



**NEW MEXICO
HUMANITIES COUNCIL**
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GRANT APPLICATION Forms and Instructions

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APPLICATION DEADLINES

Mini Grants (up to \$2,000)

June 1
November 1

Regular Grants (more than \$2,000)

February 1
October 1

**PLEASE READ ALL
INSTRUCTIONS
COMPLETELY BEFORE YOU
BEGIN!**

New Mexico Humanities Council

Grant Application Form

For Mini or Regular Grants

NMHC Use Only

Application Number _____

Application Deadline _____

Award _____

Total Amount Requested:

Total Amount of Matching Contribution:

Project Title:

Project Description: (Do not exceed space provided)

Sponsoring Organization(s): Name(s), Address(es), Phone and Fax number(s), email and/or web site addresses for BOTH the organization and the responsible, authorizing official (if different). Include a brief description of the organization and attach a mission statement if possible.

Project Director(s): Name(s), Address(es), Phone and Fax Number(s), email:

Fiscal Agent: (Name, Address, Phone Number, Profession)

Project Format(s):

Conference Exhibit Lecture(s) Radio Program Reading/Discussion Workshop
 Film or Video Discussion Symposium Panel Discussion Other (explain

Humanities Scholars Who Will Participate: (Name, Discipline, Institution) Attach a Scholar's Form for Each

Evaluator: (Name, Discipline, Vocation) Each project must have an external evaluator. Attach a Scholar's Form

Agreement: By signing and submitting his application, the authorizing official of the applicant organization, the project director, and the fiscal agent are 1) providing the required certifications regarding disbarment and suspension, and compliance with the nondiscrimination statues as set forth in the *Instructions of Certification*, indicating that the applicant is eligible to receive federal funds, and 2) agreeing that any funds awarded by NMHC will be used for the purposes set forth herein, unless changes or revisions are subsequently approved in accordance with applicable policies of the New Mexico Humanities Council.

Signatures

Project Director:

Date _____

Fiscal Agent:

Date _____

The New Mexico Humanities Council (NMHC) accepts applications for funding to conduct high quality humanities programs for public audiences throughout the state.

What are public humanities programs?

Public They are intended primarily for adults who are not full-time students and for families. They are programs widely advertised and held at times and in locations accessible to the general public.

Humanities The act that established the National Endowment for the Humanities says, “The term ‘humanities’ includes, but is not limited to, the study of the following: language, both modern and classical; linguistics; literature; history; jurisprudence; philosophy; archaeology; comparative religion; ethics; the history, criticism, and theory of the arts; those aspects of social sciences which have humanistic content and employ humanistic methods; and the study and application of the humanities to the human environment with particular attention to reflecting our diverse heritage, traditions, and history and to the relevance of the humanities to the current conditions of national life.” NMHC will also fund projects that deal with the historical and human values aspects of science and technology.

Programs They may vary as widely as New Mexico’s communities and audiences. These programs bring scholars and the public together in a dialogue that enhances the civic and cultural life of the citizens of the state. For examples of recent programs funded by NMHC, please visit our website at www.nmhum.org, read our newsletter, or request a list of grants (if one is not already enclosed). **Note the formats, deadlines, and required consultations listed on the application cover sheet.** If you are uncertain whether or not yours is a fundable project, please call and talk with us about it.

Exclusions

NMHC policies and guidelines exclude grant funding for some projects and activities. These include:

- “bricks and mortar” projects such as construction, renovation, or preservation
- fine or performing arts, though NMHC often funds programs that interpret the arts (such as, history, theory, criticism)
- equipment purchase (in some cases, NMHC may fund a purchase if it is more economical than rental for a project; such equipment reverts to NMHC at the end of the project)
- grantee fundraising events or events intended to make a profit
- curriculum development
- broadcast quality film or video projects; NMHC will fund films or videos if they are an integral part of another project, such as a video as part of an exhibit or oral history project
- publication, unless it is directly linked to public programs, such as a gallery guide or interpretive program notes
- classroom presentations
- fellowships or scholarships
- research, except as preparation for a public program
- activities taking place before the funding decision by NMHC’s Board
- projects that advocate only one point of view or one course of action
- professional conference events intended solely for those registered at the conference; conference events that are open and accessible to the general public may be considered for funding.
- salaries. NMHC will pay honoraria, but not full market cost for participation in NMHC funded regrant projects.

Non-allowable costs in addition to exclusions listed above:

- costs occurring before or after the grant period
- costs of meals and refreshments, unless the meals are per diem expenses for scholars or

- others who must travel from out of town to participate in the project and will have to stay overnight
- indirect costs expressed as a percentage of other costs to be supported by NMHC funds. That is, if you request \$3,000 for program expenses, you cannot simply add, say, 10% to cover the indirect costs of your project. However, most of what is normally included under indirect costs are legitimate project costs: telephone, postage, secretarial support, fiscal support, use of facilities, etc. NMHC funds can be requested for these purposes provided they are itemized and explained; for example, secretarial support for 20 hours @ \$10/hour.
- administrative costs to cover insurance and retirement/pension contributions must be included in the honorarium figure.
- NMHC will pay up to \$350 in honoraria per speaker for a single public event.

NMHC is authorized to award grants to private, nonprofit organizations; institutions of higher education; state, local, and federally recognized Indian tribal governments; and *ad hoc* groups of at least two persons that form an association to carry out a project. Organizations or groups that apply for funding must be constituted for nonprofit purposes, but it is not necessary that they be incorporated or have tax-exempt status. Individuals working alone are not eligible to apply for NMHC grants, but may be able to find a private, nonprofit organization to serve as sponsor and applicant.

If you are funded you may receive funds with certain conditions attached.

For example, you may be asked to revise your budget or provide additional documentation of support. You will also be asked to provide detailed reports during and at the end of your project, including expenditures of grant funds, cost-sharing, and evaluation. You will be asked to maintain documentation in support of your reports, such as canceled checks, invoices, donor letters, time and attendance records, etc.

Types of Grants available

- Mini Grants*** provide up to \$2,000 for a public humanities program.
- Regular Grants*** provide more than \$2,000 of NMHC funds for a public humanities program. The average regular grant funded by NMHC is about \$5,500.

Either type of grant may be one of the following types of awards:

Direct Grant Awards make an outright award of NMHC funds. Like all NMHC grants, the grant must be matched, which means that other sources must meet at least half of the project's total costs. For a Direct Grant this requirement can be satisfied entirely with in-kind contributions, such as donated facilities, services, and time. Direct grants may also be matched with sponsor's cash.

Challenge Grant Awards match cash gifts from third parties. Applicants with the ability to raise cash gifts from businesses, foundations, or individuals are encouraged to apply for a Challenge Grant. Challenge Grant awards provide *up to* \$1 in NMHC funds for each \$1 in eligible gifts. Eligible gifts must be 1) cash rather than donated goods, services, or time; 2) from individuals or organizations with no other role in the project; 3) non-federal in origin; and 4) properly documented.

Applicants may apply for both a Direct Grant and a Challenge Grant award.

Essential Personnel

A change in any of these personnel requires written notification.

Project Director - the person who directs the planning, implementation, completion, and evaluation of project activities and events. The project director bears the primary responsibility for preparing and submitting the reports to NMHC.

Official or Sponsoring Organization - a person, other than the project director, with the authority to represent the sponsoring organization. This person signs the application with the understanding that he/she is certifying to NMHC that the sponsoring organization is eligible to receive federal funds and will comply with applicable federal law if funds are awarded. The *Instructions for Certification* included with this application explain what this involves. This person must co-sign agreements and requests for payment with the project director. He/she will accept fiscal responsibility on behalf of the sponsor and will file reports if the project director cannot.

Humanities scholar(s) - individuals with specialized competence or training in one or more of the humanities disciplines, usually reflected in advanced degrees. NMHC may also recognize as scholars community and tribal elders and historians, cultural specialists, tradition bearers, self-trained humanists, and other humanists working in a non-academic setting who can bring consideration of the humanities to bear on civic and community life.

Evaluator – an independent evaluator (someone who has separation from project goals and objectives and who is not a participant) is required on all NMHC-funded projects.

1. Plan your project carefully. Include members of the community to be served as well as humanities scholars in your planning process. Obtain indications of support from community organizations. Prepare a detailed budget and schedule. Allow ample time for securing scholar information, letters, etc.

2. Discuss your application with the NMHC staff. All applicants, even veteran project directors, **must consult with NMHC staff** before submitting a grant application. The purpose behind this requirement is to improve each applicant's chances of being funded by dealing with problems, missing information, budget questions, and eligibility issues early enough to allow for corrections. Three means of consultation are available:

- Call and talk with the Program Officer (a phone call may be all that's needed for previously funded grantees).
- Submit a draft of your application well before the application dead-line (see schedule on p. 6).
- Meet with appropriate staff, either in our offices in Albuquerque or in a grant application workshop in your community. Workshops are announced in the NMHC newsletter and local news media.

Important: All applicant organizations are required to submit a draft application and to meet or consult with staff.

3. Complete the application form in full.

4. Assemble the application in the following order:

- Application Form with Project Description

Important: Be sure to supply all information requested and have the form signed by two people.

- Budget Summary
- One-page resumes from humanities scholar(s) and project director(s).

Important: Please respect this request for abbreviated resumes and do not include more than one page. Longer resumes will be discarded after the first page. What the NMHC staff and board need to know is why this person participating is well-suited for this particular project.

- Essential supporting materials. You are welcome to include additional materials that support your application. These might include letters of community support, articles describing this or previous projects, and evaluations of previous projects. Please include only one set of supporting materials with the original.

Please assemble your application in the above order, and number each page consecutively. Although each copy should be securely fastened together, **please do not bind your application.**

5. Make 8 copies of a Mini Grant or Regular Grant, except for supporting materials. With this copying requirement in mind, it is to your advantage to keep the application brief.

6. Submit the original application and the copies by one of the deadlines shown in the table below. Applications are due in NMHC’s office on the application deadline. If the deadline falls on a weekend, applications are due on the next working day. NMHC cannot guarantee consideration of applications that are merely postmarked by the application deadline—**they must actually be received by the deadline.**

Mail Applications to:

New Mexico Humanities Council
 MSC06 3570
 1 University of New Mexico
 Albuquerque, NM 87131-0001

Deliver Applications to:

New Mexico Humanities Council
 209 Oñate Hall, UNM
 Corner of Campus and Girard NE
 Albuquerque, NM 87131 505-277-3705

Application Deadlines

Regular Grants

Consultation Deadline	Application Deadline	Earliest Date Program Can Begin
January 10	February 1	May 1
September 10	October 1	January 1

Mini Grants

Consultation Deadline	Application Deadline	Earliest Date Program Can Begin
May 10	June 1	August 1
October 10	November 1	February 1

The budget summary form requires you **TO INDICATE ALL PROJECTED INCOME AND EXPENDITURES** for your project. Below you will find step-by-step instructions for filling out the form. Please note that a space is provided to explain all budget items in the summary. A sample budget is included so you can see how to provide budget detail.

Clarity is very important in your budget. It should be clear how the cost was computed, why the cost is incurred, and how you propose to meet this cost.

Matching/Cost Share Columns

Applicants must pledge funds from other sources that at least equal the amount requested from NMHC. Cost sharing can come from

- *in-kind donations* to the project from the sponsoring organization(s), or other individuals or organizations, consisting of goods, services, or volunteered time. Volunteer services should be valued at rates consistent with those ordinarily paid for similar work.
- *cash contributions from outside sources*, known as third parties.
- *cash contributions from the project’s sponsoring organization(s).*

- *project income* directly generated from activities or events NMHC is asked to support. This must be reported on the budget summary form and used to defray project costs.

If you match with cash contributions from third party sources, NMHC welcomes that indication of broad support for your project. If funded, you will be asked to document all such gifts by supplying a copy of an award or donor letter. Please photocopy checks and award letters when you receive them from third-party sources.

Funds Requested Column

In this column you will find four possible types of expenditures that NMHC can fund: services and supplies, publicity, travel, and honoraria.

- I. Services and Supplies.** You may include in this category the normal expenditures for support for a project. If you wish to list something under “other,” check with staff to make sure that the service is allowable. For example, a fee for the services of a videographer may not be allowable, given the limitations on funding video production.
- II. Publicity.** Good publicity is essential to draw a wide audience. You may include here the cost of advertising, production of flyers and posters, and distribution of press releases and announcements. You may count public service announcements (psa’s) as a cost-share item, but check with the broadcaster for the usual advertisement costs in order to figure the market value of a psa.
- III. Travel**
 - Commercial travel (airplane, bus, or rail) must be figured at economy or coach rate. Also, note that all air travel paid with grant funds must be on U.S. air carriers.
 - Mileage allowance: \$.375 per mile.
 - Per diem allowance: only up to \$35 per night for lodging and \$25 per day for meals (\$5 for breakfast, \$8 for lunch, \$12 for dinner). NMHC will generally fund meals only if an overnight stay is required. Applicants may budget for higher rates for travel and per diem costs, provided the difference between NMHC and budgeted rates comes from other sources (third party or sponsor’s cash or in-kind donations).
- IV. Honoraria.** NMHC funds requested for personnel participating in the project should be “honoraria” (token payments) rather than salaries. Because of its limited resources, NMHC cannot compensate project participants for the full value of their time or services on a project. In particular, NMHC cannot fund requests for an individual’s salary for the duration of a project. NMHC will pay up to \$350 per speaker in honoraria for a single public event.

Once again, applicants are free to budget for personnel costs at a higher rate than NMHC allows, provided that the difference between the budgeted rate and an honorarium comes from other funding sources. Except for single, one-time honorarium payments, personnel costs must be figured on the basis of an appropriate hourly wage for the person being paid out of NMHC funds.

Other Regrant Considerations:

Any organization that receives funding from NMHC is welcome to apply again only after the current grant has successfully closed. If the program activities described are different from the previous grant the Council will consider it a legitimate request and not a form of repeat funding.

- NMHC will normally fund at least half of the grant request with the balance of the project being supported by Sponsor’s Matching Cash and In-Kind Donations, Third Party Cash, or Project Income. (A 1:1 match is required for all NMHC funds requested.) NMHC grants are funded between \$500 - \$10,000. The average amount granted by NMHC is \$5,500.
- Preference will be given for outreach to new and/or historically under-served audiences, new venues or locations, the participation of new scholars in NMHC projects and/or projects that involve under-represented humanities disciplines.
- Preference will be given to applicants who respond to NMHC RFPs (Requests for Proposals).
- Preference will be given to applicants for “targeted strategic programming” instead of “catch-all programming” or for an “add-on” humanities component.
- No “yes” or “no” answers will be allowed in the Project Description question set.
- All regrant decisions are made by the NMHC Board as recommended by the NMHC Regrant Committee.

Application Check List

*Please check the following **before** you duplicate your application:*

SIGNATURES

_____ Have the project director and official of the sponsoring organization signed the application form? (**Note: two separate signatures are required**)

COMPLETENESS

- _____ Is your application complete?
 _____ Did you supply all the information requested on the forms?
 _____ Did you include brief resumes for the project director and all scholars?

BUDGET

- _____ Have you double-checked your budget and Budget Summary to insure that all vertical and horizontal totals are correct and agree?
 _____ Does your budget conform with NMHC guidelines?
 _____ Does promised cost-share at least equal NMHC funds requested?
 _____ Is the source and use of anticipated project income, if any, explained? (continued)

CLARITY

_____ Are the original documents clear, clean, and easily reproducible?

Please check the following **before** you mail your application: **Note: The grant application can be completed electronically on the NMHC web site, www.nmhum.org, but 9 copies must be mailed or hand delivered to the NMHC office and received by the posted grant deadline.**

- _____ Was everything copied and collated correctly?
- _____ Did you provide the correct number of copies?
(Original + 8 for Mini Grants;
Original + 8 for Regular Grants.)
- _____ Will your application reach the NMHC offices by the deadline? Do you need to send it via express mail or deliver it personally?
- _____ Did you keep a copy of everything for your own files?

Project Description:

In no more than three pages (font size no smaller than 10, please) describe the proposed project. **Answer the following questions in this order.**

1. What is planned?
2. When will it take place?
3. Where will it take place?
4. Who are the managers, planners, and humanities scholars? Please provide names, titles, and brief identifications.
5. How does this project involve the humanities disciplines (see p. 2)?
6. What are the evaluation criteria for this project?
7. What is the role of the humanities scholar(s) in this project?
8. Who are the proposed audience/participants? Estimate of audience size?
9. What kind of publicity is planned to reach the audience?
10. Of what value is this project to the audience?
11. Now that you have answered all the above questions, please condense it all into a three sentence description or blurb that NMHC can use for publicity and to put on the NMHC web site. **Be sure to include funding support credits for NMHC and NEH in the three sentence description.**

How to Use the NMHC Application Rating Sheet

1. Read carefully the guidelines and instructions for completing your application forms.
2. Complete the forms.

3. Then use the NMHC Application Rating Sheet to review your work. This form is used by NMHC staff and board in reviewing your application, so the form will give you a way to evaluate it for yourself and decide if revisions may be needed before submission. This will assist you in reviewing your proposal. Allow adequate time to consult with NMHC staff if you still have questions or concerns about your proposal.

NMHC Application Rating Sheet

NMHC Reviewer _____ Date _____

NMHC Grant # _____

	1	2	3	4	Points
Is there general Audience interest?	Does not appear to have any audience interest	There appears to be a slight degree of audience interest	There appears to be some degree of audience interest	There is a high degree of audience interest.	
Is/Are scholars involved with planning, implementation and evaluation?	There is no indication of planning, implementation and evaluation with/by scholars	Scholars appear to have a slight involvement with planning, implementation and evaluation.	Scholars appear to have some involvement with planning, implementation and evaluation.	Scholars appear to be fully involved in planning, implementation, and evaluation.	
Is/Are scholars competent?	The scholar/s appear to have no credentials/directly related experience for the project	The scholar/s appear to have a slight degree to competency for the project.	The scholar/s appear to have some degree of competency for the project.	The scholar's appear to be fully competent for the project.	
Is the topic treated through multiple voices and perspectives?	There appears to be no differences in voices or perspectives.	There appears to be a slight degree of differences in voices and perspectives.	There appears to be some degree of differences in voices and perspectives.	There is a great deal of difference voices and perspectives addressed.	
Is the budget appropriate?	The budget is not appropriate.	The budget is slightly appropriate.	The budget is somewhat appropriate.	It is a sound budget.	
The program addresses any or all of the following: under-served location, 1st time applicant, and or/ new audience.	The program does not address any of these.	The program addresses one of these.	The program addresses two of these.	The program addresses all of them.	
The program responded to an NMHC "RFP"?	There is no response.	The response is only slight.	The response is somewhat adequate.	The response is on target.	
Is the Humanities content adequate?	Does not appear to have humanities content.	There appears to be a slight degree of humanities content.	There appears to be some degree of humanities content.	There is a high degree of humanities content.	
Is the Humanities component accessible to the public?	The humanities component does not appear to be publicly accessible.	The humanities component appears to be slightly publicly accessible.	The humanities component appears to have some degree of public accessibility.	The humanities component has a high degree of public accessibility.	
Is program promotion adequate?	Promotion does not appear to be adequate.	Promotion appears to be slightly adequate.	Promotion appears to be mostly adequate.	Promotion is very adequate for the program.	

Brief Professional Resume and Statement of Intent for Project Directors and Humanities Scholars

To the Applicant: Copy this form as needed and have completed by each project director and humanities scholar. Note that the form included both professional qualifications and a statement of intent. It must be signed. NMHC will accept faxed forms with signatures as necessary.
Applicants must still submit 8 copies plus the original by grant deadline!

Title:

Name:

Address, City, State, Zip:

Phone: (w):

(h):

Institutional Affiliation, if any:

Education and Degrees:

Please specify your contribution to this project:

Experience relevant to this project (please do not substitute a curriculum vitae for this part of the form)

Publications, Products, Awards, and Recognition relevant to this project:

Signature: _____

New Mexico Humanities Council Budget Summary and Supporting Explanations

NMHC

Funds Requested | **Matching/Cost Share** (See pages 6 & 7)

	Funds Requested		Matching/Cost Share			Total
	Direct Grant	Challenge Grant	Sponsor's Matching Cash & In-Kind Donations	3rd Party Cash	Project Income	
I. Services & Supplies						
Telephone						
Postage						
Rentals						
Other						
Subtotal of I						
In the space to right*, please provide basis for items in Part I.**						
II. Publicity						
Ads						
Flyers & Posters						
Brochure						
Other						
Subtotal of II						
In the space to right*, please provide basis for items in Part II**						

	Direct Grant	Challenge Grant	Sponsor's Matching Cash & In-Kind Donations	3rd Party Cash	Project Income	Total All Funds
III. Travel						
Mileage (limited to \$.375 per mile of NMHC funds.)						
Airfare						
Per Diem (Limited to \$24 per day for food; \$35 per day for lodging, per person for NMHC funds.)						
Other						
Subtotal of III						
In the space to right *, please provide basis for items in Part III.**						
IV. Honoraria						
Scholars (If over \$350 per scholar, per event, please explain.)						
Other participants						
Project Director						
Secretary						
Evaluator						
Other						
Subtotal of IV						
In the space to right *, please Provide basis for items in Part IV						
TOTAL ALL						

* Attach additional page if necessary **See Budget Summary instructions for more detail

¹⁶Instructions for Certification

General Requirements

The New Mexico Humanities Council (NMHC) is required to seek from institutional applicants a certification regarding the nondiscrimination statutes and from all applicants certifications regarding debarment and suspension, and federal debt status.

By signing and submitting a proposal, the individual applicant or the authorizing official of the applicant institution provides the applicable certifications. When a prospective applicant is unable to certify regarding the nondiscrimination statutes, the prospective applicant is not eligible to apply for funding from NMHC. When the applicant is unable to certify regarding debarment and suspension or federal debt status the applicant shall attach an explanation to the proposal. The explanation of why the certification on debarment and suspension cannot be submitted will be considered in connection with NMHC's funding determination. Failure to furnish a certification or an explanation shall disqualify the applicant from receiving an award from NMHC.

The certifications are material representations of fact upon which reliance will be placed when NMHC determines to fund the application. If it is later determined that the applicant knowingly provided an erroneous certification or did not comply with requirements, in addition to other remedies available to the federal government, the National Endowment for the Humanities or NMHC may seek judicial enforcement of the certification (nondiscrimination statutes) or may terminate the award for cause or default (debarment and suspension or federal debt status).

The applicant shall provide immediate written notice to NMHC if at any time the applicant learns that its verifications were erroneous when submitted or have become erroneous by reason of changed circumstances.

Nondiscrimination Statutes

The certification regarding the nondiscrimination statutes shall obligate the applicant for the period during which the federal financial assistance is extended. There are two exceptions. If any personal property is acquired with NMHC's assistance, this certification shall obligate the applicant for the period during which it retains ownership or possession of that property. If any real property or structure is improved with NMHC's support, this certification shall obligate the applicant or any transferee for as long as the property or structure is used for the grant or similar purposes. This certification is binding on the applicant, its successors, transferees, and assignees, and on the authorizing official whose signature appears on the application cover sheet for this proposal.

Grantees are also required to evaluate their policies and practices toward the handicapped and grantee organizations which employ fifteen or more persons must keep on file a list of the interested persons that were consulted and a description of the areas that were examined, the problems identified, and any modifications or remedial steps taken.

Certification

The applicant certifies that it will comply with the following nondiscrimination statutes and their implementing regulations:

- a) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d *et. seq.*) which provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives federal financial assistance.
- b) Section 503 of the Rehabilitation Act of 1973, as amended (20 U.S.C. 794), which prohibits discrimination on the basis of handicap in programs and activities receiving federal financial assistance.
- c) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681 *et. seq.*), which prohibits discrimination on the basis of sex in education programs and activities receiving federal financial assistance.
- d) The Age Discrimination Act of 1975, as amended (42 U.S.C. 6106 *et. seq.*) which prohibits discrimination on the basis of age in programs and activities receiving federal financial assistance, except that actions which reasonably take age into account as a factor necessary for the normal operation or the achievement of any statutory objective of the project or activity shall not violate this statute.

Federal Debt Status

If any applicant is unable to certify regarding federal debt status, an explanation must be submitted with the proposal.

Certification

The applicant certifies, to the best of its knowledge and belief, that it is not delinquent in the repayment of any federal debt.

Debarment and Suspension

The applicant agrees by submitting this proposal that, should the proposal be funded by NMHC, it shall not knowingly enter into any project-related transactions (as defined under lower tier covered transactions) with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NMHC.

The applicant further agrees by submitting this proposal to include without modification the following clauses in all lower tier covered transaction and in all solicitations for 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.

A grantee may rely on the certification of a prospective subrecipient that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A grantee may decide on the method and frequency by which it determines the eligibility of its principals. Except when specifically authorized by NMHC, if the participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to the other remedies available to the federal government, NMHC may terminate this transaction for cause or default.

Certification

The applicant certifies to the best of its knowledge and belief that it and its principals:

- a) are not currently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transaction by any federal department or agency;
- b) have not within a three-year period preceding this proposal been convicted 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 government entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (b) of this certification;
- d) have not within a three-year period preceding this application/proposal had one or more public transactions (federal, state, local) terminated for cause or default.

Definitions

The following definitions refer to the terms used in the certifications regarding the nondiscrimination statutes, federal debt status, and debarment and suspension.

Covered transaction: A covered transaction is either a primary covered transaction or a lower tier covered transaction.

Debarment: An action taken by a debaring official in accordance with 45 CFR Part 1169 to exclude a person from participating in covered transactions. A person so excluded is debarred.

Delinquent: Represents the failure to pay an obligation or debt by the date specified in the agency's initial written notification or applicable contractual agreement, unless other satisfactory payment arrangements have been made by that date, or if at any time thereafter, the debtor fails to satisfy the obligation under a payment agreement with the agency.

Federal debt: The amount of money or property that has been determined by an appropriate agency official to be owed to the United States by any person, organization, or entity. Examples of debts include delinquent taxes, audit disallowances, guaranteed and direct student loans, housing loans, farm loans, business loans, Department of Education institutional loans, benefit overpayments, and other miscellaneous administrative debts.

Ineligible: Excluded from participation in federal nonprocurement programs pursuant to a determination of ineligibility under statutory, executive order, or regulatory authority, other than Executive Order 12549.

Lower tier covered transaction: a) Any transaction between a participant and a person other than a procurement contract for goods and services, regardless of type, under a primary covered transaction.

b) Any procurement contract for goods and services between a participant and a person, regardless of type, excepted to equal or exceed the federal procurement small purchase threshold fixed at 10 U.S.C. 2304(g) and 41 U.S.C. 253(g) (currently \$25,000 USD) under a primary covered transaction.

c) Any procurement contract for goods or services between a participant and a person under a covered transaction, regardless of amount, under which that person will have a critical influence on or substantive control over that covered transaction. Such persons are project directors, principal investigators, and providers of federally required audit services.

Participant: Any person who submits a proposal for, enters into, or reasonably may be expected to enter into a covered transaction. This term also includes any person who acts on behalf of or is authorized to commit a participant in a covered transaction as an agent or representative of another participant.

Person: Any individual, corporation, partnership, association, unit of government, or legal entity, however organized, except foreign governments or foreign governmental entities, public international organization, or foreign government-owned or controlled entities.

Primary covered transaction: This is normally any nonprocurement transaction between an agency and a person, regardless of type, including grants, cooperative agreements, scholarships, fellowships, contracts of assistance, loans, loan guarantees, subsidies, insurance payments for specified use, donation agreements, and any other nonprocurement transaction between a federal agency and a person.

Principal: Officer, director, owner, partner, key employee, or other person within a participant with primary management or supervisory responsibilities; or a person who has critical influence on or substantive control over a covered transaction, whether or not employed by the participants.

Proposal: A solicited or unsolicited bid, application, request, invitation to consider, or similar communication by or on behalf of a person seeking to participate or to receive benefit, directly or indirectly, in or under a covered transaction.

Suspension: An action taken by a suspending official in accordance with these regulations that immediately excludes a person from participating in covered transactions for a temporary period, pending completion of an investigation and such legal, debarment, or Program Fraud Civil Remedies Act proceeding as may ensue.

Voluntarily excluded: The status or nonparticipation or limited participation in covered transactions assumed by a person pursuant to the terms of a settlement.