

NOFO Summary Information

1. Complete each section of this summary as required:

Data Field																	
1. Awarding Agency Name:	Illinois Environmental Protection Agency																
2. Agency Contact:	Agency contact information for the application process: Rebecca Luke Rebecca.j.luke@illinois.gov Phone: 217-558-8145																
3. Announcement Type:	<input checked="" type="checkbox"/> Initial announcement <input type="checkbox"/> Modification of a previous announcement																
4. Type of Assistance Instrument:	Grant																
5. Funding Opportunity Number:	24-2722-01																
6. Funding Opportunity Title:	Energy Efficiency Trust Fund Grant Program																
7. CSFA Number:	532-30-2722																
8. CSFA Popular Name:	Energy Efficiency Trust Fund Grant Program																
9. CFDA Number(s):	Not applicable																
10. Anticipated Number of Awards:	Awards will be made until funding has been expended.																
11. Estimated Total Program Funding:	\$5,000,000																
12. Award Range:	\$25,000 - \$500,000																
13. Source of Funding:	<table border="0"> <tr> <td>Mark all that apply:</td> <td>Service Area: Pick One</td> </tr> <tr> <td><input type="checkbox"/> Federal or Federal pass through</td> <td><input type="checkbox"/> Economic Development</td> </tr> <tr> <td><input checked="" 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 type="checkbox"/> Federal or Federal pass through	<input type="checkbox"/> Economic Development	<input checked="" 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No																
15. Indirect Costs Allowed	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																
Restrictions on Indirect Costs	<input type="checkbox"/> Yes <input type="checkbox"/> No																
	If yes, provide the citation governing the restriction: No indirect costs are allowed.																
16. Posted Date:	November 6, 2023																
17. Application Range:	Applications will be accepted until funding has been expended.																
18. Technical Assistance Session:	<table border="0"> <tr> <td>Session Offered:</td> <td><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</td> <td>Specify date and time</td> </tr> <tr> <td>Session Mandatory:</td> <td><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</td> <td>November 22, 2023</td> </tr> <tr> <td colspan="3">Provide link to registration, if applicable.</td> </tr> <tr> <td colspan="3">Pre-recorded webinar will be made available on November 22, 2023.</td> </tr> </table>	Session Offered:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Specify date and time	Session Mandatory:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	November 22, 2023	Provide link to registration, if applicable.			Pre-recorded webinar will be made available on November 22, 2023.						
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Illinois Environmental Protection Agency Notice of Funding Opportunity (NOFO)

Energy Efficiency Trust Fund Grant Program

24-2722-01

A. Program Description

This Notice of Funding Opportunity (“NOFO”) announces the availability of funds from the Energy Efficiency Trust Fund (“EE Trust Fund”). The EE Trust Fund was established to benefit residential electric customers through projects determined to reduce energy demand in the State of Illinois and is funded through 20 ILCS 687/6-6. Illinois Environmental Protection Agency (“Illinois EPA” or “Agency”) Office of Energy is responsible for establishing a list of projects eligible for grants from the EE Trust Fund and an application process with determined criteria for this grant program.

Illinois EPA Office of Energy intends to award funding to public housing authorities, units of local government (municipalities, counties or townships), or nonprofit organizations for implementation of energy efficiency improvements benefitting residents receiving housing assistance from a state or federal program. Funding will be awarded for single family or duplex residential properties located in an area of environmental justice concern with residents participating in federal, state, or local public housing programs, housing choice vouchers, rental assistance, or subsidized housing assistance programs.

Eligible projects include but are not limited to:

- o Building envelope insulation
- o Window replacement
- o Space heating and cooling equipment retrofit
- o Heating and cooling distribution system retrofit
- o Domestic hot water equipment
- o Lighting upgrades (indoor and/or outdoor)
- o High-Efficiency appliance replacement
- o Programmable thermostats
- o Energy metering changes

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

B. Funding Information

This award is funded through the State of Illinois Energy Efficiency Trust Fund as established by 20 ILCS 687/6-6.

The projects to be funded are:

Energy efficiency projects (minimum of \$25,000 and maximum of \$500,000) at single family or duplex residential properties located in an area of environmental justice concern in the State of Illinois.

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 12 months to complete the project. To reduce administrative and financial burdens, the Illinois EPA will operate this program differently than its other grant programs that are managed on a reimbursement basis. Under the Energy Efficiency Trust Fund grant program, the Illinois EPA will remit payment to the grantee based on detailed invoices documenting costs to be incurred. For example, a grantee has contracted work to be performed; the contractor will invoice the grantee for the services provided and equipment purchased; and the grantee will submit that contractor invoice and any other contractor invoices no more frequently than monthly to the Illinois EPA **for payment to the grantee**. 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 include equipment, labor, service, and contractual items. Administrative and indirect costs are not eligible.

Applicants are required to submit a comprehensive narrative project plan that includes all aspects of the project(s). The plan should identify the following, at minimum:

1. A description of the applicant, the project, and eligible project activities for 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. Physical address of the property to benefit from the proposed project;
 - f. Property county;
 - g. Property environmental justice status per Agency's EJ Start platform as of application date;
 - h. Property description (i.e. facility use, number of units, physical boundaries, etc.);
 - i. Date of energy efficiency assessment provided with application in response to item B4 below.
 - j. Description of how the properties to benefit from the proposed project is classified under local, state, and federal housing programs;
 - k. Electricity service provider;
 - l. Total project costs/total funding request.
 - m. Type of project(s) (e.g., the part of building affected, description of current equipment to be replaced, description of proposed replacement equipment, etc.);
 - n. Narrative energy savings (kWh) rationale for the proposed project;
 - o. Estimated total energy savings (kWh) of proposed project;
 - p. Estimated total cost savings of proposed project;
 - q. Average electricity rate paid (\$/kWh) for the previous 12 months; and
 - r. Communication plan for sharing project information and benefits with current residents.
2. A project implementation timeline with key milestones for each eligible property. The timeline and milestones should include the following relative to the proposed energy efficiency activities:
 - a. Anticipated date for entering into a contract with a vendor for purchasing all necessary equipment to carry out the project;
 - b. Anticipated date for ordering equipment;
 - c. Anticipated date for receiving equipment;
 - d. Anticipated date for entering into a contract with a contractor for installation of equipment;
 - e. Anticipated date for beginning project work;
 - f. Anticipated project completion date;
 - g. Anticipated first monthly payment request; and
 - h. Anticipated final monthly payment request.
3. A project budget that itemizes equipment and labor costs and separates eligible from ineligible costs, including any/all equipment, service, labor, and contractual costs. The contractor(s) the applicant anticipates using for the project and itemized associated costs for each should be included.
4. All projects must have been identified in an energy efficiency assessment completed by a third-party assessor within the last five years. For purposes of this NOFO, "energy efficiency assessment" means a review of the residential property conducted by someone other than the applicant's staff that resulted in written recommendation(s) with the purpose of improving energy efficiency or reducing energy costs. The assessment must be attached to the application materials and include the following information:
 - i. A description of the existing property, including characteristics of the building envelope and mechanical systems such as heating ventilation etc.;
 - j. Information about energy consumption of the existing property;
 - k. A description of new equipment and/or building upgrades that would improve energy efficiency or reduce energy costs; and
 - l. An estimate of energy and cost savings, plus return on investment calculation, resulting from the change in equipment and/or building upgrades proposed.

Successful applicants will enter into a grant agreement with the Agency. Selected applicants will submit invoices for payment no more frequently than monthly. The start date for the performance of the award is as soon as the grant agreement is executed between the awardee and Illinois EPA. Projects should be planned for completion within 12 months of the execution of the grant agreement. All payment requests must be submitted no later than 14 months after the execution of the grant agreement.

C. Eligibility Information

1. Eligible Applicants

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. If applicable, 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 its FEIN and DUNS, complete an ICQ, and select an indirect cost rate.

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 in the State of Illinois located in an area of environmental justice concern. (<https://illinois-epa.maps.arcgis.com/apps/webappviewer/index.html?id=f154845da68a4a3f837cd3b880b0233c>).

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

Criteria	Yes	No
1. Is the project located in Illinois?		
2. Is the property located in an area of environmental justice concern? (Environmental Justice Mapping Tool https://illinois-epa.maps.arcgis.com/apps/webappviewer/index.html?id=f154845da68a4a3f837cd3b880b0233c)		
3. Is the property a single family or duplex residential property? A single family residential property is defined as a single-unit family residence, detached or attached to other housing structures. A duplex residential property is defined as a single structure containing two separate living units.		
4. Has there been an energy efficiency assessment performed by a third-party assessor within the last five years?		
5. Did the energy efficiency assessment yield written recommendations for energy efficiency projects?		
6. Has the applicant provided a copy of these written recommendations with its application?		
7. Will the proposed project improve energy efficiency at the applicant’s residential property?		
8. Do property residents benefit from federal, state or local public housing programs, housing choice vouchers, rental assistance, or subsidized housing?		
9. Is the property managed by a public housing authority, municipality, county, township, or nonprofit organization?		
10. Is the property primarily used for residential purposes?		
11. Will the proposed project(s) decrease energy demand or consumption at the property?		
11. Can the applicant provide detailed invoices for eligible project costs and submit to Illinois EPA no more frequently than monthly?		
12. Can the applicant meet the match requirement as outlined in Section C of this NOFO?		
Additional GATA Criteria	Yes	No
13. 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?		
14. Does applicant have a valid DUNS number?		
15. Does applicant have a current SAM.gov account?		

16. Can the applicant prove it is not on the Federal Excluded Parties List?		
17. Is the applicant in good standing with the Illinois Secretary of State?		
18. Can the applicant prove it is not on the Illinois Stop Payment List?		
19. Can the applicant prove it is not on the Dept. of Healthcare and Family Services Provider Sanctions List?		
20. 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

The cost share for selected projects depends on the total award request, and requirements are as follows:

- 2% cost share of the total project cost for awards between \$25,000 to \$99,999.99;
- 5% cost share of the total project cost for awards between \$100,000 to \$249,999.99; and
- 10% cost share of the total project cost for awards between \$250,000 to \$500,000.

Match may include money spent (i.e. personnel, indirect, etc.) or in-kind services utilized to complete the approved scope of work within the effective dates of the grant agreement. If an applicant wants to use a grant from another funding agency as match, the applicant should check with the funding agency issuing the grant to ensure that it may be used as match for the Energy Efficiency Trust Fund Grant Program.

3. Indirect Cost Rate

Indirect costs are not eligible for funding.

D. Application and Submission Information

1. Address to Request Application Package

The entire application package may be downloaded at <https://epa.illinois.gov/topics/energy/energy-efficiency/liree.html>. Potential applicants may address any problems with accessing the application package by contacting Rebecca Luke at rebecca.j.luke@illinois.gov.

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. Any and all project descriptions, 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 proposed project.

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. Disclosure of Interest - Grantee; and
 - e. 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:
- (iv) 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.
 - (v) Provide a valid UEI number in its application; and
 - (vi) 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] Residential EE Application Materials”. The submission period will open October 20, 2023 and applications will be accepted until all funding has been expended.

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. Intergovernmental Review, if applicable

Projects may be subject to Illinois State Historic Preservation Office review established by the National Historic Preservation Act of 1966, as amended and its regulations and the Illinois State Agency Historic Resource Preservation Act and its administrative rules.

6. 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.

7. Other Submission Requirements

Not applicable.

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:

3. The program will accept applications until all available funds have been awarded. Funds will be awarded to projects meeting the eligibility criteria on a first come, first serve basis.

4. If the Agency determines that an applicant incorrectly calculated or indicated the project 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 project 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 Project 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 Trust Fund 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.

3. Anticipated Announcement and State Award Dates, if applicable

Anticipated Date	Illinois EPA Action or Award Deadline
November 6, 2023	Release of Notice of Funding Opportunity (NOFO)
Approximately 30 days after receipt of eligible application	Notice of State Award (NOSA) sent to selected grantees for signature
Approximately 60 days after receipt of signed NOSA	Provide a fully executed grant agreement to grant recipients
Not to Exceed 12 months after date of execution of grant agreement	Awarded projects must be completed
Not to exceed 14 months after date of execution of grant agreement	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 the requirements 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 or Director's designee of the Illinois EPA can expenses be incurred for grant payment. Any expenses incurred outside of the project period (before or after) defined in the Grant Agreement are at the applicant's risk and are not eligible for reimbursement related to the grant.

2. Administrative and National Policy Requirements

The Grant Funds Recovery Act (30 ILCS 705) governs all grants resulting from this NOFO.

3. Reporting

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. The first PPR and PFR report shall cover the first three months after the Award begins. Quarterly reports must be submitted no later than 30 calendar days following the three-month period covered by the report. Failure to submit the required PPR and PFR report may cause a delay or suspension of funding.

In performance reports, Grantees must report the status of the project, specific tasks completed during the reporting period, tasks that remain to be completed, and the projected date of project completion. In financial reports, the grantee must report specific costs incurred and paid by the grantee during the reporting period. Also, grantees will be required to submit cumulative performance and financial close-out reports. A template of the quarterly report(s) will be supplied to all grantees. Any additional reporting requirements will be outlined in the executed agreement.

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 217-891-1509.

Certifications and Assurances:

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 contractors 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 contractors 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 projects until the Illinois EPA Director or Director's designee has signed the Grant Agreement.