NORTH DAKOTA
DEPARTMENT OF HUMAN SERVICES

SOCIAL SERVICE BLOCK GRANT
PRE-EXPENDITURE REPORT

SSBG Contact - Debra A. McDermott
DHS Executive Director – Carol K. Olson

OCTOBER 1, 2012 TO
SEPTEMBER 30, 2013

SOCIAL SERVICE BLOCK GRANT PRE-EXPENDITURE REPORT
FEDERAL FISCAL YEAR 2013

I. INTRODUCTION

The North Dakota Department of Human Services has been designated by the Governor as the single state agency responsible for administering the Social Service Block Grant (SSBG). Prior to expending any SSBG funds made available to North Dakota for any fiscal year, the State must report on its intended use of such funds. The following information is provided to fulfill this requirement. This document shall not be construed as a comprehensive social service plan. The activities and services described herein are a portion of the array of public human services which the Department of Human Services administers, supervises, and/or supports through eight regional human service centers, 47 locally administered county social service boards, and a variety of purchase of service arrangements.

The following report delineates the goals of services provided through the Social Service Block Grant funding, outlines the organizational structure through which services are provided, describes the various target populations and types of services and activities provided, and summarizes the funding made available.

II. STATEWIDE HUMAN SERVICE GOALS

Services provided and promoted under the auspices of the Department of Human Services are targeted to benefit vulnerable children, adolescents, adults, elderly, and families. The overriding purpose in provision of all service is to enhance quality of life to people for whom such quality is threatened due to financial resources, emotional crises, disabling conditions, or inability to protect themselves.

The goals for all of the direct human services described in this report and administered by regional human service centers and county social service boards are specified in North Dakota Century Code Chapter 50-06.2, Section 50-06.2-01, "Purpose - Interpretation," and are congruent with the goals set forth in the "Social Service Block Grant." The goals are as follows:

A. To help individuals or their families to achieve, maintain, or support the highest attainable level of personal independence and economic self-sufficiency.

B. To prevent, remedy, or alleviate neglect, abuse or exploitation of children and adults unable to protect their own interests.

C. To provide a continuum of community based services adequate to appropriately sustain individuals in their homes and in their communities, and to delay or prevent institutional care.

D. To preserve, rehabilitate, and reunite families.

E. To assist in securing referral or admission of individuals to institutional care when other forms of care are not appropriate.

The Social Service Block Grant Funds will be used to achieve goals A-C as listed above.

III. ORGANIZATIONAL STRUCTURE

A. Department of Human Services

The Department of Human Services, created during the 1981 session of the North Dakota State Legislature, began operation January 1, 1982. The creation of the department, as an umbrella agency, has as its roots meeting the needs of individuals and families.

The department serves as a comprehensive model which incorporates continuity of care and services for the citizens of North Dakota. It provides for an ease of administration and management, facilitates professional communication and coordination, and offers multiple services to individuals and families with a minimum of inconvenience.

Included in the umbrella agency are economic assistance, medical services, child support enforcement, disabilities services, aging services, children and family services, and mental health and substance abuse services. Field services include the State Hospital in Jamestown, the Developmental Center in Grafton, and eight regional Human Service Centers located in the state's major cities.

The department acts as the official agency of the state in discharging the following functions:

1. Administration of programs for children and families, including adoption services and the licensure of child-placing agencies, foster care services and the licensure of foster care arrangements, child protection services, licensure of early childhood services, services to unmarried parents, service and administration of the interstate compacts on the placement of children and juveniles.

2. Administration of programs for persons with developmental disabilities, including licensure of facilities and services, and the design and implementation of a continuum of services for persons in need of habilitation.

3. Administration of aging service programs, including nutrition, transportation, advocacy, social, ombudsman, recreation and related services funded under the Older Americans Act of 1965 [42 U.S.C. 3001, et seq.], home and community based services, licensure of adult family care homes, and the fund matching program for city or county tax levies for senior citizen activities and services.

4. Administration of mental health programs, including planning and implementing preventive, consultative, diagnostic, treatment, and rehabilitative services for persons with mental or emotional disorders and psychiatric conditions.

5. Administration of alcohol and drug abuse programs, including establishing quality assurance standards for the licensure of programs, services and facilities, planning and coordinating a system of prevention, intervention, and treatment services, providing policy leadership in cooperation with other public and private agencies, and disseminating information to local service providers and the general public.

6. Administration of economic assistance programs, including temporary assistance for needy families (TANF), food stamps, fuel assistance, refugee assistance, work experience, work incentive, and quality control.

7. Administration of medical service programs, including medical assistance for needy persons, early and periodic screening, diagnosis and treatment, the children's health insurance program, children's special health services, utilization control, and claims processing.

B. Human Service Centers

The eight regional human service centers are located in the primary medical and business centers of the State of North Dakota.

The statewide human service center director is appointed by the executive director of the Department of Human Services. The centers employ a medical director and a variety of professional human service staff including psychologists, social workers, human relations counselors, and other specialists.

Funding for the services provided by the human service centers is primarily a combination of the Social Service Block Grant, the Block Grant for Prevention and Treatment of Substance Abuse, the Block Grant for Community Mental Health Services, state general fund dollars, clinical services funds through Title XIX, third party payments, and fees.

C. County Social Service Boards

There are 47 locally administered county social service boards providing social services throughout the state. Their staff provides social service programs in accordance with state policy, direction, law, and regulations.

Funding for social services provided by the county social service boards is primarily a combination of county mill levy, state general funds, IV-E, TANF, and Medicaid.

IV. DESCRIPTION OF SERVICES, ACTIVITIES AND FISCAL INFORMATION

The Department intends to utilize the social services block grant estimated to be $3,683,000, in the regional human service centers to assist in covering the costs for providing Counseling Services for approximately 6,020 individuals. It must be kept in mind that the SSBG participation in the cost of delivering these services is only a part of the overall cost. The total cost for these services is a blend of state, Social Service Block Grant, collections and federal resources. **See Attachment A.**

For reporting purposes, a child is an individual under age eighteen. An adult is an individual who is eighteen or older. The Department does not maintain data as to the age of the adults receiving services.

V. CERTIFICATIONS ARE ATTACHED

Attachment A
OMB NO.: 0970-0234

Part A. Estimated Expenditures and Proposed Provision Method

OMB NO.: 0970-0234

STATE: North Dakota	FISCAL YEAR: FFY 2013	REPORT PERIOD: FFY 2013
Contact Person: Debra A. McDermott	Phone Number: (701)-329-3695	
Title: Assistant Director Fiscal Administration	E-Mail Address: dmcdermott@nd.gov	
Agency: North Dakota Department of Human Services	Submission Date:	

	Service Supported with SSBG Expenditures	SSBG Expenditures: SSBG Allocation	SSBG Expenditures: Funds transferred into SSBG*	Expenditures of All Other Federal, State and Local funds**	Total Expenditures	Provision Method: Public	Provision Method: Private	
1	Adoption Services							
2	Case Management							
3	Congregate Meals							
4	Counseling Services	3,683,000		8,500,000	12,183,000	X	X	
5	Day Care--Adults							
6	Day Care--Children							
7	Education and Training Services							
8	Employment Services							
9	Family Planning Services							
10	Foster Care Services--Adults							
11	Foster Care Services--Children							
12	Health-Related Services							
13	Home-Based Services							
14	Home-Delivered Meals							
15	Housing Services							
16	Independent/Transitional Living Services							
17	Information & Referral							
18	Legal Services							
19	Pregnancy & Parenting							
20	Prevention & Intervention							
21	Protective Services--Adults							
22	Protective Services--Children							
23	Recreation Services							
24	Residential Treatment							
25	Special Services--Disabled							
26	Special Services--Youth at Risk							
27	Substance Abuse Services							
28	Transportation							
29	Other Services***							
30	SUM OF EXPENDITURES FOR SERVICES	3,683,000		8,500,000	12,183,000			
31	Administrative Costs							
32	SUM OF EXPENDITURES FOR SERVICES AND ADMINISTRATIVE COSTS	3,683,000						

* From which block grant(s) were these funds transferred? N/A
** Please list the sources of these funds: State Funds, Collections, Fees, and Other Federal Resources
*** Please list other serivces:

Part B. Estimated Recipients

STATE: North Dakota
FISCAL YEAR: FFY 2013

	Service Supported with SSBG Expenditures	Children	Adults: Adults Age 59 Years & Younger	Adults: Adults Age 60 Years & Older	Adults: Adults of Unknown Age	Total Adults	Total
1	Adoption Services						
2	Case Management						
3	Congregate Meals						
4	Counseling Services		1,500		4,520	4,520	6,020
5	Day Care--Adults						
6	Day Care--Children						
7	Education and Training Services						
8	Employment Services						
9	Family Planning Services						
10	Foster Care Services--Adults						
11	Foster Care Services--Children						
12	Health-Related Services						
13	Home-Based Services						
14	Home-Delivered Meals						
15	Housing Services						
16	Independent/Transitional Living Services						
17	Information & Referral						
18	Legal Services						
19	Pregnancy & Parenting						
20	Prevention & Intervention						
21	Protective Services--Adults						
22	Protective Services--Children						
23	Recreation Services						
24	Residential Treatment						
25	Special Services--Disabled						
26	Special Services--Youth at Risk						
27	Substance Abuse Services						
28	Transportation						
29	Other Services***						
30	SUM OF RECIPIENTS OF SERVICES		1,500	-	4,520	4,520	6,020

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Fax (701) 328-2359
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ND Relay TTY 1-800-366-6888

Jack Dalrymple, Governor
Carol K. Olson, Executive Director

CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE

Public Law 103227, Part C Environmental Tobacco Smoke, also known as the Pro Children Act of 1994, requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to $1000 per day and/or the imposition of an administrative compliance order on the responsible entity by signing and submitting this application the applicant/grantee certifies that it will comply with the requirements of the Act.

The applicant/grantee further agrees that it will require the language of this certification be included in any subawards which contain provisions for the children's services and that all subgrantees shall certify accordingly.

Carol K. Olson

Signature

Executive Director

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CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an 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 contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting 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 this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, ``Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) 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 section 1352, title 31, U.S. Code. 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.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting 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 this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Carol K. Olson

Signature

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CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central pint is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

Certification Regarding Drug-Free Workplace Requirements
(Instructions for Certification)

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.

2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

3. For grantees other than individuals, Alternate I applies.

4. For grantees who are individuals, Alternate II applies.

5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all

known workplaces constitutes a violation of the grantee's drug-free workplace requirements.

6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).

7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).

8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

   Controlled substance means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

   Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

   Criminal drug statute means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

   Employee means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include

workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

Certification Regarding Drug-Free Workplace Requirements
Alternate I. (Grantees Other Than Individuals)

The grantee certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about –

  (1) The dangers of drug abuse in the workplace;

  (2) The grantee's policy of maintaining a drug-free workplace;

  (3) Any available drug counseling, rehabilitation, and employee assistance programs; and

  (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will –

  (1) Abide by the terms of the statement; and

  (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in

the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted –

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

(B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code.

All SSBG funds are expected to be spent at the Eight Regional HSC's located throughout the state. Their addresses are as follows:

1. Badlands Human Service Center
   300 13th Avenue West Ste #1
   Dickinson, ND 58601
2. Northwest Human Service Center
   316 2nd Avenue West
   PO Box 1266
   Williston, ND 58801
3. North Central Human Service Center
   1015 South Broadway, Ste 18
   Minot, ND 58701
4. Lake Region Human Service Center
   200 Hwy 2 SW
   PO Box 650
   Devils Lake, ND 58301
5. Northeast Human Service Center
   151 South 4th Street Ste 401
   Grand Forks, ND 58201
6. Southeast Human Service Center
   2624 9th Avenue SW
   Fargo, ND 58103
7. South Central Human Service Center
   520 3rd Street NW
   PO Box 2055
   Jamestown, ND 58401
8. West Central Human Service Center
   1237 West Divide Avenue Ste 5
   Bismarck, ND 58501

Check if there are workplaces on file that are not identified here.
Alternate II. (Grantees Who Are Individuals)

(a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant. [55 FR 21690, 21702, May 25, 1990]

Carol K. Olson

Signature

Executive Director

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CERTIFICATION REGARDING DEPARTMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when

submitted or has become erroneous by reason of changed circumstances.

5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled ``Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without

modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility an Voluntary Exclusion--Lower Tier Covered Transactions

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Carol K. Olson

Signature

Executive Director

Title

North Dakota Department of Human Services

Organization