

Appendix 3- Application Certification

**WE, THE UNDERSIGNED AUTHORIZED OFFICERS OF _____,
(THE “APPLICANT”) DO HEREBY WARRANT, REPRESENT, AND CERTIFY TO
DASNY:**

- The Applicant is requesting grant funding in the amount of \$_____ (the “Grant”) for the intent and purposes (the “Project”) set forth in the Applicant’s submission in the DASNY Grants Application Portal (the “Application”), to which this certification will be attached.
- The Applicant shall use its best efforts to maintain site control for the Project location(s) identified in the Application, and to utilize the Project for substantially the same purpose set forth in the Application, for the anticipated useful life of the capital asset(s) to be funded by the Grant.
- All contractors and vendors retained to perform services in connection with the Grant-funded portion of the Project shall be authorized to do business in the State of New York and shall possess and maintain all professional licenses and/or certifications required to perform the tasks undertaken in connection with the Project.
- No other external funding source, including but not limited to, State or Federal restructuring loans, State or Federal grants, or grants, loans, or other funding from any other public or private source (currently or within the last six (6) years), will be used for substantially the same Project costs submitted or to be submitted for reimbursement under the Grant.
- If the Project includes the purchase of vehicle(s), movable equipment, or furnishings, including but not limited to, computer hardware and software, air conditioning units, lab equipment, security cameras, office furniture and telephone systems, the Applicant has or will: (i) develop, implement, and maintain an inventory system for tracking such items, and ensure items are installed, stored, or secured on property owned by and/or under the control of the Applicant; and (ii) develop, implement, and maintain a usage policy for items in compliance with all State and Federal regulations or privacy laws, including policies governing the use, retention, storage, or deletion of any data, images, or videos resulting from Grant-funded purchases of such items, if applicable.
- The Applicant will maintain accurate books and records through Project completion and payout of the Grant, as well as for six (6) years from the date the Project is completed, and will make those books and records available to agents, officers, and employees of DASNY during the business hours upon reasonable request.

[continued next page]

Appendix 3- Application Certification

- Disclosed below is a description of any tax-exempt bonds outstanding at Project location(s) submitted or to be submitted for review. The Applicant further certifies that the issuer of any bonds disclosed below has been notified, provided an accurate description of the Project to be undertaken; and that a determination has been made by such issuer (or the Trustee for such bonds, as applicable), that the undertaking of the Project will not conflict with or result in a breach of any of the terms or provisions of, or constitute a default under, any indenture, mortgage, agreement, tax certificate, or other instrument to which the Applicant is a party or by which the Applicant or any of its properties are bound. (Enter N/A in the textbox below if not applicable)

- The following supplementary statements are true and accurate unless as otherwise disclosed below:

(Enter N/A in the textbox below if not applicable)

- No portion of the Project financed with grant proceeds shall be used for any of the following purposes: sectarian instruction or study, devotional activities or religious worship, or as a facility used primarily in connection with any part of the program of a school or department of divinity for any religious denomination, or the training of ministers or other similar persons in the field of religion.
- The Project or program shall be open to all individuals eligible to participate, without regard to religious affiliation, ethnicity, race, or sexual preference.
- The Applicant shall take affirmative steps to ensure that information regarding the Project or program is widely disseminated to the public. That information shall include a statement that the Project or program is funded in whole or in part with public funds and that the Project or program shall be open to all eligible persons without regard to religion, ethnicity, race, or sexual preference.

[continued next page]

Appendix 3- Application Certification

- Disclosed below is a description of every criminal or civil litigation proceeding that has been initiated, remains pending, or has been closed that has or may have the potential to impact this Project or Project location. This includes but is not limited to, legal challenges involving eminent domain, environmental lawsuits, zoning regulations, workplace safety, payment disputes, or allegations of fraud or breach of fiduciary duties and obligations. The Applicant shall also disclose any criminal or civil litigation that is initiated during the course of the administration of this Grant award, including but not limited to foreclosures or other types of actions that has or may have the potential to impact the Project or Project location and the Applicant's ability to operate and use the grant funded property for its intended purpose, including through the disbursement period. **Enter N/A in the textbox if not applicable)**

- Disclosed below is a description of any confidential information submitted or to be submitted to DASNY that the Applicant believes should be exempt from the Freedom of Information Law. The description below includes an explanation of the basis for each such claim. **(Enter N/A in the textbox if not applicable)**

- Tax credits will not be applied to the same Project costs as Grant Proceeds. Any Project costs submitted for grant reimbursement cannot be used as an eligible basis to generate tax credits. Fully disclosed below are all current tax credits associated with the Project or Project location(s). Applicant shall provide prior notice to DASNY before entering into any future tax credit agreements related to the Project or Project location(s). **(Enter N/A in the textbox if not applicable)**

[continued next page]

Appendix 3- Application Certification

- If the Applicant is a State-related entity, or if the Project location(s) are owned by a State-related entity, that status is disclosed below. If a Grant is awarded, the Applicant shall notify DASNY within six (6) months if the status of the Applicant or Project location(s) changes, or if other changes occur that would impact the tax-exempt status of the Grant. **(Enter N/A in the textbox if not applicable)**

[continued next page]

Appendix 3- Application Certification

- The Applicant acknowledges that Grant proceeds can only be used to reimburse Eligible Expenses as set forth in the RFA for the Grant Program identified in the Application.
- We have the authority to submit this certification on behalf of the Applicant.
- By signing this certification, we certify that we are authorized officers for the Applicant.
- As Authorized Officers of the Applicant we are not related by blood, marriage, foster arrangement, or adoption, nor do we share a domicile, or share an external interest in a business connection, enterprise, or real property unrelated to Applicant organization.

[signatures on next page]

Appendix 3- Application Certification

FURTHERMORE, the undersigned certifies that they have or will read and understand all the documentation submitted or to be submitted to DASNY for the purposes of awarding and the administration of a Grant; has supplied or will supply fully complete and accurate responses to each applicable item contained herein, and shall notify DASNY of any material changes in fact that occur throughout useful economic life of the capital assets to be funded in whole or in part by the Grant. The undersigned is knowledgeable about the business operations of the Applicant and understands that DASNY and DASNY's outside bond counsel will rely on the information submitted to complete the required reviews and determine whether the Project can be funded with the proceeds of tax-exempt bonds issued by DASNY.

Please sign this Application Certification by typing your full name onto the signature line(s) below as indicated. This Application Certification must be uploaded to the DASNY Grant Application Portal to complete an Application. Retain the original copy for production to DASNY if requested. By typing electronic signatures below, the Applicant's designees will be providing validly binding legal documents, just the same as a pen-and-paper signature.

Applicant:

Authorized Officer #1 Signature (type)

Title (type)

Dated

Authorized Officer #2 Signature (type)

Title (type)

Dated