agency or its principals and agents within the last year to influence or attempt to influence decisions of the federal government by completing, signing, and submitting Standard Form LLL, “Disclosure of Lobbying Activities” (2 CFR Part 200.450, Appendix B). Agency understands that the duty to disclose lobbying activities is a continuing requirement, and therefore shall make such disclosures at the end of each calendar quarter in which there occurs any event requiring disclosure.
- (4) Agency shall require the language of this certification be included in the award documents for all subawards at all tiers (including subagreements, subcontracts, subgrants, and cooperative agreements exceeding \$100,000) and that all subrecipients shall certify and disclose accordingly.

This certification submitted to the City of San Diego is a material representation of fact upon which reliance will be placed when evaluating Agency's application and entering into a contract agreement upon an award of funds. If it later is determined that the Agency knowingly rendered an erroneous certification, in addition to other remedies available, the City of San Diego may terminate the contract for default.

1. By signing and submitting these certifications, the undersigned certifies to the best of its knowledge and belief, that it and its principals:
 - a) Are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency;
 - b) Have not within a three-year period preceding this award, been convicted of or had a civil judgment rendered against them for: commission of fraud or criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, State, local) contract or subcontract; violation of federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property;
 - c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (federal, State, or local) with commission of any of the offenses enumerated in b) above;
 - d) Have not within a three-year period preceding this award, had one or more contracts (federal, State, or local) terminated for cause or default;
 - e) Will not knowingly enter into any subcontract with a person who is, or organization that is, debarred, suspended, proposed for debarment, or declared ineligible from award of contracts by any federal agency; and
 - f) Will require that the language of this certification to be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.
2. "Principals", for the purposes of this certification, means officers, directors, owners, partners, and persons having primary management or supervisory responsibilities within a business entity.
3. Where the undersigned is unable to certify to the statements listed in section (1) in this certification, an explanation shall be attached. The Agency shall provide immediate written notice if, at any time prior to or during the negotiated contract period, the Agency learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. 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 paragraph (1) of this provision. The knowledge and information of Agency is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
5. This certification submitted to the City of San Diego is a material representation of fact upon which reliance will be placed when evaluating Agency's application and entering into a contract agreement upon an award of funds. If it later determined that the Agency knowingly rendered an erroneous certification, in addition to other remedies available, the City of San Diego may terminate the contract for default.

- A. Every Agency awarded a contract or grant by the City of San Diego for the provision of services shall certify to the City that it will provide a drug-free workplace. By signing and submitting this certification, the undersigned certifies that it, and its subcontractors, shall provide a drug-free workplace by doing all of the following:
- 1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the Agency's workplace and specifying the actions that will be taken against employees for violations of the prohibition.
 - 2) Establishing a drug-free awareness program to inform employees about all of the following:
 - a) The dangers of drug abuse in the workplace.
 - b) The Agency's policy of maintaining a drug-free workplace.
 - c) Any available drug counseling, rehabilitation, and employee assistance programs.
 - d) The penalties that may be imposed upon employees for drug abuse violations
 - 3) Posting the statement required by Section A.1) of this certification in a prominent place at the Agency's main office. For projects large enough to necessitate a construction trailer at the job site, the required signage would also be posted at the job site.
- B. Agencies shall include in each subcontract agreement language which indicates the subcontractor's agreement to abide by the provisions of Sections A. 1) through 3) of this certification. Agencies and subcontractors shall be individually responsible for their own drug-free workplace programs.
- C. This certification submitted to the City of San Diego is a material representation of fact upon which reliance will be placed when evaluating Agency's application and entering into a contract agreement upon an award of funds. If it later determined that the Agency knowingly rendered an erroneous certification, in addition to other remedies available, the City of San Diego may terminate the contract for default.

The Agency listed below certifies that it complies with and prohibits discrimination in accordance with Title VI of the Civil Rights Act of 1964. Written documents outlining this organization's non-discrimination policy are on file and available for review. (See 2 CFR Part 35, Appendix B.)

It is further certified that this agency has reviewed its projects, programs, and services for compliance with all applicable regulations contained in Title II, Americans with Disabilities Act of 1990. Written documentation concerning this review and corrective actions taken (if any) are on file and available for review.

24 CFR 570.611 and 2 CFR 200.112 — Conflict of Interest

No person who is an employee, agent, consultant, officer, or elected or appointed official of an Agency receiving CDBG funds and who exercises or has exercised any functions or responsibilities with respect to CDBG-assisted activities, or who is in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a personal or financial interest or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect to thereto, or the proceeds thereunder, either for him or herself or for those with whom he or she has family or business ties, during his or her tenure, or for one year thereafter. HUD may grant an exception to this exclusion as provided in 24 CFR 570.611 (d) and (e).

OMB Circular 2 CFR 215.42 — Codes of Conduct

The Agency shall maintain written standards of conduct governing the performance of its employees engaged in the award and administration of contracts. No employee, officer, or agent shall participate in the selection, award, or administration of a contract supported by federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated therein, has a financial or other interest in the firm selected for an award. The officers, employees, and agents of the Agency shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, or parties to sub-agreements. However, Agency may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standard of conduct shall provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the Agency.