

## EXHIBIT 2-R

### FORM OF DRUG-FREE WORKPLACE CERTIFICATION

Developer hereby covenants and agrees to make a good faith effort to provide and maintain a drug-free workplace. Developer will give written notice to IFA within ten (10) days after receiving actual notice that Developer or an employee of Developer has been convicted of a criminal drug violation occurring in Developer's workplace. False certification or violation of this certification may result in sanctions including, but not limited to, suspension of agreed upon payments, termination of the Agreement and/or debarment of contracting opportunities with the State of Indiana for up to three (3) years.

In addition to the provisions of the above paragraphs, if the total agreed upon amount set forth in the Agreement is in excess of \$25,000.00, Developer hereby further agrees that the Agreement is expressly subject to the terms, conditions, and representations of the following certification:

This certification is required by Executive Order No. 90-5, April 12, 1990, issued by the Governor of Indiana. No award of a contract shall be made, and no contract, purchase order or agreement, the total amount of which exceeds \$25,000.00, shall be valid, unless and until this certification has been fully executed by Developer and made a part of the contract or agreement as part of the contract documents.

Developer certifies and agrees that it will provide a drug-free workplace by:

- A. Publishing and providing to all of its' employees a statement notifying them that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in Developer's workplace, and specifying the actions that will be taken against employees for violations of such prohibition;
- B. Establishing a drug-free awareness program to inform its employees of (1) the dangers of drug abuse in the workplace; (2) Developer's policy of maintaining a drug-free workplace; (3) any available drug counseling, rehabilitation, and employee assistance programs; and (4) the penalties that may be imposed upon an employee for drug abuse violations occurring in the workplace;
- C. Notifying all employees in the statement required by subparagraph (A) above that as a condition of continued employment, the employee will (1) abide by the terms of the statement; and (2) notify Developer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction;
- D. Notifying in writing to IFA and the Indiana Department of Administration within ten (10) days after receiving notice from an employee under subparagraph (C)(2) above, or otherwise receiving actual notice of such conviction;
- E. Within thirty (30) days after receiving notice under subdivision (C)(2) above of a conviction, imposing the following sanctions or remedial measures on any employee who is convicted of drug abuse violations occurring in the workplace: (1) taking appropriate personnel action against the employee, up to and including termination; or

(2) requiring such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency; and

- F. Making a good faith effort to maintain a drug-free workplace through the implementation of subparagraphs (A) through (E) above.

The undersigned affirms, under penalty of perjury that he or she is authorized to execute this certification on behalf of Developer.

dated [ \_\_\_\_\_ ]

**I-69 Development Partners LLC**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_