

NOTE: The attached form document is provided for illustrative purposes only and should not be revised or relied on for any other purpose and is subject to further modification by the CDFI Fund. The exact terms and conditions of this document will be set forth in the final document that is executed by each party.

**CDFI BOND GUARANTEE PROGRAM
CERTIFICATIONS REGARDING LOBBYING AND DEBARMENT, SUSPENSION AND OTHER
RESPONSIBILITY MATTERS**

Qualified Issuers and Eligible Community Development Financial Institutions under the CDFI Bond Guarantee Program should refer to the regulations cited below to review the instructions for certification included in the regulations and determine the certification to which they are required to attest before completing this form. Signature of this form provides for compliance with certification requirements under 31 CFR Part 21, "New Restrictions on Lobbying," and 31 CFR Part 19 "Government-wide Debarment and Suspension (Nonprocurement). The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Secretary of Treasury and the Federal Financing Bank determine to enter into the transaction.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 31 CFR Part 21, for persons entering into a contract, grant, loan or cooperative agreement over \$150,000 or a commitment providing for the United States to insure or guarantee a loan over \$150,000, as defined at 31 CFR Part 21, Sections 21.100 and 21.110, the undersigned certifies, to the best of his or her knowledge and belief, that:

(a) 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.

(b) 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.

(c) 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 of Federal appropriated funds 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.

**2. DEBARMENT, SUSPENSION, AND OTHER
RESPONSIBILITY MATTERS**

As required by Executive Order 12549, Debarment and Suspension, and implemented at 31 CFR Part 19, for prospective participants in primary covered transactions, as defined at 31 CFR Part 19, Section 19.335 and 19.350, the participant certifies that it and its principals:

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

(b) Have not within a three-year period preceding this application 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 or private agreement or transaction, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes, including those proscribing price fixing between competitors, allocation of customers between competitors and bid rigging, or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, obstruction of justice, or the commission of any other offense indicating a lack of business integrity or business honesty that seriously or directly affects participant's present responsibility;

(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 2(b) of this certification;

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

(e) Will immediately provide written notice to the Federal department or agency if at any time the participant learns that this Certification was erroneous when submitted or has become erroneous by reason of changed circumstances;

(f) Will not knowingly enter into any lower tier covered transactions 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 transaction, unless authorized by the department or agency entering into this transaction; and

(g) Will include a clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions" in all lower tier covered transactions and solicitations for lower tiered covered transactions.

Where the participant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this certification.

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As the duly authorized representative of the participant, I hereby certify that the participant will comply with the above certifications.

NAME OF PARTICIPANT

PR/AWARD NUMBER AND / OR PROJECT NAME

[BORROWER]

[QUALIFIED ISSUER] Future Advance Promissory Bond, [YEAR-NUMBER] ([ELIGIBLE CDFI])

NAME OF PARTICIPANT

PR/AWARD NUMBER AND / OR PROJECT NAME

[BORROWER]

[QUALIFIED ISSUER] Future Advance Promissory Bond, [YEAR-NUMBER] ([ELIGIBLE CDFI])

SIGNATURE

DATE