

**New Mexico Department of Public Safety
Grants Management Bureau
Fiscal Agent Certifications**

CERTIFIED ASSURANCES

The applicant hereby assures that, if an award is received under the 2017 JAG Program, the following requirements will be met:

Drug-Free Workplace Requirements (State Agencies Only)

The applicant certifies that it will provide a drug-free workplace for its employees in accordance with the Federal Anti-Drug Abuse Act of 1988 (Public Law 100-690). This certification is a material representation of the fact upon which reliance will be placed when the grantor agency determines to award a grant. False certification or violation of the certification shall be grounds for suspension of payment, suspension of termination of grants, or government wide suspension and debarment.

Debarment, Suspension, Ineligibility, and Voluntary Exclusion

The applicant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

Disclosure of Lobbying Activities Requirements (Exception: Indian tribes, organizations, or agencies)

The applicant certifies that no Federal appropriation funds have been paid or will be paid to any persons for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal grant, the making of any Federal grant, and the extension continuation, renewal, amendment, or modification of any Federal grant

The applicant further certifies that it will provide a "Disclosure of Lobbying Activities" form if and when any non-Federal funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the JAG Program.

Disclosure of Federal Participation Requirement (This applies only to sub-grantees that receive \$500,000 or more in the aggregate)

The applicant agency certifies that when issuing statements, press releases, requests of proposal, bid solicitations, and other documents describing projects or programs funded in whole or part with Federal money, it shall clearly state: 1) the percentage of the total cost of the program or project which will be financed with Federal money, and 2) the dollar amount of Federal funds for the project or program.

General Financial Requirements

The applicant certifies that it will comply with the provisions of [28 CFR Part 66](#), Common Rule, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, and the Office of Management and Budget (OMB) Circulars applicable to financial assistance. These

Circulars must be followed along with additional information and guidance contained in the current edition of the Office of Justice Programs [Financial Guide](#).

Audit Requirement

The applicant agency certifies that if it expends \$500,000 or more in federal funding (from all sources, to include pass-through sub-awards) in its fiscal year, a single organizational audit must be conducted in accordance with the provisions of OMB Circular A-133. If the applicant does not expend \$500,000 or more in Federal funds in its fiscal year, but contracted with a certified public accountant to perform an audit, these costs may not be charged to the grant.

Confidential Funds Requirement (Law Enforcement Agencies Only)

The applicant certifies that they have read, understand, and agree to abide by all the conditions for confidential funds set forth in the current edition of the Office of Justice Programs [Financial Guide](#). The applicant also certifies that if it receives grant funds that are used to conduct law enforcement undercover operations, it will develop and formalize specific policies and procedures to protect the confidentiality of the operations. These policies and procedures must be submitted to the grantor agency prior to expending any confidential funds.

Civil Rights Requirement

The applicant certifies that it will comply with the non-discrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; Title II of the American with Disabilities Act of 1990, 42 USC 12131; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973, as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; and the Department of Justice Non-Discrimination Regulations, 28 CFR Part 25 and 42, Sub-parts C, D, E, and G; and Executive Order 11246, as amended by Executive Order 11375, and their implementing regulations, 41 CFR Part 60.1 et. Seq., as applicable to construction contracts.

This applicant further certifies that if a Federal or State court or administrative agency makes a finding of discrimination, it will immediately forward a copy of the findings to the grantor agency.

UNIFORM CRIME REPORTING

On behalf of the applicant, I, as the Certifying Official, certify that I have read, understand, and agree to abide by all the conditions set forth in New Mexico State Statute 29-3-11 Uniform Crime Reporting System, below. If funding is provided and DPS-GMB later finds that the applicant is not following these conditions, DPS-GMB may not reimburse further expenditures until reporting is caught up.

29-3-11. Uniform crime reporting system established: duties of department.

- A. The department of public safety shall develop, operate and maintain a uniform crime reporting system and shall be the central repository for the collection, storage, retrieval and analysis of crime incident and arrest reports generated by all law enforcement agencies in this state. The system shall be operational as of January 1, 2008.

- B. The department shall:
 - (1) compile statistical data and forward such data as required to the federal bureau of investigation or the appropriate department of justice agency in accordance with standards and procedures of the national system;
 - (2) provide forms, standards and procedures and related training to state and local law enforcement agencies as necessary for the agencies to report incident and arrest activity for inclusion in the statewide system;
 - (3) in conjunction with the New Mexico sentencing commission, annually publish a report on the nature and extent of crime in New Mexico and submit the report to the governor and to the legislature;
 - (4) maintain the privacy and security of information in accordance with applicable state and federal laws; and
 - (5) establish rules as necessary to implement the provisions of this section.

- C. Every law enforcement agency in the state shall:
 - (1) submit crime incident reports to the department of public safety on forms or in the format prescribed by the department;
 - (2) submit any other crime incident information as may be required by the department of public safety; and
 - (3) use the state uniform statutory charge codes for the automated fingerprint identification system and use uniform crime incident reporting as provided by the department for all incidents and arrests.

- D. The annual report and other statistical data reports generated by the department shall be made available to state and local law enforcement agencies and the general public.

SUPLANTING CERTIFICATION

On behalf of the applicant, I hereby certify that I understand that any Federal funds received as a result of this application must be used to supplement existing funds for program activities and must not supplant those funds that have been appropriated for the same purpose, as funds set forth in the current edition of the Office of Justice Programs [Financial Guide](#). Further, supplanting shall be reviewed during the application process, post-award monitoring, and project close-out.

If the Grants Management Bureau believes, based upon factual data, that supplanting may have occurred, then the Sub-recipient shall be required to supply documentation demonstrating that the reduction of non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds.

Name of Applicant / Fiscal Agent

Signature of Certifying Official

Title of Certifying Official

Printed Name of Certifying Official

Date