Certification for Application

Application Toolkit

2026

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Certification for Application

- Each applicant must agree to comply with all applicable state and federal laws and regulations in implementing their proposed CDBG project, if selected for funding.
- A copy of the certifications for application, provided below, signed by the chief elected official or executive officer of the applicant must accompany the application for CDBG funds.
- Applicants should carefully review the following certifications for application and consider their potential impact when designing and implementing the CDBG project.
- Since this is a brief summary and not intended to be a comprehensive description of each law, local officials who have any questions or concerns regarding the applicability of these requirements should contact Commerce for guidance.

Montana CDBG Certification for Application

The applicant hereby certifies that:

It will comply with all requirements established by the Montana Department of Commerce and applicable state laws, regulations and administrative procedures and accept all Montana Community Development Block Grant program requirements.

It accepts the terms, conditions, selection criteria and procedures established by the CDBG program and expressly waives any statutory or common law right it may have to challenge the legitimacy and propriety of these terms, conditions, criteria and procedures in the event that it is not selected for an award of CDBG funds.

National Objective

It will complete a project that meets the benefit to low- and moderate- income national objective, by serving no less than 51% of LMI residents as part of the project activities.

State Objectives

It will complete project activities that meet one or more of the goals and objectives established in the most current version of the Montana Consolidated Plan.

Goals of the HUD programs administered by the state of Montana are:

- Providing decent housing by obtaining appropriate housing for homeless persons and assisting those at risk of homelessness; preserving the affordable housing stock; increasing the availability of permanent affordable housing, without discrimination; increasing the supply of supportive housing for persons with special needs and providing affordable housing near job opportunities.
- Providing suitable living environments by improving the safety and livability of neighborhoods; improving access to quality facilities, infrastructure and services; reducing the isolation of income groups within communities through de-concentration of low-income housing; revitalizing deteriorating neighborhoods;

restoring and preserving properties of special historic architectural or aesthetic value; and conserving energy resources.

- Expanding economic opportunities by creating and retaining jobs; establishing, stabilizing and expanding small businesses; providing public employment services; encouraging the employment of low-income persons in projects funded under this plan; providing reasonable mortgage financing rates without discrimination; providing access to capital and credit for development activities that promote long-term economic and social viability of the community and reducing generational poverty of those living in publicly assisted housing by providing empowerment and self-sufficiency opportunities.

The objectives and outcomes of Montana's "Consolidated Plan" are:

1. Support existing Montana communities:
    - Target funding toward existing communities to increase community revitalization, improve the efficiency of public works investments and safeguard rural landscapes and natural resources.
    - Encourage appropriate and comprehensive planning, market studies, preliminary architectural reports and other studies or plans that support the sustainability of local communities, affordable housing, public works investments, vital employment centers and the environment.
    - Enhance the unique and resilient characteristics of all communities by investing in healthy, safe and walkable neighborhoods—rural, urban or suburban.
    - Encourage the rehabilitation of existing rental and owner-occupied homes, particularly for those with special needs and the elderly.
    - Encourage the development and rehabilitation of community facilities and services located within walkable neighborhoods and/or served by public transportation systems, particularly for those with special needs and the elderly.

2. Invest in vital public infrastructure:
    - Encourage appropriate and comprehensive pre-development planning activities for public infrastructure, including asset management, needs analysis, preliminary engineering and/or architectural reports and other studies or plans.
    - Provide funding opportunities to improve the safety and efficiency of public infrastructure, promote healthy, safe, walkable neighborhoods and safeguard the environment.
    - Provide funding opportunities for safe, efficient public infrastructure to serve eligible Montanans, particularly special needs and elderly populations.

3. Enhance Montana's economic competitiveness:
    - Provide reliable and timely access to employment centers, educational opportunities, services and other basic needs for workers as well as expanded business access to markets.
    - Support comprehensive planning for downtown revitalization, business development and other studies or plans to attract and retain talent in Montana communities.
    - Provide job opportunities to eligible Montanans to strengthen communities within the state.
    - Encourage activities that support and strengthen new and existing businesses, particularly those located within traditional downtown business centers comprising a mix of businesses, housing and services.
    - Encourage mixed-use development that contributes to broader revitalization efforts in Montana communities.
    - Seek opportunities to achieve multiple economic development goals, such as removing barriers to collaboration, leveraging multiple funding sources and increasing energy efficiency through a single investment.

4. Promote equitable, affordable housing in Montana:

- Expand location and energy-efficient housing choices for people of all ages, incomes, races and ethnicities to increase mobility and lower the combined cost of housing and transportation.
- Encourage housing activities that incorporate energy-efficient design to help advance solar deployment and other on-site renewable energy installations in affordable housing that is aligned with the Federal Renewable Energy Target.
- Encourage activities to acquire and/or construct new affordable housing for homeownership or rental in areas where existing investment in infrastructure, facilities and services leverages multiple economic, environmental and community objectives.
- Encourage appropriate and comprehensive planning, market studies, preliminary architectural reports and other studies or plans in support of efficient affordable housing construction.
- Encourage financial mechanisms that increase home ownership opportunities and provide rental assistance to eligible Montanans, particularly those with special needs and the elderly.

5. Reduce homelessness in Montana:
    - Encourage activities that address the housing needs of homeless Montanans and/or those at risk of homelessness.
    - Encourage activities that increase the level of assistance programs to homeless Montanans and/or those at risk of homelessness, with the goal of achieving stable and sustainable housing.
    - Encourage the development and rehabilitation of non-rental facilities to shelter temporarily homeless Montanans.

Acquisition, Displacement and Relocation

It will minimize displacement as a result of activities assisted with CDBG funds and assist persons actually displaced.

It will comply with:

- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended and implement regulations 49 CFR part 24 and the requirements of 24 CFR Part 570.606. These laws and accompanying regulations require the grantee to provide relocation payments and offer relocation assistance to all persons displaced as a result of acquisition of real property for an activity assisted under the CDBG program. Such payments and assistance must be provided in a fair, consistent and equitable manner that ensures the relocation process does not result in a different or separate treatment of persons based on race, color, religion, national origin, sex, source of income, age, handicap or familial status (families with children). The grantee must assure that, within a reasonable period of time prior to displacement, decent, safe and sanitary replacement dwellings will be available to all displaced families and individuals and that the range of choices available to such persons will not vary on account of their race, color, religion, national origin, sex, source of income, age, handicap or familial status (families with children).
- The grantee must also inform affected persons of their rights and of the acquisition policies and procedures set forth in the regulations of 49 CFR, Part 24, Subpart B and found in the local government's Anti-displacement and Relocation Assistance Plan.
- The "Residential Anti-displacement and Relocation Assistance Plan" adopted by the Montana Department of Commerce for the CDBG program and the "Anti-displacement and Relocation Assistance Plan" adopted by the applicant.

Assessments for Public Improvements

It will not attempt to recover any capital costs of public improvements assisted with CDBG funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless:

a. CDBG funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than CDBG funds.
b. For purposes of assessing any amount against properties owned and occupied by LMI persons who are not persons of very low income, the applicant certifies that it lacks sufficient CDBG funds to comply with the requirements of clause “a”, above.

Building Standards

It will require every building or facility (other than a privately owned residential structure) designed, constructed or altered with funds provided under the CDBG program to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A-117.1R 1971, subject to the exceptions contained in 41 CFR 101-19.604.

It will also comply with the Architectural Barriers Act of 1968 and HUD regulations 24 CFR Part 8, "Nondiscrimination Based on Handicap in Federally Assisted Activities of HUD." The applicant will be responsible for conducting inspections to ensure compliance with these specifications by the contractor; and will comply with HUD Cost-Effective Energy Standards, 42 U.S.C. Section 17001, et seq.

- The Grantee must comply with the requirements of the Build America, Buy America Act, 41 U.S.C. 8301 and all applicable rules and notices, as may be amended, if applicable to the Grantee’s infrastructure project. Pursuant to HUD’s Notice, “Public Interest Phased Implementation Waiver for FY 2022 and 2023 of Build America, Buy America Provisions as Applied to Recipients of HUD Federal Financial Assistance” (88 FR 17001), any funds obligated by HUD on or after the applicable listed effective dates are subject to BABA requirements, unless excepted by a waiver.

Citizen Participation

It will comply with the detailed “Citizen Participation Plan” adopted by Commerce for the CDBG program.

Civil Rights, Equal Opportunity, Fair Housing Requirements

Civil Rights

It will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000det seq), and the regulations issued pursuant thereto (24 CFR Part 1), which provides that no person in the United States shall on the grounds of race, color or national origin, be excluded from participation in, be denied in the benefits of or be otherwise subjected to discrimination under any program or activity for which the applicant received federal financial assistance and will immediately take any measures necessary to effectuate this assurance. If any real property or structure thereon is provided or improved with the aid of federal financial assistance extended to the applicant, this assurance shall obligate the applicant or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.

Equal Opportunity

It will comply with:

- Section 109 of the Housing and Community Development Act of 1974 as amended, and 24 CFR 570.601, which provides that no person in the United States shall, on the grounds of race, color, national origin or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds provided under the Act.
- The Age Discrimination Act of 1975, as amended (42 U.S.C. Section 6101 et seq.). The Act provides that no person shall be excluded from participation, denied program benefits or subjected to discrimination on the basis of age under any program or activity receiving federal funding assistance.

- Section 504 of the Rehabilitation Act of 1973 amended 29 U.S.C. **Section** 794 and 24 CFR Part 8. The Act provides that no otherwise qualified individual shall, solely, by reason of his or her disability, be excluded from participation (including employment), denied program benefits or be subjected to discrimination under any program or activity receiving federal assistance funds.
- Section 3 of the Housing and Community Development Act of 1968 (12 U.S.C. 1701u) (24 CFR Part 75) requires, in connection with the planning and carrying out of any project assisted under the Act, to the greatest extent feasible, opportunities for training and employment be given to lower-income persons residing within the unit of local government or the non-metropolitan county in which the project is located, and contracts for work in connection with the project be awarded to eligible business concerns which are located in, or owned in substantial part, by persons residing in the project area. The grantee must assure good faith efforts toward compliance with the statutory directive of Section 3.
- Executive Order 11246, as amended by Executive Orders 11375 and 12086, and the regulations issued pursuant thereto (24 CFR Part 570.607 and 41 CFR Chapter 60) prohibit a CDBG recipient and subcontractors, if any, from discriminating against any employee or applicant for employment because of race, color, religion, sex or national origin. The grantee and subcontractors, if any, must take affirmative action to ensure that applicants are employed and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action must include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rate of pay or other forms of compensation; and selection for training, including apprenticeship. The grantee and subcontractors must post in conspicuous places available to employees and applicants for employment, notices to be provided setting for the provisions of this nondiscrimination clause. For contracts over $10,000 the grantee or subcontractors will send to each applicable labor union a notice of the above requirements, the grantee and subcontractors will comply with relevant rules, regulations and orders of the U.S. Secretary of Labor. The grantee or

subcontractors must make their books and records available to state and federal officials for purposes of investigation to ascertain compliance.

Fair Housing

It will affirmatively further fair housing and will comply with:

- Title VIII of the Civil Rights Act of 1968 (also known as The Fair Housing Act) (42 U.S.C. Section 3601 et seq.), as amended by the Fair Housing Amendments Act of 1988 and the regulations issued pursuant thereto. The law states that it is the policy of the United States prohibiting any person from discriminating in the sale or rental of housing, the financing of housing or the provision of brokerage services, including in any way making unavailable or denying a dwelling to any person because of race, color, religion, sex, national origin, disability or familial status. CDBG grantees must also administer programs and activities relating to housing and community development in a manner that affirmatively promotes fair housing and furthers the purposes of Title VIII.
- Executive Order 11063, as amended by Executive Order 12259, requires CDBG recipients to take all actions necessary and appropriate to prevent discrimination because of race, color, religion, creed, sex or national origin in the sale, leasing, rental and other disposition of residential property and related facilities (including land to be developed for residential use); or in the use or occupancy thereof if such property and related facilities are, among other things, provided in whole or in part with the aid of loans, advances, grants or contributions from the federal government.

Prohibition Against Discrimination on Basis of Religion

It will comply with Section 109(a) of the Housing and Community Development Act that prohibits discrimination on the basis of religion or religious affiliation. No person will be excluded from participation in, denied the benefit of or be subjected to discrimination under any program or activity funded in whole or in part with CDBG funds on the basis of religion or religious affiliation.

Prohibition Against Excessive Force

It will, if awarded CDBG funds, adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations in accordance with Section 104(1) of Title I of the Housing and Community Development Act, as amended.

ADA Compliance

It will do a self-assessment of impediments to accessibility in compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12131-12189). Grantees are required to find a means of making CDBG program activities and services accessible to persons with disabilities; to review their communities for impediments to disabled citizens and develop a plan to address those impediments.

Conflict of Interest

It will comply with the provisions of 24 CFR 570.611 and with sections 2-2-201, 7-3-4367, 7-5-2106 and 7-5-4109, MCA, (as applicable) regarding the avoidance of conflict of interest.

Environmental Requirements

Air Quality

It will comply with the Clean Air Act (42 U.S.C. Section 7401, et seq.) which prohibits engaging in, supporting in any way or providing financial assistance for, licensing or permitting, or approving any activity which does not conform to the state implementation plan for national primary and secondary ambient air quality standards.

Environmental Impact

It will comply with:

- Section 104(f) of the Housing and Community Development Act of 1974, as amended. This section expresses the intent that "the policies of the National

Environmental Policy Act of 1969 and other provisions of law which further the purposes of such Act be most effectively implemented in connection with the expenditure of funds under" the Act. Such other provisions of law which further the purpose of the National Environmental Policy Act of 1969 are specified in regulations issued pursuant to Section 104(f) of the Act and contained in 24 CFR Part 58.

- The National Environmental Policy Act of 1969 (42 U.S.C. Section 4321, et seq. as implemented in part by 24 CFR Part 58). The purpose of this Act is to attain the widest use of the environment without degradation, risk to health or safety or other undesirable and unintended consequences. Environmental review procedures are a necessary part of this process. Pursuant to these provisions, the grantee must also submit environmental certifications to Commerce when requesting that funds be released for the project. The grantee must certify that the proposed project will not significantly impact the environmental regulations and that grantee fulfilled its obligations to give public notice of the funding request, environmental findings and compliance performance.

Its chief executive officer or other officer:

1. Consents to assume the status of responsible federal official under the National Environmental Policy Act of 1969 and other provisions of federal law, as specified in 24 CFR Part 58, which furthers the purposes of the National Environmental Policy Act, insofar as the provisions of such federal law apply to the CDBG program.

2. Is authorized and consents on behalf of the applicant and individually to accept the jurisdiction of the federal courts for the purpose of enforcement of their responsibilities.

EPA List of Violating Facilities

It will ensure that the facilities under its ownership, lease or supervision utilized to comply with the program are not listed on the U.S. Environmental Protection Agency's

List of Violating Facilities and that it will notify Commerce of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.

Farmlands Protection

It will comply with the Farmlands Protection Policy Act of 1981 (7 U.S.C. Section 4201, et seq.) and any applicable regulations (7 CFR Part 658) which established compliance procedures for any federally assisted project which will convert farmlands designated as prime, unique or statewide or locally important, to non-agricultural uses.

Floodplain Management and Wetlands Protection

It will comply with:

- The Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1973. Section 102(a) required, on and after March 2, 1974, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase "federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect federal assistance.
- Executive Order 11988, May 24, 1978: Floodplain Management (42 F.R. 26951, et seq.). The intent of this executive order is to (1) avoid, to the extent possible, adverse impacts associated with the occupancy and modification of floodplain and (2) avoid direct or indirect support of floodplain development wherever there is a practical alternative. If a grantee proposes to conduct, support or allow an action to be located in the floodplain, the grantee must consider alternatives to avoid adverse effects and incompatible involvement in the floodplains. If siting in a floodplain is the only practical alternative, the grantee must, prior to taking any

action: (1) design or modify its actions in order to minimize a potential harm to the floodplain; and (2) prepare and circulate a notice containing an explanation of why the action is proposed to be located in a floodplain.

- Executive Order 11990, May 24, 1977: Protection of Wetlands (42 F.R. 26961, et seq.). The intent of this executive order is to avoid adverse impacts associated with the destruction or modification of wetlands and direct or indirect support of new construction in wetlands, wherever there is a practical alternative. The grantee must avoid undertaking or providing assistance for new construction located in wetlands unless there is no practical alternative to such construction and the proposed action includes all practical measures to minimize harm to wetlands which may result from such use.

Historic Preservation

It will comply with:

- Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. Section 470, as amended) through completion of the procedures outlined in 36 CFR Part 800 and 36 CFR Part 63. Compliance with these procedures should include:

1. Consulting with the State Historic Preservation Office to identify properties listed in or eligible for inclusion in the National Register of Historic Places that exist within a proposed CDBG project's area of potential environmental impact, and/or to determine the need for professional archaeological, historical or architectural inventory of potentially affected properties to determine whether they would qualify for register listing.

2. Consulting with the State Historic Preservation Office and Tribal Historic Preservation Office, Keeper of the National Register of Historic Places and the Advisory Council on Historic Preservation to evaluate the significance of historic or prehistoric properties which could be affected by CDBG work and to determine how to avoid or mitigate adverse effects to significant properties from project work.

Lead-Based Paint

It will comply with current requirements of Title X of the Residential Lead Based Paint Hazard Reduction Act of 1992. Both Commerce and Montana Department of Public Health and Human Services provide education and information on lead-based paint hazards to parents, families, healthcare providers, grant recipients and contractors. Commerce requires that any contractor or subcontractor engaged in renovation, repair and paint activities that disturb lead-based paint in homes, child and care facilities built before 1978 must be certified and follow specific work practices to prevent lead contamination. In addition to complying with Title X, Uniform Physical Conditions Standards inspections will be performed at rental properties assisted with Housing Trust Fund, HOME Investment Partnerships Program, Section 8 and other public rental properties throughout the state.

Noise, Facility Siting

It will comply with HUD Environmental Standards (24 CFR, Part 51, Environmental Criteria and Standards) which prohibit HUD support for new construction of noise-sensitive uses on sites having unacceptable noise exposures. Additionally, projects may not be located near facilities handling materials of an explosive or hazardous nature, or in airport clear zones.

Solid Waste

It will comply with the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. Section 6901, et seq.). The purpose of this Act is to promote the protection of health and the environment and to conserve valuable material and energy resources.

Water Quality

It will comply with:

- The Safe Drinking Water Act of 1974 (42 U.S.C. Section 201, 300(f) et seq.), as amended, particularly Section 1424(e) (42 U.S.C. Section 300h) which is intended to protect underground sources of water. No commitment for federal financial assistance is authorized for any project which the U.S. Environmental Protection Agency determines may contaminate an aquifer which is the sole or principal drinking water source for an area.

- The Federal Water Pollution Control Act of 1972, as amended, including the Clean Water Act of 1977, 33 U.S.C. Section 1251, et seq.) which provides for the restoration and maintenance of the chemical, physical and biological integrity of the nation's water.

Wildlife

It will comply with:

- The Endangered Species Act of 1973, as amended (16 U.S.C. Section 1531 et seq.). The intent of this Act is to ensure that all federally assisted projects seek to preserve endangered or threatened species. Federally authorized and funded projects must not jeopardize the continued existence of endangered and threatened species or result in the destruction or modification of critical habitat determined by the U.S. Department of the Interior, after consultation with the state.
- The Fish and Wildlife Coordination Act of 1958, as amended, (16 U.S.C. Section 661 et seq.) which requires that wildlife conservation receives equal consideration and is coordinated with other features of water resource development programs.

Wild and Scenic Rivers

It will comply with the Wild and Scenic Rivers Act of 1968, as amended (16 U.S.C. Section 1271, et seq.). The purpose of this Act is to preserve selected rivers or sections of rivers in their free-flowing condition, to protect the water quality of such rivers and to fulfill other vital national conservation goals. Federal assistance by loan, grant, license or other mechanism may not be provided to water resources construction projects that would have a direct and adverse effect on any river included or designated for study or inclusion in the National Wild and Scenic River System.

Financial Management

It will comply with the applicable requirements of:

- 2 CFR Part 200to maintain a financial management system that includes records to document compliance with federal and state laws and regulations and the terms and conditions of the HOME program. The records must be sufficient to allow for the preparation of reports required by general and program-specific terms and conditions and tracing of funds to a level of expenditures adequate to establish that such funds have been used according to federal statutes and program requirements.
- 24 CFR Part 570, Subpart J to comply with the program administration requirements relating to the following: disbursement of funds, program income, uniform administrative requirements, cost principles, audits, recordkeeping, property management and performance reports.
- The Single Audit Act of 1984, as amended by the Single Audit Act of 1996 and consolidated into the OMB Uniform Guidance (the "Single audit Act Amendments") which establish criteria for determining the scope and content of audits.

It will promptly refund to Commerce any CDBG funds determined by an audit to have been spent in an unauthorized or improper manner or for ineligible activities.

It will give Commerce, the Montana Legislative Auditor, HUD and the Comptroller General, through any authorized representatives, access to and the right to examine all records, books, papers or documents related to the grant.

Labor Standards

It will comply with:

- Section 110 of the Housing and Community Development Act of 1975, as amended, 24 CFR 570.603 and state regulations regarding the administration and enforcement of labor standards. Section 110 requires that all laborers and mechanics employed by contractors or subcontractors for construction work assisted under the Act be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. Section 276a-276a-5). The Contract Work Hours and Safety Standards Act (40 U.S.C. Section 327 et seq.) also applies. However, these requirements apply to rehabilitation of residential property only if such property is designed for residential use for eight or more families.

- Davis-Bacon Act, as amended (40 U.S.C. Section 3141 et seq.) and the Anti-Kickback Act found at 18 U.S.C. 874, et seq. The Acts mandate that all laborers and mechanics be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account except "permissible" salary deductions, the full amounts due at the time of payments, computed at wage rates not less than those contained in the wage determination issued by the U.S. Department of Labor. Weekly compliance statements and payrolls are required to be submitted to the federally funded recipient by the contractor.
- Contract Work Hours and Safety Standards Act (40 U.S.C. Section 327 et seq.). According to the Act, no contract work may involve or require laborers or mechanics to work in excess of eight hours in a calendar day, or in excess of 40 hours in a work week, unless compensation of not less than one and one-half times the basic rate is paid for the overtime hours. If this Act is violated, the contractor or subcontractor is liable to any affected employee for unpaid damages as well as to the United States for liquidated damages.
- Federal Fair Labor Standards Act, (29 U.S.C. Section 201 et seq.). The act requires that covered employees be paid at least the minimum prescribed wage, and also that they be paid one and one-half times their basic wage rate for all hours worked in excess of the prescribed work week.

Legal Authority

It possesses legal authority to apply for the grant and to execute the proposed project under Montana law. If selected to receive a CDBG grant, it will make all efforts necessary to assure timely and effective implementation of the project activities described in the submitted application.

Lobbying

It certifies that:

- No federal appropriated funds have been paid or will be paid, by or on behalf of the grantee to influence or attempt to influence an officer or employee of any agency, a member of congress, an officer or employee of congress or an employee of a member of congress in connection with the award of any federal contract, any federal grant, any federal loan, any cooperative agreement or the extension, continuation, renewal, amendment or modification of any federal contract, grant, loan or cooperative agreement.
- If any funds other than federal appropriated funds have been paid or will be paid to any person to influence or attempt to influence an officer or employee or any agency, a member of congress, an officer or employee of congress, or an employee of a member of congress in connection with this federal contract, grant, loan or cooperative agreement, the grantee shall complete and submit Standard From LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. Section 1352. Any person who fails to file the required certification shall be

subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Political Activity

It will comply with the Hatch Modernization Act of 2012, as follows:

- If an employee's salary is paid 100%, directly or indirectly, by loans or grants made by the United States or a federal agency, that employee may not run for partisan office.
- The Hatch Modernization Act did not change federal prohibitions on coercive conduct or misuse of official authority for partisan purposes. A state or local employee is bound by these prohibitions if the employee works in connection with a program financed in whole or in part by federal loans or grants, even if the connection is relatively minor. An employee who runs for office would violate the Act if the employee:
    - Uses federal or any other public funds to support the employee's candidacy.
    - Uses the employee's state or local office to support the employee's candidacy, including use of official email, stationery, office supplies or other equipment or resources.
    - Asks subordinates to volunteer or contribute to the employee's campaign.

Procurement

Consulting Services will be procured in a manner that provides fair and unbiased, full and open competition, without conflicts of interest.

Signed: ________________________________

Name: ________________________________

Title: ________________________________

Date: ______________________________________

UEI Number: ______________________________________