



21<sup>st</sup> Century Community Learning Centers Subcontractor Assurance Form



***Prior to approval of a subcontract, please ensure the following:***

- (1) the person making the assurances that follow is authorized to make such assurances;
- (2) the contractor has verified that the subcontractor possesses the necessary credentials to qualify for payment of state funds that flow from the Public Education Department (PED) contract with the contractor including, as applicable, a vendor ID number, a W9 or Form 1099;
- (3) the contractor has verified that the subcontractor possesses a valid certificate or license authorizing the subcontractor to teach, administer or perform medical procedures, if the certification or licensure is required under NMSA Section 22, Article 10A;
- (4) the contractor accepts liability under NMSA 1978 Section 22-8-42 on behalf of the subcontractor for (1) any falsification of record, account or report filed pursuant to the Public School Finance Act; (2) the subcontractor's use of funds budgeted or appropriated for public school use for a purpose other than that provided in the appropriation or grant;
- (5) the contractor acknowledges that no subcontract requires direct payment from the PED to the subcontractor;
- (6) the contractor requires the subcontractor to affirm that all materials developed or acquired under the subcontract become the property of the PED and nothing developed or produced, in whole or in part, by the subcontractor under the agreement with the contractor shall be the subject of an application for copyright or other claim of ownership by or on behalf of the subcontractor;
- (7) the contractor verifies that the subcontractor has no conflict of interest and complies with the Governmental Conduct Act,
- (8) the contractor verifies that the subcontractor abides by all federal and state laws, rules and executive orders of the Governor of the State of New Mexico pertaining to nondiscrimination and equal employment opportunity;
- (9) the contractor ensures that the subcontractor complies with all requirements of Contractor's agreement with the PED including but not limited to requirements for worker's compensation coverage, and limitations on lobbying;
- (10) the contractor ensures that the subcontractor complies with State of New Mexico's employee pay equity reporting requirements; and
- (11) approval of subcontract by the PED does not exempt contractor from following and adhering to state procurement rules and regulations in securing contractual services of subcontractor.

21<sup>st</sup> CCLC SUBGRANTEE (the fiscal agent): \_\_\_\_\_

NAME OF SUBCONTRACTOR: \_\_\_\_\_  
(name of the business or individual subcontracting with the 21<sup>st</sup> CCLC subgrantee)

PRINTED NAME OF PERSON MAKING ASSURANCES: \_\_\_\_\_  
(Superintendent, executive director, or designee of the SUBGRANTEE, not the subcontractor)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
PED Approval \_\_\_\_\_ Date: \_\_\_\_\_

*Approval of a subcontract by the PED does not exempt the contractor from following and adhering to state procurement rules and regulations in securing contractual services of the subcontractor.*