ASSURANCES OF COMPLIANCE AND CERTIFICATIONS REQUIRED BY FEDERAL LAW

1. The applicant/proposer agency understands and agrees that the following assurances and certifications that follow this acknowledgement and agreement and are applicable to the applicant/proposer agency and the application/proposal submitted, are part of the application/proposal and are binding upon the applicant/proposer agency and the conduct of the project subsequent to the award of any funds by the Minnesota River Area Agency on Aging (MNRAAA).

2. (2) Assurance of Compliance with Section 504 of the Rehabilitation Act of 1973, as Amended *(check appropriate box and provide required information*)

   ☐ The recipient employs fewer than fifteen persons;

   ☐ The recipient employs fifteen or more persons and, pursuant to section 84.7(a) of the regulati on [45 CFR 84.7(a)], has designated the following person(s) to coordinate its efforts to comply with the HHS regulations:

____

Name and Address of Designee(s) if different from Authorized Official listed below

____

(IRS) Employer Identification Number

3. The person signing below acknowledges and agrees that: (1) he/she is the authorized representative of the applicant/proposer agency; (2) the signature of the authorized official constitutes an acknowledgement that the applicant/proposer agency has received and reviewed each of the assurances and certifications following this acknowledgement and agreement; (3) the authorized official's signature on this form constitutes a signature on each of the following assurances and certifications that are applicable to the applicant/proposer agency and/or the application/proposal submitted; and (4) the authorized official certifies that all information on this form and the application/proposal is complete and correct to the best of the authorized official's knowledge.

________________________ Name of Authorized Official Agency/Recipient	________________________ Name of Applicant/Proposer
________________________ Title of Authorized Official	________________________ Date
________________________ Signature of Authorized Official	

GENERAL ASSURANCES AGREEMENT BETWEEN THE APPLICANT/PROPOSER AGENCY AND THE MINNESOTA RIVER AREA AGENCY ON AGING, Inc. (MNRAAA) UPON SUBMISSION OF PROPOSAL

The applicant/proposer agency submits this application/proposal for a grant/contract award under Title III of the Older Americans Act, as amended, in keeping with the provisions of this section and the information provided in the remainder of this application/proposal.

The applicant/proposer agency HEREBY AGREES:

1. That the project will be carried out in accordance with Title III of the Older Americans Act, the program regulations issued thereto, the policies and procedures established by the MNRAAA, and the terms and conditions of this application/proposal as approved by the MNRAAA Board in making an award of funds.

2. That where subcontracts are proposed for the operating of one or more components of the proposal and are approved as part of any award of funds under title, the applicant/proposer agency retains full and complete responsibility for the operation of the project in keeping with the policies and procedures established by the MNRAAA for the project. The applicant/proposer agency will be held accountable by the MNRAAA for all project expenditures; and will ensure that all expenditures incurred by the subcontracting agency(ies) will be in accordance with the cost policies and procedures established by the MNRAAA, in keeping with the guidelines of the Administration on Aging. Copies of the proposed subcontracts are submitted with this application/proposal.

3. To cooperate with the MNRAAA in its efforts toward developing a comprehensive and coordinated system of services for older adults, by participating in joint planning efforts and other activities mutually agreed upon to meet this goal.

4. To provide for or participate in such training as may be necessary to enable paid and volunteer project personnel to perform more effectively.

5. To actively seek qualified older persons for paid positions with the project.

6. To make provisions where feasible for volunteer opportunities for older persons.

7. To cooperate and assist in efforts undertaken by the MNRAAA, the Minnesota Board on Aging, the Administration on Aging, or any other agency or organization duly authorized by any of the preceding to evaluate the effectiveness, feasibility and costs of the project.

8. That no personal information obtained from an individual in conjunction with the project shall be disclosed in a form which identifies an individual without the written and informed consent of the individual concerned.

9. To maintain such accounts and documents which will serve to permit determination at any time of the status of funds within the award, including the disposition of all monies received from the MNRAAA, and the nature and amount of all charges claimed against such funds.

10. To keep such records and make reports in such form and containing such information as may be required by the MNRAAA.

11. To comply with equal employment opportunity and affirmative action principles so that employment practices are based solely on the work-related abilities and qualifications of employees and job applications. Staff are hired, assigned, and promoted without regard to race, color, religion, sex, age, handicap, or national origin.

Also, the applicant/proposer agency HEREBY CERTIFIES that it has no commitments or obligations which are inconsistent with compliance of these and any other pertinent federal regulations and policies, and that any other agency, organization or party which participates in this project shall have no such commitments or obligations.

ASSURANCE OF COMPLIANCE WITH SECTION 504 OF THE REHABILITATION ACT OF 1973, AS AMENDED

The applicant/proposer agency (hereinafter called the "Recipient")

HEREBY AGREES THAT it will comply with Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), all requirements imposed by the applicable HHS regulation (45 CFR Part 84), and all guidelines and interpretations issued pursuant thereto.

Pursuant to section 84.5(a) of the regulation [45 CFR 84.5(a)], the Recipient gives this Assurance in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts (except procurement contracts and contracts of insurance or guaranty), property, discounts, or other Federal financial assistance extended by the Department of Health and Human Services after the date of this Assurance, including payments or other assistance made after such date on applications for Federal financial assistance that were approved before such date. The Recipient recognizes and agrees that such Federal financial agreements made in this Assurance and that the United States will have the right to enforce this Assurance through lawful means. This Assurance is binding on the Recipient, its successors, transferees, and assignees, and the person or persons whose signatures appear are authorized to sign this Assurance on behalf of the Recipient.

This Assurance obligates the Recipient for the period during which Federal financial assistance is extended to it by the Department of Health and Human

Services or, where the assistance is in the form of real or personal property, for the period provided for in section 84.5(b) of the regulation [45 CFR 84.5(b)].

ASSURANCE OF COMPLIANCE WITH CIVIL RIGHTS

The applicant/proposer agency (hereinafter called the “Sub-grantee”)

HEREBY AGREES THAT it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 CFR Part 80 and any amendments thereto) issued pursuant to that title, to the end that, in accordance with Title VI of that Act and the Regulation, no person in the United States shall, on the ground of race, color, national origin, or handicap, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Sub-grantee receives Federal financial assistance from the MNRAAA a recipient of Federal financial assistance from the Department (hereinafter called “Grantor”), and HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this agreement.

If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Sub-grantee by the Grantor, this assurance shall obligate the Sub-grantee, 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. If any personal property is so provided, this assurance shall obligate the Sub-grantee for the period during which it retains ownership or possession of the property. In all other cases, this assurance shall obligate the Sub-grantee for the period during which the Federal financial assistance is extended to it by the Grantor.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Sub-grantee by the Grantor, including installment payments after such date on account of applications for Federal financial assistance which were approved before such date. The Sub-grantee recognizes and agrees that such Federal financial assistance will be extended in reliance on the representation and agreements made in this assurance, and that the Grantor or the United States or both shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Sub-grantee, its successors, transferees, and assignees, and the person or persons whose signatures appear are authorized to sign this assurance on behalf of the Sub-grantee.

Form AoA 441

ASSURANCE – NON-CONSTRUCTION PROGRAMS

[OMB Approval No. 0348-0040]
Note: Certain of these assurances may not be applicable to your project or program. If you have questions, contact the MNRAAA. Further, certain Federal awarding agencies may require applicants/proposers to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant/proposer, I CERTIFY that the applicant/proposer:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application/proposal.

2. Will give the MNRAAA, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the MNRAAA Board.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. § 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a merit system of Personnel Administration (5 CFR 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color, or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. § 1681–1683, and § 1685–1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101–6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) § 523 and § 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 or 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended,

relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application/proposal.

7. Will comply, or has already complied, with the requirements of Title II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply with the provisions of the Hatch Act (5 U.S.C. § 1501–1508 and § 7324–7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal Funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. § 276(a) to § 276(a)-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. § 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. § 327–333), regarding labor standards for federally assisted construction sub-agreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514: (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. § 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. § 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the MNRAAA Board in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470) EO 11593) identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469(a)-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544), as amended (7 U.S.C. § 2131 et seq.), pertaining to the care, handling, and treatment of warm-blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. § 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with Single Audit Act of 1984.

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION – LOWER TIER COVERED TRANSACTIONS

By signing this lower tier proposal, the prospective lower tier participant, as defined in 45 CFR part 76, 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 from participation in this transaction by any federal department or agency.

(b) where the prospective lower tier participant is unable to certify to any of the above, such prospective participant shall attach an explanation to this proposal.

The prospective lower tier participant FURTHER AGREES by submitting this proposal that it will include this clause entitled “Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion – Lower Tier Covered Transactions”, without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
CERTIFICATION REGARDING
DRUG-FREE WORKPLACE REQUIREMENTS
GRANTEES/CONTRACTORS OTHER THAN INDIVIDUALS

This certification is required by regulations implementing the Drug-Free Workplace Act of 1988 (45 CFR Part 76, Subpart F). The regulations, published in the January 31, 1989, Federal Register, require certification by grantees/contractors that they will maintain a drug-free workplace. The certification set out below is a material representation of fact upon which reliance will be placed when HHS determines to award the grant/contract. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of grants/contracts, or government wide suspension or debarment.

The applicant/proposer agency CERTIFIES that it will provide a drug-free workplace by:

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

2. Establishing a drug-free awareness program to inform employees about:
   a. The dangers of drug abuse in the workplace,
   b. The grantee/contractor’s policy of maintaining a drug-free workplace,
   c. Any available drug counseling, rehabilitation, and employee assistance programs, and
   d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

3. Making it a requirement that each employee to be engaged in the performance of the grant/contract be given a copy of the statement required by paragraph 1.;

4. Notifying the employee in the statement required by paragraph 1. that, as a condition of employment under the grant/contract, the employee will:
   a. Abide by the terms of the statement; and,
   b. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;

5. Taking one of the following actions, within 30 days of receiving notice under subparagraph 4.b., with respect to any employee who is so convicted:
   a. Taking appropriate personnel action against such an employee, up to and including termination; or
   b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by Federal, State, or local health, law enforcement, or other appropriate agency;

6. Making a good faith effort to continue to maintain a drug-free workplace, through implementation of paragraphs 1., 2., 3., 4., 5., and 6.

CERTIFICATE REGARDING LOBBYING
For state of Minnesota Contracts over $100,000

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 any 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 31 U.S.C. §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.

____

Organization Name

____

Name and Title of Official Signing for Organization

By: _____________________________________

Signature of Official

____

Date

STATE OF MINNESOTA – AFFIRMATIVE ACTION DATA PAGE-GRANT RFP

If your response to this solicitation is or could be in excess of $100,000, complete the information requested below to determine whether you are subject to the Minnesota Human Rights Act (Minnesota Statutes, section 363A.36) certification requirement, and provide documentation of compliance if necessary. It is your sole responsibility to provide this information and—if required—to apply for Human Rights certification prior to the due date of the bid or proposal and to obtain Human Rights certification prior to the execution of the contract. The State of Minnesota is under no obligation to delay proceeding with a contract until a company receives Human Rights certification.

Section A: For companies that have employed more than 40 full-time employees within Minnesota on any single working day during the previous 12 months. All other companies proceed to Section B.

Your response will be rejected unless your business:

has a current certificate of compliance issued by the Minnesota Department of Human Rights (MDHR)

–or–

has submitted an affirmative action plan to the MDHR, which the department received prior to the date the responses are due.

Place a check in front of one of the following statements if you have employed more than 40 full-time employees in Minnesota on any single working day during the previous 12 months:

☐We have a current certificate of compliance issued by the MDHR. Proceed to Section C. Include a copy of your certificate with your response.

☐We do not have a current certificate of compliance. However, we submitted an affirmative action plan to the MDHR for approval, which the department received on __________________ (date). **Proceed to Section C**.

☐We do not have a certificate of compliance, nor has the MDHR received an affirmative action plan from our company. We acknowledge that our response will be rejected. Proceed to Section C. Contact the Minnesota Department of Human Rights for assistance. (See below for contact information.)

1. Please note: Certificates of compliance must be issued by the Minnesota Department of Human Rights. Affirmative action plans approved by the federal government, a county, or a municipality must still be received, reviewed, and approved by the Minnesota Department of Human Rights before a certificate can be issued.

Section B: For those companies not described in Section A

Place an check in front of the statement below.

☐We have not employed more than 40 full-time employees on any single working day in Minnesota within the previous 12 months. Proceed to Section C.

Section C: For all companies

By signing this statement, you certify that the information provided is accurate and that you are authorized to sign on behalf of the responder. You also certify that you are in compliance with federal affirmative action requirements that may apply to your company. (These requirements are generally triggered only by participating as a prime or subcontractor on federal projects or contracts. Contractors are alerted to these requirements by the federal government.)

Name of Company	Date
Authorized Signature	Telephone Number
Authorized Signature	
Printed Name	Title

STATE OF MINNESOTA - WORKFORCE CERTIFICATE INFORMATION

Required by state law for ALL bids or proposals that could exceed $100,000

Complete this form and return it with your bid or proposal. The State of Minnesota is under no obligation to delay proceeding with a contract until a company becomes compliant with the Workforce Certification requirements in Minn. Stat. §363A.36.

BOX A – COMPANIES that have employed more than 40 full-time employees WITHIN MINNESOTA on any single working day during the previous 12 months, check one option below:

☐Attached is our current Workforce Certificate issued by the Minnesota Department of Human Rights (MDHR).

☐Attached is confirmation that MDHR received our application for a Minnesota Workforce Certificate on __________________ (date).

BOX B – NON-MINNESOTA COMPANIES that have employed more than 40 full-time employees on a single working day during the previous 12 months in the state where it has its primary place of business, check one option below:

☐Attached is our current Workforce Certificate issued by MDHR.

☐We certify we are in compliance with federal affirmative action requirements.

BOX C – EXEMPT COMPANIES that have not employed more than 40 full-time employees on a single working day in any state during the previous 12 months, check option below if applicable:

☐We attest we are exempt. If our company is awarded a contract, upon request, we will submit to MDHR within 5 business days after the contract is fully signed, the names of our employees during the previous 12 months, the date of separation, if applicable, and the state in which the persons were employed. Send to: compliance.MDHR@state.mn.us.

By signing this statement, I certify that the information provided is accurate and that I am authorized to sign on behalf of the company.

______________________ Name of Company	______________ Date
______________________ Authorized Signature	______________ Telephone Number
______________________ Printed Name and Title	______________ Email

For assistance with this form, contact:
Minnesota Department of Human Rights, Compliance Services

Web: http://mn.gov/mdhr/   TC Metro: 651.539.1095   Toll Free: 800.657.3704

Email: compliance.mdhr@state.mn.us   TTY: 651.296.1283

E-VERIFY CERTIFICATION FORM

Effective July 21, 2011, state law mandates that contracts “for services valued in excess of $50,000 must require certification from the vendor and any subcontractors that, as of the date services on behalf of the state of Minnesota will be performed, the vendor and all subcontractors have implemented or are in the process of implementing the federal E-Verify program for all newly hired employees in the United States who will perform work on behalf of the state of Minnesota.”
E-Verify is a federal system established by the Department of Homeland Security to determine the immigration and work-eligibility status of prospective employees.
Detailed E-Verify program information for employers can be found at http://www.dhs.gov/e-verify.
By signing relevant solicitation responses and contracts, a vendor is certifying compliance with the statutory requirement with respect to its own business.
Additionally, prior to the initiation of services, a vendor must obtain written certification from all subcontractors who will participate in the performance of the contract. The certification below has been prepared for prime contractors to use for this purpose. All subcontractor certifications must be kept on file with the contract vendor and made available to the state upon request.

CERTIFICATION (In accordance with Minn. Stat. §16C.075)

By the date of the performance of services, the company shown below will have implemented or will be in the process of implementing the E-Verify program for all newly hired employees in the United States who will perform work on behalf of the State of Minnesota.
I certify that the company shown below is in compliance with the above statement and that I am authorized to sign on its behalf.

____
Name of Company

____
Authorized Signature

____
Printed Name

____
Title

____
Date

____
Telephone Number

____
E-mail Address

DISCLOSURE OF FUNDING FORM-GRANT RFP

Per the Federal Funding Accountability and Transparency Act of 2006 “Transparency Act” or “FFATA” (Public Law 109-282), all entities and organizations receiving federal funds are required to report full disclosure of funding (United States Code, title 31, chapter 61, section 6101).

The purpose of FFATA is to provide every American with the ability to hold the government accountable for each spending decision. The end result is to reduce wasteful spending in the government. The FFATA legislation requires information on federal awards to be made available to the public through a single, searchable website. Federal awards include grants, sub-grants, loans, awards and delivery orders.

To comply with the federal statute, MNRAAA is required to obtain and report by the grantee’s Unique Entity Identifier (UEI); determine if grantee meets specific requirements that would require additional reporting items; and collect additional information on executive compensation if required. Respond by answering the following questions:

Grantee UEI (Required): ______________________________________

Grantee Name: ____

In the preceding fiscal year: ____

1) ☐Yes ☐No (Select one) Did you receive 80 percent or more of your annual gross revenues in U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements?

2) ☐Yes ☐No (Select one) Are those revenues greater than $25 million or more annually?

3) ☐Yes ☐No (Select one) Does the public not have access to information about the compensation of the executives in your business or organization through periodic reports filed under section 13(a) or 159d) of the Securities Exchange Act of 1934 (15 U.S.C 78m(a), 78(d)) or section 6104 of the Internal Revenue Code of 1986?

If you answer “yes” to all of the top questions, provide the following information:

1. Project Description (should capture the overall purpose of the award)

2. Place of performance (including congressional district)

3. Name and compensation of top five executives

INSURANCE REQUIREMENTS

Why does the state require insurance from vendors and contractors and users of state property?
Vendor and contractor insurance protect the state and its contractors. When a vendor or contractor performs work for the state without insurance, the state can be held liable for their negligent acts, thus assuming their liability. This is also applicable in regards to users of state property that are not under state contract.

In addition to protecting the state, insurance protects the assets of vendors and contractors and users of state property. Although the Commissioner of Administration establishes minimum insurance requirements, all vendors and contractors, large and small, and users of state property should realize that their liability is not limited to the amount of insurance they purchase. *Vendors and contractors, like any private entity or individual, have unlimited liability.* They are not protected by the state's tort cap. It is also important to realize that there is no correlation between the cost of the contract and the liability exposure stemming from a contractor's work.

Who must meet the state's insurance requirements?
Vendors and contractors must meet the state's insurance requirements before commencing work, and the insurance must be maintained in force and effect throughout the term of the contract. Property users must meet the insurance requirements before accessing state property and the insurance must be maintained until the property is vacated.

What are the current minimum insurance requirements?
The current minimum levels of insurance required from vendors and contractors are:

Line of Insurance	Current Minimum Limits Required
General Liability	$2 Million per occurrence/$2 Million annual aggregate
Auto Liability	$2 Million combined single limit
Professional Liability	$2 Million per claim/$2 Million annual aggregate
Workers' Compensation	$100,000/$500,000/$100,000

The above insurance levels are minimum requirements. Larger limits may be warranted for some contracts, depending on the nature of the work. For state property users, required insurance lines are based on how the property will be used.

To protect the state, insurance limits must be at least as large as the state's liability, which is currently $500,000 per person and $1.5 million per occurrence. Since insurance policies are typically sold in $1 million increments, the state increased the required limits from $1 million to $2 million.

Who decides the level of insurance required on state contracts? On what authority?
MN Statute 16C.03 provides that the Commissioner of Administration shall make all decisions regarding acquisition activities. According to M.S. 16B.85, subd. 3, the Commissioner is also responsible for reviewing the state's exposure to potential risks and advising affected entities on reducing risk and prudent fiscal management.

Was the fact that higher limit requirements can drive up costs, potentially excluding small vendors and contractors, considered when setting the higher limits?

Since insurance requirements are included in Requests for Proposals, vendors and contractors are aware of the requirements prior to bidding and can include the cost of insurance in their bid. Insurance is a cost of doing business, just like other business expenses incurred by vendors and contractors that are typically incorporated in their bids. The state would much rather pay a known premium as part of the bid price than suffer a loss of unknown magnitude as a result of vendor or contractor negligence.

MNRAAA Note: In rare circumstances, insurance levels may be waived. Contact MNRAAA for information.