

ARRA Application Architect / Engineer / Applicant Certifications FORM (Step III)

An original executed form must be submitted with the application.

The undersigned Applicant and project Architect / Civil Engineer (circle one) understands that the Ohio Housing Finance Agency (OHFA) may award TCAP or TCE funds to projects at OHFA's sole and absolute discretion and OHFA will give priority for awarding funds to projects based on the above established criteria and policies of OHFA and the respective Qualified Allocation plans from 2009.

The undersigned understands and agrees that receipt of ARRA funds may invoke compliance with federal Davis-Bacon, NEPA (24 CFR part 58), HUD 7015.16, and other federal requirements immediately and retroactively.

The undersigned understands and agrees that it is the applicant's sole responsibility to provide such other information as OHFA requests as necessary to evaluate this application. The undersigned will furnish promptly such other supporting information and documents as may be so requested. The undersigned understands that OHFA may verify information provided and analyze materials submitted as well as conduct its own investigation to evaluate the application. The undersigned recognizes an affirmative duty to inform OHFA when any information submitted herein is no longer true and/or current and will supply OHFA with the latest and accurate information, including but not limited to, updating any necessary changes during the application process.

The undersigned agrees to fully indemnify and hold OHFA, its members, officers, agents, and employees harmless from any matters arising out of or related to the ARRA programs.

The undersigned acknowledge that all materials and requirements described herein are subject to change by enactment of federal or state legislation or promulgation of regulations.

In carrying out the development and operation of the project, the undersigned agrees to comply with all applicable federal and state laws regarding unlawful discrimination and will fully abide by all ARRA program requirements, rules and regulations.

The undersigned acknowledges that the ARRA programs are not entitlement programs and that this application will be evaluated based on the all applicable statutes, regulations and the rankings established by the Qualified Allocation Plan, as currently adopted by OHFA or modified hereinafter which identify the priorities and other standards which will be employed to evaluate applications.

The undersigned agrees that submission of this application does not invalidate or replace any existing applications for the same project. The undersigned acknowledges that the information submitted to OHFA in this application or supplemental thereto may be subject to the Public Records Act or other federal or state disclosure laws. The undersigned understand that OHFA may make such information public.

The undersigned, having full power and authority to execute, deliver, perform, enter into and carry out the performance of this application, hereby represents and certifies under penalty of perjury that:

To the best of his/her knowledge, all information contained within, attached to, and submitted with this application is true and complete, and accurately describes the proposed project;

The Architect / Civil Engineer (circle one) certifies that the construction documents for the proposed project are 95% complete (not schematic design documents);

Any additional information requested by OHFA will be timely supplied by the undersigned in order for this application to remain valid;

The undersigned agrees that OHFA will at all times be indemnified and held harmless against all losses, costs, damages, expenses, causes of action and liabilities whatsoever nature or kind (including, but not limited to attorney's fees, litigation, and court costs, amounts paid in settlement, and amounts paid to discharge judgment, and any loss from judgment from the Internal Revenue Service) directly or indirectly resulting from, arising out of, or related to acceptance, consideration, and approval or disapproval of such allocation and/or funding request.

It is the responsibility of the undersigned and any of its employees, agents or sub-contractors in doing business with OHFA to adhere to and comply with all Federal Civil Rights legislation inclusive of the Fair Housing Laws, Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act as well as any state and local Civil Rights legislation along with any required related codes and laws. Should OHFA not specify any requirements, such as design, it is none the less the owners responsibility to be aware of and comply with all non-discrimination provisions relating to race, color, religion, sex, handicap, familial status, and national origin. This includes design requirements for construction or rehabilitation, Equal Opportunity in regard to marketing and tenant selection and reasonable accommodation and modification for those tenants covered under the Laws.

The undersigned will unconditionally comply with all policies, rules, regulations, and guidelines of OHFA.

The undersigned acknowledges and agrees that, as of the date hereof, notification pursuant to ORC Section 175.07 and program guidelines has been made. The undersigned assumes full responsibility for notification and agrees to hold OHFA harmless for notification requirements.

The undersigned has read, understood, and will abide by the current Housing Credit, HDAP, TCE, TCAP, and ARRA guidelines and declares under penalty of perjury that the information contained in the application, exhibits, attachments, plans and construction documents, and any further or supplemental documentation is true and correct to its knowledge and belief. The undersigned understands that misrepresentation may result in cancellation of the projects Housing Credits, HDAP, TCE, TCAP, and ARRA award and other actions such as program disbarment and good standing status as OHFA is authorized to take in its sole discretion.

The undersigned further certifies herein that the undersigned, as of the date hereof, (i) is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal debarment, OHFA or any state agency; (ii) has not been convicted or had a civil judgments rendered against it for commission of fraud or criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction; or (iii) is not presently indicted for or otherwise criminally or civilly charged by any governmental entity (federal, state or local) with commission of any of the offenses enumerated hereinabove.

Dated this _____ day of _____, 20__ at

_____, Ohio
[INSERT ORGANIZATION NAME]

By: _____
(Original signature)

(Typed or printed name)

(Title)

Dated this _____ day of _____, 20__ at

_____, Ohio
[INSERT ORGANIZATION NAME]

By: _____
(Original signature)

(Typed or printed name)

(Title)

ACKNOWLEDGEMENT

STATE OF _____)

COUNTY OF _____)

On _____ before me,
_____, personally appeared

_____, who proved to me on the basis of satisfactory evidence) to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Ohio that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____(Seal)