**Section 296.70 Terms and Conditions of Grant Agreement**

An applicant that has been approved to receive a grant under this program must enter into a grant agreement with the Office. The grant agreement shall contain, at a minimum, the following terms:

a) Grant recipients may receive advance payment for part or all of the cost of rehabilitation or construction of a fire station as approved as part of the grant application.

b) Grant funds shall be used exclusively for the purposes listed in Section 296.20 and shall be expended in accordance with the applicable provisions of this Part, the Grant Accountability and Transparency Act [30 ILCS 708], the GATA administrative rules (44 Ill. Adm. Code 7000), and the grant agreement.

c) In the event that all or a portion of the grant funds are not expended in the manner approved, the grant recipient, upon written notification from the Office, shall refund the amount of the grant award or applicable portions as listed in the written notification. Recovery of grant funds shall be accomplished in accordance with the Illinois Grant Funds Recovery Act [30 ILCS 705].

d) Use of grant funds shall be accounted for in accordance with standard accounting practices and the applicable provisions of the Grant Accountability and Transparency Act [30 ILCS 708] and the GATA administrative rules (44 Ill. Adm. Code 7000). The grant recipient shall provide documentation concerning the rehabilitation or construction of a fire station as specified in the grant application, the cost of the rehabilitation or construction of a fire station, and the completion of the rehabilitation or construction project by the grant recipient's contractor or contractors.

e) The grant recipient shall keep adequate records relating to its administration of the grant project, particularly relating to all incurred costs. These records shall be available for audit by appropriate personnel within or on behalf of the Office and the State Auditor General. All records shall be retained in accordance with the applicable provisions the Grant Accountability and Transparency Act [30 ILCS 708], the GATA administrative rules (44 Ill. Adm. Code 7000), and the State Records Act [5 ILCS 160]. At the conclusion of the grant period, grant recipients shall submit to the Office a report detailing how the grant proceeds were used. This final expenditure report, to be submitted on a form supplied by the Office, shall be due not later than 90 days following completion of the grant project.

f) The grant recipient is responsible for monitoring possession, use, condition and final disposition of the fire station constructed or rehabilitated with grant funds.

g) Grant funds shall be included in the grant recipient's budget.

h) The availability of grant funds is subject to availability of appropriated State funds.

i) The grant recipient shall comply with any provisions that the grant recipient is required to include in any publicly bid contract for project work (e.g., scale of wages, liability insurance requirements, adherence to the Employment of Illinois Workers on Public Works Act [30 ILCS 570], etc.).

j) In connection with and prior to the rehabilitation or construction and the subsequent operation and maintenance of fire station rehabilitation and construction grant program assisted fire stations, it shall be understood that the grant recipient is responsible for obtaining any and all necessary construction permits, licenses or forms of consent, as required by law. Failure to obtain any required permits may jeopardize approved grant funding.

k) The grant recipient and its selected contractors must observe and comply with the provisions of the Prevailing Wage Act [820 ILCS 130/4], which apply to the wages of laborers, mechanics and other workers employed in any public works, and with the prevailing wage requirements of the Illinois Procurement Code [30 ILCS 500/25-60].

l) Pursuant to Section 2-105(A)(4) of the Human Rights Act [775 ILCS 5], the grant recipient and any contractors engaged for the project shall maintain a *written sexual harassment* policy that includes, *at a minimum, the following information:*

1) *the illegality of sexual harassment;*

2) *the definition of sexual harassment under State law;*

3) *a description of sexual harassment utilizing examples;*

4) *the contractor's internal complaint process including penalties;*

5) *the legal recourse,* investigative, *and complaint process available through the* Illinois *Department* of Human Rights and *the Human Rights Commission* and *directions on how to contact both; and*

6) *protection against retaliation as provided by Sections 6-101* and 6-101.5 *of the Illinois Human Rights Act* [775 ILCS 5]. *A copy of the policy shall be provided to the Department of Human Rights upon request.*

m) It shall be understood by the grant recipient that a representative or agent of the Office may make periodic inspections of the project as rehabilitation or construction progresses and that a final inspection may be required and if required will be made by a representative or agent of the Office prior to final payment of grant reimbursement to the grant recipient.

n) Projects assisted with fire station rehabilitation and construction grant program funds shall be implemented in accordance with all applicable federal, State and local laws, ordinances and regulations relating to public agency expenditure of funds for public works projects and all other applicable laws.

o) All financial records on approved projects must be maintained and retained, in accordance with the Grant Funds Recovery Act [30 ILCS 705] and the State Records Act [5 ILCS 160], by the grant recipient for possible State audit after final reimbursement payment is made by the Office.

p) The grant recipient shall indemnify, protect, defend and hold harmless the Office from any and all liability, costs, damages, expenses, or claims thereof arising under, through or by virtue of the rehabilitation or construction of grant-assisted fire stations.

q) The grant recipient shall certify that it will comply with the Illinois Works Jobs Program Act Apprenticeship Initiative [30 ILCS 559/20-20] and the Illinois Accessibility Code (71 Ill. Adm. Code 400) as part of the application.

r) Any other terms or requirements specified in the Notice of Funding Opportunity issued by the Office.