**(Attach. 2) ASSURANCE OF COMPLIANCE**

# Grant recipients chosen for an award from this Request for Application (RFA) must comply with the following regulations, principals, and assurances.

**GOVERNMENT-WIDE REGULATIONS:**

* 2 CFR Part 25: “Universal Identifier and System for Award Management”
* 2 CFR Part 170: “Reporting Sub-award and Executive Compensation Information”
* 2 CFR Part 175: “Award Term for Trafficking in Persons”
* 2 CFR Part 180: “OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Non-Procurement)”
* 2 CFR Part 200: “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards”
* 2 CFR Part 400: USDA Implementing regulations” Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards”
* 2 CFR Part 415: USDA “General Program Administrative Regulations”
* 2 CFR Part 416: USDA “General Program Administrative Regulations for Grants and Cooperative Agreements to State and Local Governments”
* 2 CFR Part 417: USDA “Nonprocurement Debarment and Suspension”
* 2 CFR Part 418 USDA “New Restrictions on Lobbying”
* 2 CFR Part 421: USDA “Requirements for Drug-Free Workplace (Financial Assistance)”
* 41 USC Section 22 “Interest of Member of Congress”
* Duncan Hunter National Defense Authorization Act of Fiscal Year 2009, Public Law 110-417
* Sections 745 and 746 of the Consolidated Appropriation Act, 2017 (Public Law 115-417)
* “The Federal Funding Accountability and Transparency Act (FFATA), dated September 26, 2006”

# COST PRINCIPLES

* 2 CFR, Part 200: Subpart E, Cost Principles

# USDA REGULATIONS

* 7 CFR Part 15: “Nondiscrimination”
* Freedom of Information Act (FOIA). Public access to Federal Financial Assistance records shall not be limited, except when such records must be kept confidential and would have been excepted from disclosure pursuant to the “Freedom of Information” regulation (5 U.S.C. 552).

# ASSURANCE OF CIVIL RIGHTS COMPLIANCE

* + Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-et seq.), USDA regulations at 7 CFR Part 15, Nondiscrimination, and Department of Justice regulations at 28 CFR Part 42, Nondiscrimination; Equal Employment Opportunity: Policies And Procedures
  + Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and USDA regulations at 7 CFR Part 15a, Education Programs or Activities Receiving or Benefiting from Federal Financial Assistance
  + Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 1681 et seq.) and USDA regulations at 7 CFR Part 15a, Education Programs or Activities Receiving or Benefiting from Federal Financial Assistance, and Department of Justice regulations at 28 CFR Part 41, Implementation of Executive Order 12250, Nondiscrimination on the Basis of Handicap In Federally Assisted Programs
  + Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.) The Grantee assures that it will immediately take any measures necessary to effectuate the requirements in these laws, regulations, and directives. The Grantee gives this assurance in consideration of and for the purpose of obtaining the funds provided under this agreement.
  + The Americans with Disabilities Act of 1990 (ADA) prohibits discrimination on the basis of disability in employment (Title I), state & local government services (Title II), places of public accommodation and commercial facilities (Title III). (42 U.S.C. 12101-12213)

# PROCUREMENT STANDARDS

The recipient will adhere to all procurement standards, included those listed below, if applicable, as found in 2 CFR 200.318 through 2 CFR 200.326. When procuring property and services under a Federal award, a State must follow the same policies and procedures used for procurements from its non-Federal funds. States recipients will comply with 2 CFR 200.322.

**General procurement standards**: The SFA must use its own documented procurement procedures, which reflect applicable State and local laws and regulations provided that procurements conform to applicable Federal law and the standards identified in this section. The Recipient must maintain oversight over contractors to ensure performance in accordance with the terms, conditions, and specifications of their contracts or purchase orders, including written performance standards of its employees engaged in the selection, award, and administration of contracts. The SFA must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. In accordance with 2 CFR 200.318(j), the SFA may only use time and material type contracts after a determination that no other contract is suitable and if the contract includes a ceiling that the contractor exceeds at its own risk.

**Competition**: All procurement transactions must be conducted in a manner providing full and open competition consistent with 2 CFR 200.31

**Suspension/Debarment:** The Recipient agrees to ensure that all sub-recipients are neither excluded nor disqualified under the Suspension and Debarment rules found at 2 CFR Parts 180 and 417 by doing any one of the following:

1. Checking the System for Awards Management (SAM) to determine if the applicant or grantee has been debarred or suspended. This information can be found at [http://www.sam.gov.](http://www.sam.gov/)
2. Collecting a certification that the SFA is neither excluded nor disqualified. Because a Federal certification form is no longer available, the Grantee or sub-Grantee electing this must devise its own.
3. Including a clause to this effect in the sub-recipient agreement and in any

procurement contract expected to equal or exceed $25,000, awarded by the Recipient or a sub-recipient within any agreements.

The following nondiscrimination statement shall be included, in full, on all materials that are produced by the grant recipient for public information, public education, or public distribution.

# NONDISCRIMINATION STATEMENT

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded

by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits.

Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\_filing\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html%20,)  and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

1. mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW  
   Washington, D.C. 20250-9410;
2. fax: (202) 690-7442; or
3. ( email: [program.intake@usda.gov.](mailto:program.intake@usda.gov)

This institution is an equal opportunity provider.

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# DUNS NUMBER REQUIRED:

1. DUNS number required – The Federal government requires organizations to provide a DUNS (Data Universal Numbering System) number as part of their grant applications and proposals. If the SFA does not have a DUNS, it must apply for one. The following information may be helpful:
   * Request a DUNS Number (<http://www.grants.gov/applicants/request_duns_number.jsp)>
   * DUNS Number Requirement (<http://www.nea.gov/grants/apply/duns.html)>
   * D&B DUNS Number for US Government Contractors and Grantees (<http://fedgov.dnb.com/webform)>

Please note: Due to the requirements of the *Federal Funding Accountability and Transparency Act*, the volume of organizations requesting DUNS numbers has multiplied exponentially. Do not delay in working to obtain a DUNS. There is no charge for obtaining a DUNS.

1. CFD[A Code 10.579 – NSLP Equipment Grants are administe](http://www.grants.gov/applicants/request_duns_number.jsp)red by USDA-Food and Nutrition Services and pass-through entity, HCNP. The CFDA number 10.579 should be used to ensure proper identif[ication, tracking and monitoring of these fe](http://www.nea.gov/grants/apply/duns.html)deral monies.

# DUNS NUMBER:

**Name of SFA:**

# Name of SFA:

**SFA Agreement Number:**

I certify that all of the information provided in this application is true and correct and that all local, state and federal regulations regarding procurement and expenditures will be followed.

I certify that I have the signing authority for my SFA.

I certify that these purchases are subject to audit and review by USDA and HCNP.

I certify that all NSLP Equipment Grant funds will be tracked separately from other School Nutrition Program funds.

I certify that any funds received under this grant will be expended within one year of receiving any award and any excess funds not expended will be returned to HCNP.

# Print Name:

**Signature:**

**Title:**

**Date:**

**Hawaii Child Nutrition Programs**

**Attention: Al Tachibana**

**650 Iwilei Road**

**Suite 270**

**Honolulu, HI 96817**

**(808) 587-3600**