

**State of Illinois Uniform Notice of Funding Opportunity (NOFO)
Summary Information**

Awarding Agency Name	Environmental Protection
Agency Contact	Rebecca Luke (rebecca.j.luke@illinois.gov)
Announcement Type	Initial
Type of Assistance Instrument	Grant
Funding Opportunity Number	24-3369-01
Funding Opportunity Title	Energy Efficiency Assessment Program
CSFA Number	532-30-3369
CSFA Popular Name	Energy Efficiency Assessment Program
Anticipated Number of Awards	20
Estimated Total Program Funding	\$500,000
Award Range	\$5000 - \$25000
Source of Funding	Federal
Cost Sharing or Matching Requirements	No
Indirect Costs Allowed	Yes
Restrictions on Indirect Costs	No
Posted Date	03/01/2024
Application Date Range	General announcement open for a period of time with no specific due dates for applications.
Grant Application Link	
Technical Assistance Session	No

**Illinois Environmental Protection Agency – Energy Efficiency Assessment Program
Notice of Funding Opportunity**

Data Field																	
1. Awarding Agency Name:	Illinois Environmental Protection Agency																
2. Agency Contact:	Rebecca Luke Rebecca.j.luke@illinois.gov Phone: 217-558-8145																
3. Announcement Type:	<input type="checkbox"/> Initial announcement <input checked="" type="checkbox"/> Modification of a previous announcement																
4. Type of Assistance Instrument:	Grant																
5. Funding Opportunity Number:	24-3369-01																
6. Funding Opportunity Title:	Energy Efficiency Assessment Program																
7. CSFA Number:	532-30-3369																
8. CSFA Popular Name:	Energy Efficiency Assessment Program																
9. CFDA Number(s):	81.041																
10. Anticipated Number of Awards:	Approximately 20-100 awards																
11. Estimated Total Program Funding:	\$500,000																
12. Award Range:	\$5,000- \$25,000																
13. Source of Funding:	<table border="0"> <tr> <td>Mark all that apply</td> <td>Service Area: Pick One</td> </tr> <tr> <td><input checked="" type="checkbox"/> Federal or Federal pass through</td> <td><input type="checkbox"/> Economic Development</td> </tr> <tr> <td><input type="checkbox"/> State</td> <td><input type="checkbox"/> Education</td> </tr> <tr> <td><input type="checkbox"/> Private/other funding</td> <td><input type="checkbox"/> Environment/Culture</td> </tr> <tr> <td></td> <td><input checked="" type="checkbox"/> Government Services</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Healthcare</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Human Services</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Public Safety</td> </tr> </table>	Mark all that apply	Service Area: Pick One	<input checked="" type="checkbox"/> Federal or Federal pass through	<input type="checkbox"/> Economic Development	<input type="checkbox"/> State	<input type="checkbox"/> Education	<input type="checkbox"/> Private/other funding	<input type="checkbox"/> Environment/Culture		<input checked="" type="checkbox"/> Government Services		<input type="checkbox"/> Healthcare		<input type="checkbox"/> Human Services		<input type="checkbox"/> Public Safety
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14. Cost Sharing or Matching Requirement:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																
15. Indirect Costs Allowed	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																
Restrictions on Indirect Costs	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																
	If yes, provide the citation governing the restriction:																
16. Posted Date:	September 26, 2024																
17. Closing Date:	Awards will be made until funds are expended or March 1, 2025, whichever comes first																
18. Application Range:	Rolling application period until funds are expended or March 1, 2025, whichever comes first																
19. Technical Assistance Session:	Session Offered: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Session Mandatory: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																
	Provide link to registration, if applicable.																

Illinois Environmental Protection Agency Notice of Funding Opportunity (NOFO)

Energy Efficiency Assessment Program

Insert NOFO Number 24-3369-01

A. Program Description

This Notice of Funding Opportunity (NOFO) announces the availability of State Energy Program (SEP) Supplemental funds from the U.S. Department of Energy (USDOE) Infrastructure Investment and Jobs Act (IIJA), administered by the Illinois Environmental Protection Agency (Illinois EPA or Agency) Office of Energy. The USDOE SEP provides funding and technical assistance to advance state-led energy initiatives and maximize the benefits of decreasing energy waste, per 10 CFR 420.

Illinois EPA Office of Energy is offering funding to public housing authorities, units of local government (municipalities, counties, or townships), or nonprofit organizations to conduct energy efficiency assessments at eligible residential properties. An energy efficiency assessment is a written evaluation performed by a third-party consultant that measures current energy consumption and identifies building upgrades that can improve energy efficiency and reduce costs. Funding will be awarded for energy efficiency assessments at properties where residents participate in federal, state, or local public housing programs, housing choice vouchers, rental assistance, or subsidized housing assistance programs.

Funding will be awarded to applications meeting all eligibility criteria based on a first come, first serve basis, until all funds are expended or until March 1, 2025.

NOTE: This funding opportunity has been modified from a previous version of the Energy Efficiency Assessment Program to now include multifamily properties in more areas of the state, expanding beyond the previous focus on single-family and duplex housing in environmental justice areas of concern.

B. Funding Information

This award is funded from USDOE SEP Funds through IIJA and funds will be award to public housing authorities, units of local government (municipalities, counties or townships), or nonprofit organizations to complete:

Energy efficiency assessments (minimum of \$5,000 and maximum of \$25,000) at residential properties located in Illinois that serve residents participating in federal, state or local public housing programs, housing choice vouchers, rental assistance or subsidized housing assistance programs.

For purposes of this program, “energy efficiency assessment” is defined as a review of the residential property conducted by a third party professional service that results in written recommendations with the purpose of improving energy efficiency or reducing energy costs. Applicants may visit <https://www.energy.gov/energysaver/professional-home-energy-assessments> for assistance locating professional energy assessment service providers in their region or talk with a local utility provider for a personalized recommendation.

The assessment must provide, at minimum, the following information:

- a. Name and Contact Information for the individual or company completing the energy efficiency assessment
- b. Property Description (building envelope, mechanical systems, electrical, site conditions, descriptions of major upgrades, etc.)
- c. Energy Consumption Analysis (Electric consumption, other fuel consumption, analysis of electric bills, breakdown of energy use, energy benchmarking, etc.)
- d. Existing Energy Use Behaviors/Best Practices
- e. Description of Recommendations (Current issues/observations, proposed project cost/annual savings/simple payback/rate of return, photos of current condition, photos of proposed upgrade equipment, etc.)
- f. Additional Measure Recommendations (savings measures that may exceed economic payback performance)

The number of awards will depend on the number of applications received and the level of funding requested. The Agency may offer partial awards if available funding remains but is less than the limits set forth in Section C. Awardees will have a performance period of 6 months to complete the energy efficiency assessments for ALL properties identified in a grant award agreement. The Illinois EPA will remit payment **to the grantee** based on detailed invoices documenting costs to be incurred. The payment to the grantee is not to exceed 100 percent of allowable costs. Grantee will then provide proof of payment to the contractor no later than 45 days after receipt of payment from Illinois EPA.

Eligible costs may include labor and contractual items.

Applicants are required to submit a comprehensive narrative project plan that describes all aspects of the project(s). The
Notice of Funding Opportunity (NOFO)

narrative project plan should include the following, at minimum:

1. Cover letter with description of the project scope and anticipated impact on property management.
2. A description of the applicant, the project and project activities at each eligible property including:
 - a. Applicant name;
 - b. Applicant organization governance/type (e.g., public housing authority, municipality, county government, nonprofit etc.);
 - c. Applicant address;
 - d. Scope of applicant organization's geographical reach.
 - e. Name and contact information for the applicant's primary contact person for this application.
 - f. Physical address and county or counties of the property or properties to be assessed;
 - g. Description of the property to be assessed (facility use, number of dwelling units, physical boundaries etc.) of the property or properties;
 - h. Description of the type and classification (local, state and federal) of housing programs used by property residents;
 - i. Electricity service provider for the property or properties; and
 - j. Average electricity rate paid (\$/kWh) for the previous 12 months for the property or properties.
3. An implementation timeline with key milestones for each eligible property. The timeline and milestones should include the following:
 - a. Anticipated date for entering into a contract with a technical consultant to perform the energy efficiency assessment;
 - b. Anticipated date to conduct the energy efficiency assessment;
 - c. Anticipated assessment completion date;
 - d. Anticipated first monthly payment request; and
 - e. Anticipated final monthly payment request.
4. A budget that itemizes labor costs and separates eligible from ineligible costs, including any/all service, labor and contractual costs. The contractor(s) the applicant anticipates using for the assessment and itemized associated costs should be included. **Important:** Any/all equipment, service, labor, and contractual costs itemized in the project budget should correspond to the narrative project scope provided in the Cover Letter.

Successful applicants will enter into a grant agreement with the Agency and be reimbursed by the Agency no more frequently than once per month for the duration of the agreement. The start date for the performance of the award is as soon as the grant agreement is executed between the awardee and the Illinois EPA and signed by the Agency Director or Director's designee. Assessments should be planned for completion within 6 months of the execution of the grant agreement. All payment requests must be submitted no later than 30 days after the project performance period end date.

C. Eligibility Information

1. Eligible Applicants

The Illinois EPA Office of Energy will accept applications from public housing authorities, units of local government (municipalities, counties and townships) or nonprofit organizations responsible for management of residential properties located in Illinois that serve residents participating in federal, state or local public housing programs, housing choice vouchers, rental assistance or subsidized housing assistance programs.

An entity may not apply for a grant until the entity has registered and pre-qualified through the Grant Accountability and Transparency Act (GATA) Grantee Portal, www.grants.illinois.gov/portal. Each entity should check with their County or Municipalities' highest level (generally the treasurer, clerk, etc.) to see how they are currently registered in the GATA portal. Registration and pre-qualification are required annually. During pre-qualification, verifications are performed including a check of federal SAM.gov Exclusion List and status on the Illinois Stop Payment List. The Grantee Portal alerts the entity of "qualified" status or informs how to remediate a negative verification (e.g., inactive DUNS, not in good standing with the Secretary of State). Inclusion on the SAM.gov Exclusion List cannot be remediated.

For Local Governments there are two types of registrations, which include:

- Centralized - primarily for Local Governments (**most common type**) - Counties and Municipalities with multiple departments and divisions where the funds/awards go to the county or municipality's highest level and then to the

specific division or department. The highest entity level would register for all departments and divisions. All entities that fall under this centralized registration would be listed/identified in a “Grantee Note” by the registrant or the registrant can obtain assistance from EPA.GATA@illinois.gov to enter in the additional entities for them. All of the awards for any of the entities listed would go to the registered FEIN, DUNS and GATA registration (a.k.a. Organization ID) numbers listed on the centralized registration. **One** Internal Control Questionnaire (ICQ) would be completed and **ONE** Indirect Cost Rate would be identified for all entities identified under the registration.

- **Parent/Child** - primarily for Local Governments (**least common type**) - Counties and Municipalities with multiple departments and divisions that have their own DUNS numbers AND receive the funds/awards directly. The funds/awards DO NOT go through the highest level. The highest entity (the parent) level would register their FEIN and DUNS, complete an ICQ, and select an indirect cost rate.

An applicant eligibility checklist is provided below. **If the answer to any of the following questions is NO, the proposed assessment will not be considered for funding.**

Criteria	Yes	No
1. Is the property or are the properties to be assessed located in Illinois?		
2. Is the property managed by a public housing authority, municipality, county, township, or nonprofit organization?		
3. Is the property primarily used for residential purposes?		
4. Do property residents benefit from federal, state or local public housing programs, housing choice vouchers, rental assistance, or subsidized housing?		
5. Is the applicant property unable to receive a free energy efficiency assessment from the local utility service provider?		
6. Can the applicant provide detailed invoices for eligible costs and submit to Illinois EPA no more frequently than monthly?		
Additional GATA Criteria	Yes	No
10. Can the applicant meet all of the following pre-qualification requirements through the GATA grantee portal, www.grants.illinois.gov , at the time of award?		
11. Does applicant have a valid UEI number?		
12. Does applicant have a current SAM.gov account?		
13. Can the applicant prove it is not on the Federal Excluded Parties List?		
14. Is the applicant in good standing with the Illinois Secretary of State?		
15. Can the applicant prove it is not on the Illinois Stop Payment List?		
16. Can the applicant prove it is not on the Dept. of Healthcare and Family Services Provider Sanctions List?		
17. Applicant either: (a) has a current Internal Controls Questionnaire (ICQ); OR (b) is willing to complete an ICQ before Illinois EPA issues a Notice of State Award (NOSA) resulting from this NOFO?		

2. Cost Sharing or Matching

No match is required for this funding opportunity.

3. Indirect Cost Rate

The applicant must have an annually negotiated indirect cost rate agreement (NICRA). There are three types of NICRAs:

- Federally Negotiated Rate:** Organizations that receive direct federal funding may have an indirect cost rate that was negotiated with the Federal Cognizant Agency. The State of Illinois will accept the federally negotiated rate. The applicant must provide a copy of the federal NICRA.
- State Negotiated Rate:** The applicant must negotiate an indirect cost rate with the State of Illinois if they do not have a Federally Negotiated Rate or elect to use the De Minimis rate.
- De Minimis Rate:** An organization that has never received a Federally Negotiated Rate may elect a de minimis rate of 10% of modified total direct costs (MTDC). Once established, the de minimis rate may be used indefinitely. The State of Illinois must verify the calculation of the MTDC annually in order to accept the de minimis rate.

The indirect cost rate proposal must be submitted to the State of Illinois via the GATA Grantee Portal for approval in order to receive a Notice of State Award. An applicant has the discretion not to claim payment for indirect costs.

Applicants that elect not to claim indirect costs cannot be reimbursed for indirect costs.

D. Application and Submission Information

1. Address to Request Application Package

The application documents may be downloaded at: <https://epa.illinois.gov/topics/energy/energy-efficiency/energy-efficiency-assessment-program.html>.

2. Content and Form of Application Submission

The application materials, including budget forms, should be on letter-sized paper and type font must be 10 or greater. Complete application must be submitted electronically to epa.energygrants@illinois.gov. Applications will be accepted until all funding has been expended, or until March 1, 2025, whichever occurs first. Any and all implementation plans, proposals, charts, tables, and cost estimates must be included with the application. Applicants must use the application forms provided along with the GATA Uniform Application and the GATA Uniform Budget. These forms are designed to allow the Illinois EPA review committee to obtain sufficient information to properly evaluate each application.

A complete application package consists of:

- a. GATA Uniform Application for State Grant Assistance;
- b. Narrative Project Plan(s);
- c. GATA Uniform Budget Template;
- d. Programmatic Risk Assessment Form;
- e. Disclosure of Interest - Grantee; and
- f. National Environmental Policy Act Compliance Certification

3. Unique Entity ID (UEI) and System for Award Management (SAM)

Each applicant (unless the applicant is an individual or Federal or State awarding agency that is exempt from the requirements under 2 CFR §25.110(b) or (c), or has an exception approved by the Federal or State awarding agency under 2 CFR § 25.110 (d) is required to:

- a. Be registered in SAM before submitting its application. To establish a SAM registration, go to www.SAM.gov and/or utilize this instructional link: [How to Register in SAM](#) from the www.grants.illinois.gov Resource Links tab. As of 6/11/18, entities registering in SAM must submit a notarized letter appointing their authorized Entity Administrator. Use the updated [FAQ sheet](#) from SAM.gov to learn more.
- b. Provide a valid UEI number in its application; and
- c. Continue to maintain an active SAM registration with current information at all times during which it has an active Federal, Federal pass-through or State award or an application or plan under consideration by a Federal or State awarding agency. It also must state that the State awarding agency may not make a Federal pass-through or State award to an applicant until the applicant has complied with all applicable SAM requirements and, if an applicant has not fully complied with the requirements by the time the State awarding agency is ready to make a Federal pass-through or State award, the State awarding agency may determine that the applicant is not qualified to receive a Federal pass-through or State award and use that determination as a basis for making a Federal pass-through or State award to another applicant.

4. Submission Dates and Times

The applicant must provide all information requested in the application package. Applications must be submitted electronically to epa.energygrants@illinois.gov with the subject line “[Applicant Name] Energy Efficiency Assessment Program Materials”. The submission period will open August 30, 2024 and applications will be accepted until all funding has been depleted, or until March 1, 2025.

All documents that are signed must be signed by a person authorized by their organization to enter into formal contractual agreements.

Following a decision of intent to award, the Illinois EPA is required by GATA to conduct a financial and administrative risk assessment of the applicant. Additional information may be required from all successful applicants. For an applicant to remain eligible for the award, it must provide the requested information within 30 days after notification of intent to award. The Programmatic Risk Assessment Questionnaire evaluates the applicant's ability to successfully carry out the terms of a specific project and assesses four risk categories: 1) quality of management systems and ability to meet the management standards; 2) history of performance; 3) reports and findings from audits performed on prior awards; and 4) the applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on awardees.

5. Funding Restrictions

The award will not allow for reimbursement of costs incurred prior to the effective date of the grant agreement or after the project period in the grant agreement ends. Applicants will be prohibited from combining funding from this program with other funding such that they receive in excess of 100% funding for any project.

For purposes of this NOFO, the terms "Allowable Costs" and "Unallowable Costs" have the same meaning as provided in 44 Ill. Admin. Code Part 7000.

Applicant's contractors are subject to all provisions of grant agreements that result from this NOFO. Applicants retain sole responsibility for all contractors.

All expenditures must be allowable, allocable, and reasonable in accordance with the applicable Federal cost principles.

Refer to 2 CFR 200 for more information. Under 2 CFR 200 as amended by 2 CFR 910 regulations, the cost principles are contained in Subpart E—Cost Principles within 2 CFR 200. (See [SEP Administrative and Legal Requirements Document](#)).

E. Application Review Information

1. Criteria

All applications will be reviewed for completeness, technical merit, and adherence to the grant eligibility requirements described in this NOFO. Applications found to be complete and meet ALL eligibility requirements will be funded, on a first come first serve basis.

2. Review and Selection Process

Additional review and selection processes include:

- The grant program will accept applications until all available funds have been depleted, or until March 1, 2025,. Funds will be awarded to applications meeting the eligibility criteria on a first come, first serve basis.
- If the Agency determines that an applicant incorrectly calculated or indicated the assessment cost and/or total funding request based on the applicable cost estimate or eligible costs, and the Agency can correct the error, the application may still be accepted and reviewed. If the applicant is awarded the grant, the Agency will contact the applicant and request a decision from the applicant as to whether it will accept the award based on the Agency's determination of the assessment cost and/or total funding requested. If the applicant does not accept the Agency's determination, the application will be rejected.
- If the amount of available grant funding is not sufficient to fund the application in its entirety, the review committee may evaluate the application to determine if a discrete portion or phase of the implementation plan meeting the objectives of this NOFO can be funded. If the review committee determines that it cannot fund the application in full or part, the application that was received next may be reviewed for a discrete portion or phase to be funded to meet the objectives of the NOFO.
- Illinois EPA staff will be responsible for evaluating applications.
- An evaluation appeal process is available to applicants who submit a complete application. Evaluation scores may not be protested. Only the evaluation process is subject to appeal. An appeal must be submitted in writing to the following address: Illinois Environmental Protection Agency, Attn: Energy Efficiency Assessment Grant Evaluation Process Appeal, Office of Energy, 1021 N. Grand Avenue East, PO Box 19276, Springfield, Illinois, 62794-9276.

- Appeals must be received within 14 calendar days after the date that the applicant receives an Agency rejection of award notification. The written appeal should include at a minimum the following: the name and address of the appealing party, identification of the grant, and a statement of reasons for the appeal. The Agency will acknowledge receipt of an appeal within 14 calendar days from the date the appeal was received. The State need determination and rationale shall be documented in writing. The Agency will respond within 50 days or supply a written explanation to the appealing party as to why additional time is required. The appealing party must supply any additional information requested by the Illinois EPA within the time period set in the request. The Illinois EPA will resolve the appeal by means of written determination, which shall include, but not be limited to, review of the appeal determination, and rationale for the determination.
- Neither the State of Illinois nor Illinois EPA is obligated to make any award as a result of this NOFO. Grant applicants are not authorized to proceed with projects until the Director or Director’s designee has signed the Grant Agreement.
- Anticipated Announcement and State Award Dates, if applicable

Anticipated Date	Illinois EPA Action or Award Deadline
September 26, 2024	Release of Notice of Funding Opportunity (NOFO)with expanded criteria
Approximately 45 days after receipt of eligible application	Notice of State Award (NOSA) sent to selected grantees for signature
Approximately 75 days after receipt of signed NOSA	Provide a fully executed grant agreement to grant recipients
Not to Exceed 6 months after date of execution of grant agreement	Awarded projects must be completed
Not to exceed 30 days after the project performance period end date	Final Payment Request must be submitted to Illinois EPA

F. Award Administration Information

1. State Award Notices

Successful applicants will receive a Notice of State Award (NOSA) which specifies the funding terms and specific conditions resulting from the pre-award risk assessments. The NOSA will be provided and must be accepted through the Grantee Portal. The NOSA is not authorization to begin performance or incur costs.

After all prerequisites to the Grant Agreement have been completed, the Grant Agreement between the Illinois EPA and the applicant will be sent for the applicant to sign and return. Once the Grant Agreement is fully executed by the Illinois EPA, a copy will be returned to the applicant.

Only after the Grant Agreement has been signed by the Director of the Illinois EPA can expenses be incurred for grant reimbursement. Any expenses incurred outside of the grant period (before or after) are not eligible for reimbursement related to the grant.

2. Administrative and National Policy Requirements

Grant agreements from this NOFO are administered under the Code of Federal Regulations at 2 CFR 200. The Grant Funds Recovery Act (30 ILCS 705) also governs all grant agreements resulting from this NOFO, except in the event of a conflict between the Illinois Grant Funds Recovery Act and the Grant Accountability and Transparency Act. In this circumstance, the provisions of the Grant Accountability and Transparency Act control.

3. Reporting

All grantees will be required to submit quarterly reports to the Illinois EPA Office of Energy.

- The Uniform Periodic Performance Report (PPR) and the Uniform Periodic Financial Report (PFR) are required at a minimum on a quarterly basis. Quarterly reporting will be required unless more frequent reporting is required pursuant to specific award conditions.

- These reports will describe the expenditure(s) of the funds and performance measures related thereto. Quarterly reports must be submitted no later than 5 calendar days following the period covered by the report. Failure to submit the required PPR and PFR report may cause a delay or suspension of funding.
- Quarterly reports will be due on dates specified in the executed Grant agreement over the duration of the grant period. Grantees must report the status of the project, specific tasks completed during the reporting period, tasks that remain to be completed, specific costs incurred and paid by the grantee during the reporting period, and projected date of project completion.
- A template of the quarterly reports will be supplied to all grantees. Quarterly reports will be consistent with the Grant Funds Recovery Act (30 ILCS 705).

Grantees will also be required to submit a cumulative performance and financial close-out report. A template for reporting requirements will be supplied to all grantees. Any additional reporting requirements will be outlined in the executed agreement.

G. State Awarding Agency Contact(s)

Any questions about this Notice of Funding Opportunity should be directed to: Rebecca Luke at rebecca.j.luke@illinois.gov or via telephone at 217-558-8145.

H. Other Information

I. Certifications

1. **Bribery:** Applicant certifies that it has not been convicted of bribery or attempting to bribe an officer or employee of the State of Illinois, nor made an admission of guilt of such conduct which is a matter of record (30 ILCS 500/50-5).
2. **Bid Rigging:** Applicant certifies that it has not been barred from contracting with a unit of State or local government as a result of a violation of Paragraph 33E-3 or 33E-4 of the Criminal Code of 1961 (720 ILCS 5/33E-3 or 720 ILCS 5/33E-4, respectively).
3. **Debt to State:** Applicant certifies that neither it, nor its affiliate(s), is/are barred from receiving an Award because Applicant, or its affiliate(s), is/are delinquent in the payment of any debt to the State, unless Applicant, or its affiliate(s), has/have entered into a deferred payment plan to pay off the debt, and Applicant acknowledges Grantor may declare the Agreement void if the certification is false (30 ILCS 500/50-11).
4. **Internal Revenue Code Compliance:** Applicant certifies that it does and will comply with all provisions of the Federal Internal Revenue Code (26 USC 1), the Illinois Revenue Act (35 ILCS 5), and all rules promulgated thereunder, including withholding provisions and timely deposits of employee taxes and unemployment insurance taxes.
5. **Lobbying:** Applicant certifies that it has not paid prior grant funds, or upon receiving an Award and Grant Agreement, will not be paying Grant Funds by or on behalf of Applicant to any person for influencing or attempting to influence an officer or employee of any government agency, a member of Congress or Illinois General Assembly, an officer or employee of Congress or Illinois General Assembly, or an employee of a member of Congress or Illinois General Assembly in connection with the awarding of any agreement, the making of any grant, the making of any loan, the entering into of any cooperative or intergovernmental agreement, or the extension, continuation, renewal, amendment or modification of any agreement, grant, loan or cooperative or intergovernmental agreement. 31 USC 1352. Additionally, Applicant certifies that it has filed the required certification under the Byrd Anti-Lobbying Amendment (31 USC 1352), if applicable.
 - i. **Federal Form LLL:** If any funds, other than Federally appropriated funds, were paid or will be paid to any person for influencing or attempting to influence any of the above persons in connection with a Uniform Application for State Grant Assistance and subsequent Award and Agreement, the undersigned must also complete and submit Federal Form LLL, Disclosure of Lobbying Activities Form, in accordance with its instructions.
 - ii. **Lobbying Costs:** Applicant certifies that it is in compliance with the restrictions on lobbying set forth in 2 CFR Part 200.450. For any Indirect Costs associated with a Grant Agreement pursuant to an Award, total lobbying costs shall be separately identified in the Program Budget, and thereafter treated as other Unallowable Costs.
 - iii. **Procurement Lobbying:** Applicant warrants and certifies that it and, to the best of its knowledge, its sub-grantees, if Applicant intends to use sub-grantees upon issuance of an Award and subsequent Grant

Agreement, have complied and will comply with Executive Order No. 1 (2007) (EO 1-2007). EO 1-2007 generally prohibits Grantees and subcontractors from hiring the then-serving Governor's family members to lobby procurement activities of the State, or any other unit of government in Illinois including local governments, if that procurement may result in a contract valued at over \$25,000. This prohibition also applies to hiring for that same purpose any former State employee who had procurement authority at any time during the one-year period preceding the procurement lobbying activity.

- iv. **Sub-awards:** If Applicant is issued an Award and subsequent, Grant Agreement, and intends to utilize sub-Grantees, Applicant certifies it will include the language of this certification in the award documents for any sub-awards made pursuant to this Award at all tiers. All sub-awardees are also subject to certification and disclosure. Pursuant to Appendix II(I) to 2 CFR Part 200, Applicant shall forward all disclosures by contractors regarding this certification to Grantor.
6. **Educational Loan:** Applicant certifies that it is not barred from receiving State awards or agreements as a result of default on an educational loan (5 ILCS 385/1 *et seq.*).
7. **International Boycott:** Applicant certifies that neither it nor any substantially owned affiliated company is participating or shall participate in an international boycott in violation of the provision of the U.S. Export Administration Act of 1979 (50 USC Appendix 2401 *et seq.* or the regulations of the U.S. Department of Commerce promulgated under that Act (15 CFR Parts 730 through 774).
8. **Dues and Fees to a Discriminatory Club:** Applicant certifies that it is not prohibited from receiving an Award because it pays dues or fees on behalf of its employees or agents, or subsidizes or otherwise reimburses them for payment of their dues or fees to any club which unlawfully discriminates (775 ILCS 25/1 *et seq.*).
9. **Pro-Children Act:** Applicant certifies that it is in compliance with the Pro-Children Act of 2001 in that it prohibits smoking in any portion of its facility used for the provision of health, day care, early childhood development services, education or library services to children under the age of eighteen (18), which services are supported by Federal or State government assistance (except such portions of the facilities which are used for inpatient substance abuse treatment) (20 USC 7181-7184).
10. **Drug-Free Workplace:** If Applicant is not an individual, Applicant certifies it will provide a drug free workplace pursuant to the Drug Free Workplace Act. 30 ILCS 580/3. If Applicant is an individual and the Award applied for is valued at more than \$5,000, Applicant certifies it shall not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance during the performance of the Agreement. 30 ILCS 580/4. Applicant further certifies that it is in compliance with the government-wide requirements for a drug-free workplace as set forth in 41 USC 8102.
11. **Motor Voter Law:** Applicant certifies that it is in full compliance with the terms and provisions of the National Voter Registration Act of 1993 (52 USC 20501 *et seq.*).
12. **Clean Air Act and Clean Water Act:** Applicant certifies that it is in compliance with all applicable standards, order or regulations issued pursuant to the Clean Air Act (42 USC §7401 *et seq.*) and the Federal Water Pollution Control Act, as amended (33 USC §1251 *et seq.*).
13. **Debarment:** Applicant certifies that it is not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this Agreement by any Federal department or agency (45 CFR Part 76), or by the State (See 30 ILCS 708/25(6)(G)).
14. **Non-procurement Debarment and Suspension:** Applicant certifies that it is in compliance with Subpart C of 2 CFR Part 180 as supplemented by 2 CFR Part 376, Subpart C.
15. **Grant for the Construction of Fixed Works:** Applicant certifies that all Programs for the construction of fixed works which are financed in whole or in part with funds provided by this Notice of Funding Opportunity shall be subject to the Prevailing Wage Act (820 ILCS 130/0.01 *et seq.*) unless the provisions of that Act exempt its application. In the construction of the Program, Applicant shall comply with the requirements of the Prevailing Wage Act including, but not limited to, inserting into all contracts for such construction a stipulation to the effect that not less than the prevailing rate of wages as applicable to the Program shall be paid to all laborers, workers, and mechanics performing work under the Award and requiring all bonds of contractors to include a provision as will guarantee the faithful performance of such prevailing wage clause as provided by contract.

- 16. Health Insurance Portability and Accountability Act:** Applicant certifies that it is in compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law No. 104-191, 45 CFR Parts 160, 162 and 164, and the Social Security Act, 42 USC 1320d-2 through 1320d-7, in that it may not use or disclose protected health information other than as permitted or required by law and agrees to use appropriate safeguards to prevent use or disclosure of the protected health information. Applicant shall maintain, for a minimum of six (6) years, all protected health information.
- 17. Criminal Convictions:** Applicant certifies that neither it nor any officer, director, partner or other managerial agent of Applicant has been convicted of a felony under the Sarbanes-Oxley Act of 2002, nor a Class 3 or Class 2 felony under Illinois Securities Law of 1953, or that at least five (5) years have passed since the date of the conviction. Applicant further certifies that it is not barred from receiving an Award under 30 ILCS 500/50-10.5, and acknowledges that Grantor shall declare the Award and subsequent Grant Agreement void if this certification is false (30 ILCS 500/50-10.5).
- 18. Forced Labor Act:** Applicant certifies that it complies with the State Prohibition of Goods from Forced Labor Act, and certifies that, if it receives an Award and subsequent Grant Agreement, no foreign-made equipment, materials, or supplies furnished to the State under the Agreement have been or will be produced in whole or in part by forced labor, convict labor, or indentured labor under penal sanction (30 ILCS 583).
- 19. Illinois Use Tax:** Applicant certifies in accordance with 30 ILCS 500/50-12 that it is not barred from receiving an Award under this Paragraph. Applicant acknowledges that the Award and subsequent Grant Agreement may be declared void if this certification is false.
- 20. Environmental Protection Act Violations:** Applicant certifies in accordance with 30 ILCS 500/50-14 that it is not barred from receiving an Award. Grantee acknowledges that the Award and subsequent Grant Agreement may be declared void if this certification is false.
- 21. Goods from Child Labor Act:** Applicant certifies that no foreign-made equipment, materials, or supplies furnished to the State under a Grant Agreement executed pursuant to an Award have been or will be produced in whole or in part by the labor of any child under the age of twelve (12) (30 ILCS 584).
- 22. Federal Funding Accountability and Transparency Act of 2006:** Applicant certifies that it is in compliance with the terms and requirements of 31 USC 6101. Applicant further certifies it does and will comply with the reporting requirements of the Federal Funding Accountability and Transparency Act of 2006 (P.L. 109-282) (FFATA) with respect to Federal Awards greater than or equal to \$30,000. A FFATA sub-award report must be filed by the end of the month following the month in which the award was made.
- 23. Compliance with Uniform Grant Rules (2 CFR Part 200):** Applicant certifies that it shall adhere to the applicable Uniform Administrative Requirements, Cost Principles, and Audit Requirements, which are published in Title 2, Part 200 of the Code of Federal Regulations, and are incorporated herein by reference. See 44 Ill. Admin. Code 7000.30(b)(1)(A).
- 24. Compliance with Non-Discrimination Laws:** Applicant, its employees and subcontractors under subcontract made pursuant to an Award and subsequent Grant Agreement, certifies that it shall comply with all applicable provisions of State and Federal laws and regulations pertaining to nondiscrimination, sexual harassment and equal employment opportunity including, but not limited to, the following laws and regulations and all subsequent amendments thereto:
- (a) The Illinois Human Rights Act (775 ILCS 5/1-101 *et seq.*), including, without limitation, 44 Illinois Administrative Code Part 750, which is incorporated herein;
 - (b) The Public Works Employment Discrimination Act (775 ILCS 10/1 *et seq.*);
 - (c) The United States Civil Rights Act of 1964 (as amended) (42 USC 2000a- and 2000h-6). (*See also* guidelines to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons [Federal Register: February 18, 2002 (Volume 67, Number 13, Pages 2671-2685)]);
 - (d) Section 504 of the Rehabilitation Act of 1973 (29 USC 794);
 - (e) The Americans with Disabilities Act of 1990 (42 USC 12101 *et seq.*); and

(f) The Age Discrimination Act (42 USC 6101 *et seq.*).

II. Assurances

1. **Applicant Standing and Authority:** Applicant assures it is duly organized, validly existing and in good standing under the laws of the State in which it was incorporated or organized and that it has the requisite power and authority to:
 - i. Execute and deliver the Uniform Application for State Grant Assistance on behalf of the Applicant.
 - ii. Execute and file the required certifications, assurances, Intergovernmental Agreements and Grant Agreements on behalf of the Applicant binding the Applicant.
 - iii. Execute Grant Agreements, Intergovernmental Agreements, and all other documents to be executed by Applicant in connection with the Award and subsequent Agreement with Grantor on behalf of the Applicant.
 - iv. Upon receiving an award and subsequent Intergovernmental Agreement or Grant Agreement, perform its obligations hereunder and to consummate the transactions contemplated within the Agreement.
 - v. If Applicant is organized under the laws of another jurisdiction, Applicant warrants that it is also duly qualified to do business in Illinois and, if applicable, is in good standing with the Illinois Secretary of State.

2. **General Assurances:**
 - i. Applicant assures it will comply with all applicable State, Federal and local laws, and State administrative regulations in carrying out any project supported by a State of Illinois Grant Agreement or Intergovernmental Agreement, and any and all license requirements or professional certification provisions.
 - ii. Applicant agrees that it is under a continuing obligation to comply with the terms and conditions of the Grant Agreement or Intergovernmental Agreement with Grantor issued for its project.
 - iii. Where applicable, Applicant assures it will comply with applicable State and Federal statutes, Federal regulations and Grantor administrative rules regarding confidential records or other information obtained by Applicant concerning persons served under an Intergovernmental Agreement or Grant Agreement. The records and information shall be protected by Applicant from unauthorized disclosure.
 - iv. Applicant recognizes that Federal and State laws and regulations may be modified from time to time, and those modifications may affect project implementation. The Applicant understands that Presidential executive orders, executive orders from the Office of the Governor, Federal and State directives, including policies and program guidance may be issued concerning matters affecting the Applicant or the project.
 - v. The Applicant agrees that the most recent Federal and State laws, regulations, and directives will apply to the project, unless Grantor issues a written determination otherwise.

3. **Registration Assurance:** Applicant assures it and any sub-grantees it might intend to utilize shall:
 - i. be registered with the Federal SAM.
 - ii. be in good standing with the Illinois Secretary of State, if applicable; and
 - iii. have a valid UEI.

Applicant understands its responsibility to remain current with these registrations and requirements. If Applicant's status with regard to any of these requirements change, or the certifications made in and information provided in the Uniform Application for State Grant Assistance changes, Applicant must notify the Grantor.

4. **Gift Ban Assurance:** Applicant understands it is prohibited from giving gifts to State employees and assures it will not give any gifts pursuant to Officials and Employees Ethics Act (5 ILCS 430/10-10) and Executive Order 15-09.

5. **Freedom of Information Act (FOIA) Assurance:** Applicant assures that upon request, Applicant shall make available to Grantor all documents in its possession that Grantor deems necessary to comply with requests made under the Freedom of Information Act. (5 ILCS 140/7(2)).

Other information, if applicable:

Neither the State of Illinois nor the Illinois EPA is obligated to make any award as a result of this NOFO. Grant applicants are not authorized to proceed with implementation plans until the Illinois EPA Director or Director's designee has signed the Grant Agreement.