

**STATE OF NEVADA**  
**AGING AND DISABILITY SERVICES DIVISION**  
**NOTICE OF SUBAWARD**

**SECTION B**

**Assurances**

As a condition of receiving sub-awarded funds from the State of Nevada, Aging and Disability Services Division (ADSD), the Subrecipient agrees to the following conditions:

1. Grant funds may not be used for purposes other than the awarded purpose. In the event Subrecipient expenditures do not comply with this condition, that portion not in compliance must be refunded to ADSD. This subaward cannot be transferred to another entity without the written approval of ADSD.
2. The Subrecipient understands that it must demonstrate outreach to seek additional funding from other resources to ensure that the services funded by this subaward can be sustained after the funding cycle concludes.
3. The Subrecipient must maintain and utilize Internet access (i.e., web browsing, e-mail) for reporting and communication purposes with ADSD.
4. On-site evaluations and verification of client satisfaction, through in-home client visits, telephone surveys, service ride-along trips, or other means, will be conducted by ADSD staff according to the Subrecipient's risk assessment category for the purpose of determining the progress and outcomes of the funded service, client satisfaction and compliance with grant conditions.
5. To submit reimbursement requests only for expenditures approved in the spending plan. Any additional expenditure beyond what is allowable based on approved categorical budget amounts, without prior written approval by ADSD, may result in denial of reimbursement.
6. Approval of subaward budget by ADSD constitutes prior approval for the expenditure of funds for specified purposes included in this budget. Reference the Requirements and Procedures for Grant Programs (RPGPs) for instructions on shifting/transferring funds from one category to another. Requests to revise approved budgeted amounts must be made in writing and provide sufficient narrative detail to determine justification.
7. Recipients of subawards are required to maintain subaward accounting records, identifiable by subaward grant number. Such records shall be maintained in accordance with the following:
  - a. Records may be destroyed not less than three years (unless otherwise stipulated) after the final report has been submitted if written approval has been requested and received the ADSD fiscal auditor. Records may be destroyed by the Subrecipient five (5) calendar years after the final financial and programmatic reports have been submitted to ADSD.
  - b. In all cases an overriding requirement exists to retain records until resolution of any audit questions relating to individual subawards.

Subaward accounting records are considered to be all records relating to the expenditure and reimbursement of funds awarded under this subaward. Records required for retention include all accounting records and related original and supporting documents that substantiate costs charged to the subaward activity.

8. To disclose any existing or potential conflicts of interest relative to the performance of services resulting from this subaward. ADSD reserves the right to disqualify any Subrecipient on the grounds of actual or apparent conflict of interest. Any attempt to intentionally or unintentionally conceal or obfuscate a conflict of interest will automatically result in the disqualification of funding.
9. To comply with the requirements of the Civil Rights Act of 1964, as amended, and the Rehabilitation Act of 1973, P.L. 93-112, as amended, and any relevant program-specific regulations, and shall not discriminate against any employee or offeror for employment because of race, national origin, creed, color, sex, religion, age, disability or handicap condition (including AIDS and AIDS-related conditions).
10. To comply with the Americans with Disability Act of 1990, P.L. 101-136, 42 U.S.C. 12101, as amended, and regulations adopted thereunder contained in 28 C.F.R. 26.101-36.999 inclusive and any relevant program-specific regulations.

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11. To comply with the requirements of the Health Insurance Portability and Accountability Act (HIPAA) of 1996, 45 C.F.R. 160, 162 and 164, as amended. If the subgrant award includes functions or activities that involve the use or disclosure of protected health information (PHI) then the Subrecipient agrees to enter into a Business Associate Agreement with ADSD as required by 45 C.F.R. 164.504(e). If PHI will not be disclosed, then a Confidentiality Agreement will be entered into.
12. To comply with reporting requirements of the Federal Funding and Accountability Transparency Act (FFATA), the sub-grantee agrees to provide the Division with copies of all contracts, sub-grants, and or amendments to either such documents, which are funded by funds allotted in this agreement.
13. To comply with the requirements of the Drug-Free Workplace Act of 1988, as implemented at 45 C.F.R. 82, as amended.
14. Subrecipient certifies, by signing this notice of subaward, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency. This certification is made pursuant to regulations implementing Executive Order 12549, Debarment and Suspension, 28 C.F.R. pr. 67 § 67.510, as published as pt. VII of May 26, 1988, Federal Register (pp. 19150-19211). This provision shall be required of every Subrecipient receiving any payment in whole or in part from federal funds.
15. Whether expressly prohibited by federal, state, or local law, or otherwise, that no funding associated with this subaward will be used for any purpose associated with or related to lobbying or influencing or attempting to lobby or influence for any purpose the following:
  - a. Any federal, state, county or local agency, legislature, commission, council, or board;
  - b. Any federal, state, county or local legislator, commission member, council member, board member, or other elected official; or
  - c. Any officer or employee of any federal, state, county or local agency, legislature, commission, council or board.
16. Division subawards are subject to inspection and audit by representative of ADSD, Nevada Department of Health and Human Services, the State Department of Administration, the Audit Division of the Legislative Counsel Bureau or other appropriate state or federal agencies to:
  - a. Verify financial transactions and determine whether funds were used in accordance with applicable laws, regulations and procedures;
  - b. Ascertain whether policies, plans and procedures are being followed;
  - c. Provide management with objective and systematic appraisals of financial and administrative controls, including information as to whether operations are carried out effectively, efficiently and economically; and
  - d. Determine reliability of financial aspects of the conduct of the project.
17. Any audit of Subrecipient's expenditures will be performed in accordance with generally accepted government auditing standards to determine there is proper accounting for and use of subaward funds. It is the policy of ADSD, as well as federal requirement as specified in the Office of Management and Budget (2 CFR § 200.501(a)), revised December 26, 2013, that each grantee annually expending \$750,000 or more in federal funds have an annual audit prepared by an independent auditor in accordance with the terms and requirements of the appropriate circular. A COPY OF THE FINAL AUDIT REPORT MUST BE SENT TO:

***State of Nevada, Aging and Disability Services Division***  
***Attn: Grants Management***  
***1860 E. Sahara Avenue***  
***Las Vegas, NV 89104***  
***Or ADSDGrants@adsd.nv.gov***

This copy of the final audit must be sent to ADSD within nine (9) months of the close of the Subrecipient's fiscal year. **To acknowledge this requirement and document auditing information, Section D (Audit Information Request) of this Notice of Subaward must be completed by all subrecipients.**

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