

EXHIBIT 4C

COMPLIANCE CERTIFICATE - MOVEABLE PROPERTY AND VEHICLES

(For Standalone Equipment, Equipment Systems, Minimally Attached Moveable Property, Initial Outfitting Moveable Property and Vehicles)

**COMPLIANCE REPORT FOR EQUIPMENT AND VEHICLE(S) FUNDED WITH
NEW YORK CITY CAPITAL BUDGET MONIES**

Funding Recipient Information:

Name:

Address

Funding Agreement Information:

Managing Agency:

Date:

City Purpose Covenant Performance Term (No. of years):

Date of Final Disbursement of the Funding: Date:

Instructions: An authorized officer of the Funding Recipient should read and complete this Compliance Report with respect to the Funding Recipient's compliance with all Legal Requirements in connection with the Funding received from the City of New York's (the "City's") Capital Budget for the reimbursement of City-Funded Equipment and City-Funded Vehicle(s). Where applicable, please insert an explanation in the provided field or provide a supplemental attachment. Defined terms utilized and not otherwise defined herein shall have the meanings assigned to such terms in the Funding Agreement and the Security Agreement. ***The submission of each Compliance Report to the City constitutes a representation and warranty that all information contained herein is timely, complete and correct. Any false, incomplete or misleading statements or information submitted herein may result in termination of the Funding or other legal remedies permitted under the Funding Agreement and deemed appropriate by the City.***

Compliance Reports are due eighteen (18) months after the date that the Funding Agreement has been registered by the Comptroller, and on each anniversary thereof until and including the first such anniversary occurring after the last year of the Performance Term. Please mail the completed Compliance Reports and all attachments to the New York City Office of Management and Budget ("OMB") at: ***Counsel's Office, Compliance Officer, New York City Office of Management and Budget, 255 Greenwich Street, New York, NY 10007.*** Completed Compliance Reports may be sent via email to: complianceofficer@omb.nyc.gov. Additionally, Funding Recipient is required to upload a completed Compliance Report as part of any subsequent City Capital Funding application until the expiration of the Performance Term.

FUNDING RECIPIENT'S CERTIFICATION: I, _____, am an authorized officer of the Funding Recipient, and I certify as to the truthfulness of the responses provided herein.

- 1) Has Funding Recipient provided to the City a completed Notice of Lien accompanied by a corresponding Certificate of Title for the City-Funded Vehicle(s)? **Yes** **No** **Not Applicable (the City has not funded vehicles)**

If No, Funding Recipient must take immediate action to notify and grant the City a first priority and only lien on the City-Funded Vehicle(s).

2)

- (a) Has Funding Recipient granted the City a perfected first priority lien on the City-Funded Equipment, by filing a UCC-1 financing statement? **Yes** **No** **Not Applicable (the City has not funded Equipment)**

If No, Funding Recipient must take immediate action to notify and grant the City a first priority lien on the City-Funded Equipment.

- (b) Please note that UCC-1 financing statements expire five years from their date of filing, unless extended by a UCC-3 Continuation Statement, which may only be filed within six months of the lapse date. If Yes to (a) above, please provide the date of filing of the UCC-1, the date of filing of any UCC-3 Continuation Statement(s), and the date the City Funding was disbursed. If No to (a) above, please explain.

- 3) Has Funding Recipient (i) Provided to the City a copy of the Inventory Report and (ii) affixed to each item of City-Funded Equipment and Vehicle(s) label(s) and/or tag(s) in accordance with the Funding Agreement? **Yes** **No**

If No, Funding Recipient must attach a copy of the Inventory Report and/or affix label(s) and/or tag(s) to each item of City-Funded Equipment and to each City-Funded Vehicle(s).

- 4) Are all City-Funded Equipment and City-Funded Vehicle(s) located and/or parked when not in use at the addresses set forth in Funding Agreement and the Security Agreement? **Yes** **No**

If No, please list the current address(es) in the space below:

- 5) In the space below, for the preceding 12-month period, please (i) describe in detail how the City-Funded Equipment and City-Funded Vehicle(s) have been used by the Funding Recipient in conformance with the City Purpose Covenant, (ii) identify any and all additional or alternative uses, activities, programs and services beyond those set forth in the City Purpose Covenant, (iii) identify any operators of the City-Funded Equipment and City-Funded Vehicle(s) other than the Funding Recipient, (iv) identify the number of staff, volunteers, and beneficiaries of services and (v) list the number of days of such use during the preceding 12-month period, days used during the average week and regular hours of operation.

- 6) Does the Funding Recipient provide services that are available to all residents of the City regardless of race, religion, creed, color, national origin, sex, age, disability, marital status, sexual orientation or political affiliation? **Yes** **No**

If Yes or No, please explain.

- 7) (a) Does the Funding Recipient offer, sponsor or provide any religious or sectarian activities or otherwise plan and organize such activities? **Yes** **No**
- (b) If applicable, was such religious or sectarian activity reviewed by the City prior to the execution of the Funding Agreement? **Yes** **No**
- (c) If applicable, please describe such religious or sectarian activities.

- (d) If applicable, is any of the City-Funded Equipment and City-Funded Vehicle(s) used directly or indirectly to support such activities? **Yes** **No** If Yes, please explain in detail.

- 8) Has Funding Recipient transferred ownership or control, and/or created, permitted or caused to exist any lien against any City-Funded Equipment and City-Funded Vehicle(s)? **Yes** **No**
- 9) Has Funding Recipient altered, disposed and/or exchanged any City-Funded Equipment and City-Funded Vehicle(s)?
Yes **No**

- 10)** Has any of the City-Funded Equipment or City-Funded Vehicle(s) been lost, damaged or stolen?
Yes **No**

- 11)** If Yes is the response to (8), (9), or (10) above, please (i) list all City-Funded Equipment and City-Funded Vehicle(s) that have been encumbered by a lien and/or transferred, altered, lost, damaged or disposed of since disbursement of the Funding, (ii) list any equipment and/or vehicle(s) acquired to replace the original City-Funded Equipment and/or City-Funded Vehicle(s) and (iii) identify the date and describe the event that resulted in the encumbrance, damage, loss or replacement of any City-Funded Equipment and/or City-Funded Vehicle(s).

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- 12)** Funding Recipient (i) is a not-for-profit corporation in good standing under the laws of the State of New York, (ii) has not experienced a material adverse change in the financial condition of its business or operations and, (iii) is not in default or breach of its obligations under any written agreement with the City:
Yes **No**

If No to any of the above, please explain.

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- 13)** Has Funding Recipient maintained the required insurance coverage for the City-Funded Equipment and the City-Funded Vehicle(s) as mandated by the Funding Agreement? **Yes** **No**
If Yes or No, please explain

- 14)** For City-Funded Vehicle(s), Funding Recipient hereby certifies that (i) the registration with DMV is in full force and effect and (ii) the requisite annual DMV inspections have been conducted within the past twelve (12) months of the Performance Term. **Yes** **No**

- 15)** Optional - additional relevant information: Provide in the space below any information that Funding Recipient would like the City to take into consideration:

(Print Name of Authorized Officer of Funding Recipient)

(Title)

(Signature)

(Date)