



EPA REGION 9 GRANTS HANDBOOK

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

U.S. EPA Region 9 | 75 Hawthorne Street, San Francisco CA 94105

Serving Arizona, California, Hawaii, Nevada, Pacific Islands and 148 Tribes

PHOTO INFORMATION:

Top:Supai Falls, Havasupai (Arizona)Middle:Mariposa Grove, Yosemite (California)
Pineapple Plantation (Hawaii)Bottom:Sand Dunes (Nevada)
Flowering Plant (Saipan-Commonwealth of the

Northern Mariana Islands)



Dear EPA Grant Applicants and Grant Recipients,

In 2010, the EPA Region 9 Grants Branch released a Grants Handbook to address the needs of grant applicants and recipients, including key topics related to applying for, managing and closing-out an EPA grant. With the recent introduction and availability of the EPA Grants Management Training for Applicants and Recipients modules (<u>https://www.epa.gov/grants/epa-grants-management-training-applicants-and-recipients</u>), there is a need to update the 2010 Grants Handbook to reflect important changes. This 2020 Grants Handbook complements the information provided in the training modules and helps establish a solid foundation for understanding EPA's grant requirements.

We hope that you will find the information in the Grants Handbook useful, and we thank you for your interest in becoming an EPA grant recipient applicant or grant recipient.

Sincerely,

The EPA Region 9 Grants Branch

DISCLAIMER: The Region 9 Grants Handbook provides recipient tools for managing EPA grants. It includes links to Federal resources to help grant applicants and recipients in applying for and managing grants. All recipients are required to comply with the standard terms and conditions and applicable statutes and regulations governing their assistance agreements.

This document does not represent EPA's approval or disapproval of any particular action conducted by grant applicants or recipients, nor does it constitute legal advice.

EPA REGION 9 GRANTS HANDBOOK

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GRANT PREAWARD PHASE

This section provides information on how to apply for an EPA grant, develop a Budget Detail, calculate cost-share (if applicable), complete and submit the grant application forms and other required documentation.

Where to Find Grant Opportunities

The federal government's grant opportunity website <u>Grants.gov</u> and the Catalog of Federal Assistance (CFDA) <u>beta.SAM.gov</u> are the two sites for finding grant opportunities. Grants.gov provides more than 1,000 grant programs and enables electronic grant application. In addition, many EPA programs post information about open competitive and non-competitive grant opportunities on their websites. For example, <u>Region 9's Brownfields Program</u> provides information on how to apply, eligibility and requirements for submitting application. Each of EPA's active grant programs are listed in the Catalog of Federal Domestic Assistance (CFDA) along with all Federal agencies grant opportunities. The CFDA provides information on grant program objectives, types of eligible organizations, application, and award procedures. To search the CFDA, visit beta.SAM.gov.

Grants.gov, Unique Entity Identifier (UEI) and SAM.gov

A one-time Grants.gov registration is required to apply for any federal funding opportunity. Grant applicants must ensure that their organizations have registered with the federal government's System for Award Management (<u>SAM</u>). Registering in SAM is <u>free</u> and can take up to several weeks to complete.

Starting December 2020, the DUNS number will no longer be the official identifier for doing business with the U.S. Government. Through December 2020, government systems will be transitioning from the DUNS to a SAM-generated Unique Entity Identifier (UEI) <u>https://www.gsa.gov/about-us/organization/federal-acquisition-service/office-of-systems-management/integrated-award-environment-iae/iae-information-kit/unique-entity-identifier-update</u>. All EPA grant applicants are advised to read this link to understand the process of applying for a UEI or obtaining the new UEI number assigned for existing DUNS-issued entities by SAM.gov.

DUNS IS GOING AWAY on SAM.gov

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Starting December 2020, the DUNS number will no longer be used as an official identifier on SAM.gov. Instead, a SAM-generated Unique Entity Identifier (UEI) will be assigned. Get the details on <u>https://www.gsa.gov/about-us/organization/federal-acquisition-service/office-of-systems-management/integrated-award-environment-iae/iae-information-kit/unique-entity-identifier-update</u>.



Putting Together the EPA Grant Application Package

After identifying an EPA funding opportunity that may be of interest to the organization, the following pages are samples of the required forms and information necessary for preparing and submitting the grant application package.

All EPA Region 9 grant application package must contain all these forms, and the next pages provide samples for each required form.

- **1** SF424 Application for Federal Assistance
 - SF424A Section A Budget Information Non-Construction Programs
 - SF424A Section B Budget Categories
 - SF424A Section C Non-Federal Resources
- **2** Budget Detail (See Budget Development Guidance link under "How Do I Create a Revision-Free Budget Detail below and page 9)
- **3** EPA 5700-54 EPA Key Contacts Form
- **4.** EPA 4700-4 Preaward Compliance Review Report for All Applicants and Recipients Requesting Federal Financial Assistance
- **5.** Final/Approved Grant Workplan
- 6. Current Indirect Rate Cost Negotiation Agreement (if applicable)
- **Z** EPA 6600-06 Certification Regarding Lobbying (see submission rule below)
- 8. SF-LL Disclosure of Lobbying Activities (if applicable)
- **9.** EPA Financial Conflict of Interest Policy (if applicable*)

Notes & Tips for Completing the Grant Application Package

How often should I submit the Certificate of Lobbying Form?

It should be submitted for all new grant applications with funding request totaling \$100,000 and more, or amendment grants that have reached the cumulative total of \$100,000+. This form is submitted one time for the life of the grant.

How do I create a revision-free Budget Detail?

Most grant application errors occur in the Budget Detail. Some common mistakes are: mis-categorization of budget line items, mis-calculation of indirect costs and missing cost-share amounts. This Budget Development Guidance provides instructions and a sample on how to create a quality Budget Detail: RAIN-2019-G02: Interim General Budget Development Guidance for Applicants and Recipients of EPA Financial Assistance: https://www.epa.gov/grants/rain-2019-g02

* EPA Conflict of Interest Policy: https://www.epa.gov/grants/epas-financial-assistance-conflict-interest-policy

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Application for Federal Assistance SF-424							
* 1. Type of Submission:	* 2. Type of Application: * If Revision, select appropriate letter(s):						
Preapplication	New						
XApplication	X Continuation * Other (Specify):						
Changed/Corrected Applica	tion Revision						
* 3. Date Received:	4. Applicant Identifier:						
Completed by Grants.gov upon submission	۱						
5a. Federal Entity Identifier:	5b. Federal Award Identifier:						
LEAVE BLANK	LEAVE BLANK						
State Use Only:							
6. Date Received by State:	7. State Application Identifier: LEAVE BLANK						
8. APPLICANT INFORMATION:							
* a. Legal Name: AZ Raging W	aters						
* b. Employer/Taxpayer Identificat	on Number (EIN/TIN): * c. Organizational DUNS:						
99-9999999	999999999						
d. Address:							
* Street1: 123 Grand	Canyon Road						
Street2:							
* City: Lava Falls							
County/Parish: Dry County							
* State: AZ							
Province:							
* Country:	USA: UNITED STATES						
* Zip / Postal Code: 82109							
e. Organizational Unit:							
Department Name:	Division Name:						
Office of Rapids							
f. Name and contact information	n of person to be contacted on matters involving this application:						
Prefix: Mr.	* First Name: Chilly						
Middle Name:							
* Last Name: Waters							
Suffix:							
Title: Project Manager							
Organizational Affiliation:							
AZ Raging Waters							
* Telephone Number: 819-482-	P346 Fax Number:						
* Email: cwater@az.org							

Application for Federal Assistance SF-424
* 9. Type of Applicant 1: Select Applicant Type:
: A: State Government
Type of Applicant 2: Select Applicant Type:
Type of Applicant 3: Select Applicant Type:
* Other (specify):
* 10. Name of Federal Agency:
Environmental Protection Agency
11. Catalog of Federal Domestic Assistance Number:
66.805
CFDA Title:
Leaking Underground Storage Tank Trust Fund Corrective Action Program
* 12. Funding Opportunity Number:
EPA-CEP-02
* Title:
EPA Mandatory Grant Programs
13. Competition Identification Number:
14. Areas Affected by Project (Cities, Counties, States, etc.):
Lava Falls, Dry County, AZ Add Attachment Delete Attachment View Attachment
* 15. Descriptive Title of Applicant's Project:
FY21 Lust Trust Fund (LUST) Corrective Action Program, Cooperative Agreement
Attach supporting documents as specified in agency instructions. Add Attachments Delete Attachments View Attachments

Application	Application for Federal Assistance SF-424									
16. Congress	16. Congressional Districts Of:									
* a. Applicant	04			* b. Program	/Project 04					
Attach an additional list of Program/Project Congressional Districts if needed.										
			Add Attachment	Delete Attac	chment View	Attachment				
17. Proposed	Project:									
* a. Start Date:	10/01/2020			* b. Ei	nd Date: 9/30/20	21				
18. Estimated	Funding (\$):									
* a. Federal		\$252,574								
* b. Applicant		\$ 29,099								
* c. State										
* d. Local										
* e. Other										
* f. Program Inc	come	\$281,673								
* g. TOTAL										
* 19. Is Applic	ation Subject to Review I	By State Under Ex	ecutive Order 1237	72 Process?						
X a. This ap	plication was made availab	le to the State und	ler the Executive Or	der 12372 Process	for review on	4/1/2020				
	n is subject to E.O. 12372				L					
C. Program	n is not covered by E.O. 12	2372.								
	plicant Delinquent On Ar	iy Federal Debt? (If "Yes," provide e	xplanation in attac	cnment.)					
Yes	X No									
If "Yes", provi	de explanation and attach			Delete Atte	har ent	Attachment				
			Add Attachment	Delete Attac	chment	Allachment				
	g this application, I certif									
	ie, complete and accurat ny resulting terms if I acc									
-	criminal, civil, or adminis	strative penalties.	(U.S. Code, Title 2	18, Section 1001)						
X ** I AGREE										
** The list of ce specific instruct	rtifications and assurances,	or an internet site w	here you may obtain	this list, is contained	d in the announcem	ient or agency				
Authorized R	epresentative:									
Prefix:	Ms.	* Fi	rst Name: Crystal							
Middle Name:	ino.									
* Last Name:	Geyser									
Suffix:										
* Title:	irector	_								
* Telephone Nu	Imber: 819-482-5555			Fax Number:						
* Email: cgeys	er@az.org									
	uthorized Representative:	Completed by Grants.	gov upon submission.	* Date Signed:	Completed by Grants	.gov upon submission.]			
1		L			1		1			



7

SECTION B - BUDGET CATEGORIES

6. Object Class Categories		GRANT PROGRAM, FUNCTION OR ACTIVITY						Total	
	(1) F	ederal	(2)		(3)		(4)		(5)
a. Personnel	\$	18,631	\$	4,800	\$		\$		\$ 23,431
b. Fringe Benefits		5,776		1					7,264
c. Travel		7,142		0					7, 1 42
d. Equipment		23,500		0					23,500
e. Supplies		7,325		0					7,325
f. Contractual		136,720							156,720
g. Construction									
h. Other		39,000		2,811					41,811
i. Total Direct Charges (sum of 6a-6h)									\$
j. Indirect Charges		1 4,480		0					\$ 14,480
k. TOTALS (sum of 6i and 6j)	\$	252,574	\$	29,099	\$		\$		\$ 281,673
7. Program Income	\$		\$		\$		\$		\$

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	SECTION C - NON-FEDERAL RESOURCES										
	(a) Grant Program				(b) Applicant		(c) State		(d) Other Sources		(e)TOTALS
8.	Lust Trust Fund (LUST) Corrective Action Pro	grai	n	\$	29.099	\$		\$		\$	29,099
9.											
10.											
11.											
12. '	ΓΟΤΑL (sum of lines 8-11)			\$	29,099	\$		\$		\$	29,099
	SECTION D - FORECASTED CASH NEEDS										
			Total for 1st Year	1	1st Quarter		2nd Quarter		3rd Quarter		4th Quarter
13.	Federal	\$	252,574	\$	63,143	\$	63,143	\$	63,144	\$	63,144
14.	Non-Federal	\$	29,099		7,274		7,275		7,275		7,275
15. ⁻	TOTAL (sum of lines 13 and 14)	\$	281,673	\$	70,417	\$	70,418	\$	70,418	\$	70,418
	SECTION E - BUD	GE.	ESTIMATES OF FEI	DER	AL FUNDS NEEDED F	OR	BALANCE OF THE PI	RO	JECT	1	
	(a) Grant Program						FUTURE FUNDING	PE	· · · ·		
					(b)First		(c) Second		(d) Third		(e) Fourth
16.				\$		\$		\$		\$	
17.											
18.										Ī	
										_	
19.											
											-
20.	TOTAL (sum of lines 16 - 19)			\$		\$		\$		\$	
			SECTION F	- 0	THER BUDGET INFOR	RMA	TION				
21.	Direct Charges: \$281,673 (Personnel and l	Frin	ge		22. Indirect	Cha	arges: \$14,480				
23.	Remarks: INDIRECT COST RATE = 26%										

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RAIN-2019-G02: Interim General Budget Development Guidance for Applicants and Recipients of EPA Financial Assistance

- Budget Detail/Narrative -- Sample from Appendix 2 of RAIN-2019-G02

Please note - Both federal and non-federal funds must be listed in the bullet detail/marrative

Background. This fictitious sample budget detail/narrative is based on a hypothetical EPA assistance agreement supporting an Urban Waters project that involves water quality sampling, analysis of the results, and outreach to the community to encourage efforts to improve water quality. The agreement requires a recipient cost share of 10% of total project costs.

Notes:

- The applicant should identify its equipment cost threshold if it is lower than the \$5,000 level specified at 2 CFR 200.33.

- The sample calls for the applicant to attach its negotiated indirect cost rate agreement. If an applicant does not have an indirect cost rate it should attach an explanation of how indirect costs, if any, are determined in accordance with the budget guidance. For more information about indirect costs, refer to indirect cost policy, guidance, and training in RAIN-2018-G02.

Personnel:

Budget Detail/Narrative Sample:			
Personnel:			
	Requested from EPA	Cost Share provided by applicant (if applicable)	Total
Salaries and Wages			
(1) Project Manager @ \$47/hr x 323 hours	\$15,181		\$15,181
(1) Project Assistant @ \$24/hr x 200 hours		\$4,800	\$4,800
(1) Community Relations Coordinator @ \$23/hr x 150 hours	\$3,450		\$3,450
Total	\$18,631	\$ 4,800	\$23,431

Fringe Benefits:

-	Rate/Base/Composition 31% of Personnel costs (FICA, retirement, health,	Requested from EPA	Cost Share provided by applicant (if applicable)	Total
	vacation, sick leave)	\$5,776	\$1,488	\$7,264

Travel:

See Narrative Note 1.	Requested from EPA	Cost Share provided by applicant (if applicable)	Total
2 National Conferences including lodging, air, per-diem and registration fees for 2 employees. <i>(See Narrative Note 2.)</i>	\$4,492		\$4,492
Local travel for sampling and meetings. (P.O.V. @ \$0.58 per mile and actual cost for public transit)	\$150		\$150
Travel to one-week training course on innovative sampling techniques including lodging, train and per-diem for 1 employee. <i>(See Narrative Note 3.)</i>			\$2,500
Total	\$7,142		\$7,142

Equipment: (Equipment Capitalization Threshold = \$5,000)

Description	Purpose	Unit Cost	Quantity	Requested from EPA	Cost Share provided by applicant (if applicable)	Total
Microwave	Lab					
Digester	Analysis	\$17,500	1	\$17,500		\$17,500
12 Foot Motorized Skiff and trailer. <i>(See Narrative</i> <i>Note 4.)</i>	Sampling		1	\$6,000		\$6,000
,			-	-		
Total				\$23,500		\$23,500

Supplies

Туре	Requested from EPA	Cost Share provided by applicant (if applicable)	Total
Computer Software	\$2,500		\$2,500
Office Supplies (pens, pencils, paper, chairs, etc.)	\$825		\$825
2 Laptop Computers @ \$2000 each.	\$4,000		\$4,000
Total	\$7,325		\$7,325

Contractual

Contractual * (competitive process will be used to determine contractors when required by regulation)	Requested from EPA	Cost Share provided by applicant (if applicable)	Total
Advertising for public meetings (Newspapers)	\$1,000		\$1,000
Environmental Sampling Firm to design sampling protocol and assist with data evaluation.	\$120,000	\$20,000	\$140,000
Community Meeting Facilitator - \$524/ day x 30 days (rate complies with limitation on individual consultant fees)	\$15,720		\$15,720
Total	\$136,720	\$20,000	\$156,720
Other			

Other			
Туре	Requested from EPA	Cost Share provided by applicant (if applicable)	Total
Postage for Flyers for Community meetings.		\$611	\$611
Subaward to Friends of the Wolf River (See Narrative Note 5)	\$30,000		\$30,000
Participant Support Cost: Travel to National Conference for 4 Community Members <i>(See Narrative Note 6)</i>	\$9,000	\$1,000	\$10,000
Printing Costs (Occasional use of large copiers at Office Depot).		\$1,200	\$1,200
Total	\$39,000	\$2,811	\$41,811

Indirect Costs:

Base (See Narrative Note 7)	Requested from EPA	Cost Share provided by applicant (if applicable)	Total
26% of Personnel and Fringe Benefits and first \$25,000 of Subaward Costs	\$14,480		\$14,480

Total Budget Summary

	Requested from EPA	Cost Share provided by applicant (if applicable)	Total
Personnel	\$18,631	\$ 4,800	\$23,431
Fringe Benefits	\$5,776	\$1,488	\$7,264
Travel	\$7,142		\$7,142
Equipment	\$23,500		\$23,500
Supplies	\$7,325		\$7,325
Contractual	\$136,720	\$20,000	\$156,720
Other	\$39,000	\$2,811	\$41,811
Indirect Costs	\$14,480		\$14,480
Total	\$252,574	\$29,099	\$281,673

Recipient cost share calculation: \$29,099 / \$281,673 = 10.33%

Narrative Note 1. There is no international travel for this project.

Narrative Note 2. The Project Manager and Community Relations Coordinator will make presentations on interim and final project results at the 2019 and 2020 National Urban Waters conferences. Travel reimbursement will be based on GSA per-diem rates.

Narrative Note 3. The Program Assistant will attend a one-week training on innovative sampling techniques at Tulane University.

Narrative Note 4. Our equipment threshold is \$5,000. We have determined based on the frequency and timing of the sampling activity that purchasing a small motorized skiff and a trailer is more cost effective than boat rentals. Additionally, some sampling will take place in remote areas in which boat rentals are not available.

Narrative Note 5. We will partner with Friends of the Wolf River to encourage community participation in the project. Friends is a 501(c)(3) nonprofit organization that promotes conservation of the Wolf River. Among other things, Friends will pay stipends and travel support to community members who attend focus groups and participate in training to prevent disposal of cooking grease in household drains. Friends of Wolf River understands that the stipends and participant travel are Participant Support costs that are excluded from its Modified Total Direct Cost base for distributing indirect costs.

Narrative Note 6. Four community members (non-staff) will attend the 2019 and 2020 NationalUrban Waters conferences (two at each conference) to participate in our presentations.

Narrative Note 7. We have attached our most recent negotiated indirect cost rate agreement.

EPA KEY CONTACTS FORM

Authorized Representative: Original awards and amendments will be sent to this individual for review and acceptance, unless otherwise indicated.

Name:	Prefix:	:		First Name:	Crystal				Middle Name:	
	Last N	ame:	Geyser						Suffix:	
Title:	Dire	ctor								
<u>Comple</u>	te Add	ress:								
Street	t1:	123 G	rand Canyor	Road						
Street	t2:									
City:	l	_ava F	alls			State:	AZ			
Zip / F	Postal C	ode:	82109			Country:				
Phone I	Numbe	<u>r:</u> [819-482-55	55			Fax Num	oer:		
<u>E-mail</u>	Addres	<u>s:</u> [cwater@az	.org						
Payee:	Individi	ual au	thorized to a	ccept payment	S.			$ \land$		
Name:	Prefix:	:		First Name:	Green				Middle Name:	
	Last N	ame:	Forest						Suffix:	7
Title:	Con	nptroll	er							_
Comple	te Add	ress:								
Street	t1:	123	Grand Cany	on Road						
Street	t2:									
City:		Lava F	alls			State:	AZ			
Zip / F	Postal C	ode:	82109			Country:				
Phone I	Numbe	<u>r:</u> [819-482-93	48			Fax Numb	er:		
<u>E-mail</u>	Addres	<u>s:</u> [gforest@az	org						

Administrative Contact: Individual from Sponsored Programs Office to contact concerning administrative matters (i.e., indirect cost rate computation, rebudgeting requests etc).

Name:	Prefix	:	First Name:	Chilly			Middle Name:	
	Last N	lame:	Waters				Suffix:	
<u>Title:</u>	Proj	ect Ma	anager					
<u>Comple</u>	te Ado	dress:						
Street	:1:	123 G	rand Canyon Road					
Street	2:							
City:		Lava F	alls		State:	AZ		
Zip / F	Postal C	Code:	82109		Country:			
Phone N	lumbe	<u>ər:</u> [819-482-9346			Fax Number:		
<u>E-mail A</u>	Addres	<u>ss:</u>	cwater@az.org					

EPA KEY CONTACTS FORM

Project Manager: Individual responsible for the technical completion of the proposed work.

<u>Name:</u>	Prefix	k :		First Name:	Savanna					Mid	Idle Name:		
	Last	Name:	Plains								Suffix:		
Title:	Ма	nager											
Comple	te Ad	dress:											
Stree	t1:	123 G	Grand Canyo	n Road]				
Stree	t2:]				
City:	[Lava	Falls			State:		AZ	1				
Zip /	Postal	Code:	82109			Countr	y:						
Phone I	Numb	er:	819-482-9	344				Fax Num	ber:				
<u>E-mail</u>	Addre	<u>ss:</u>	splains@A	Z.org									
						C							



Preaward Compliance Review Report for

All Applicants and Recipients Requesting EPA Financial Assistance

Note: Read Instructions before completing form.

	Name: Do Not	Leave Blank					
	Address:						
	City:]			
	State:				Zip Code:		
в.	DUNS No. Recip	ient DUNS Number		Choose one			
II.	Is the applicant cur	rently receiving EPA A	ssistance?	Yes No			
III.	List all civil rights la	awsuits and administra	ative complaint	s pending against the appl t include employment com			
Do	Not Leave Blank	(i.e., N/A, None, or	r Yes)		\frown		
IV.	discrimination base	ed on race, color, natio	nal origin, sex,	s decided against the appli age, or disability and enclo mplaints not covered by 4	ose a copy of all decis	sions. Please desc	
Do	Not Leave Blank						
V.		ny decisions, orders, o		ecipient conducted by any a based on the review. Please			close a copy
Do	Not Leave Blank		X				
VI.	Is the applicant req			truction? If no, proceed to		and/or (b) below.	
		Yes	No				
a.				or alterations to existing fa yes, proceed to VII; if no, p		nd constructed to	be readily
		Yes	No 🗌 No				
b.				or alterations to existing fa ception (40 C.F.R. 7.70) app		adily accessible to	and usable
VII.	Doos the applicant/	recipient provide initia	l and continuin	g notice that it does not dis	scriminate on the bas		Not Leave Blan
v II.				program or activities? (40			No
a.	Do the methods of	notice accommodate th	hose with impa	ired vision or hearing?		Yes	No No
b.		l in a prominent place i propriate periodicals a		t's offices or facilities or, fo n communications?	r education programs	Yes	No No
c.	Does the notice ide	ntify a designated civil	l rights coordin	ator?		Yes	No No
VIII.		recipient maintain dem pulation it serves? (40 (on the race, color, national	origin, sex, age, or	Yes	No No
IX.		recipient have a policy ficiency? (40 C.F.R. Pa		providing access to servic	es for persons with	Yes	No

X. If the applicant is an education program or activity, or has 15 or more employees, has it designated an employee to coordinate its compliance with 40 C.F.R. Parts 5 and 7? Provide the name, title, position, mailing address, e-mail address, fax number, and telephone number of the designated coordinator.

Do Not Leave Blank						
If the applicant is an education program or activity, or has 15 or more employees, has it adopted grievance procedures that assure the prompt and fair resolution of complaints that allege a violation of 40 C.F.R. Parts 5 and 7? Provide a legal citation or Internet Address for, or a copy of, the procedures.						
Do Not Leave Blank						
	For the Applicant/Recipient					
	orm and all attachments thereto are true, accurate punishable by fine or imprisonment or both under a gulations.					
A. Signature of Authorized Official	B. Title of Authorized Official	C. Date				
Completed by Grants.gov upon submission.		Completed by Grants.gov upon submission.				
	For the U.S. Environmental Protection Agency					
compliance information required by 40 C.F.R. Pa	applicant/recipient and hereby certify that the applic rts 5 and 7; that based on the information submitted a applicant has given assurance that it will fully cor	d, this application satisfies the preaward				
A. *Signature of Authorized EPA Official	B. Title of Authorized Official	C. Date				
•						

NOTE: Signature and date auto populates by Grants.gov once the AOR signs the SF424

* See Instructions

Instructions for EPA FORM 4700-4 (Rev. 06/2014)

General. Recipients of Federal financial assistance from the U.S. Environmental Protection Agency must comply with the following statutes and regulations.

Title VI of the Civil Rights Acts of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Act goes on to explain that the statute shall not be construed to authorize action with respect to any employment practice of any employer, employment agency, or labor organization (except where the primary objective of the Federal financial assistance is to provide employment). Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act provides that no person in the United States shall on the ground of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the Federal Water Pollution Control Act, as amended. Employment discrimination on the basis of sex is prohibited in all such programs or activities. Section 504 of the Rehabilitation Act of 1973 provides that no otherwise qualified individual with a disability in the United States shall solely by reason of disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Employment discrimination on the basis of disability is prohibited in all such programs or activities. The Age Discrimination Act of 1975 provides that no person on the basis of age shall be excluded from participation under any program or activity receiving Federal financial assistance. Employment discrimination is not covered. Age discrimination in employment is prohibited by the Age Discrimination in Employment Act administered by the Equal Employment Opportunity Commission. Title IX of the Education Amendments of 1972 provides that no person in the United States on the basis of sex shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. Employment discrimination on the basis of sex is prohibited in all such education programs or activities. Note: an education program or activity is not limited to only those conducted by a formal institution. 40 C.F.R. Part 5 implements Title IX of the Education Amendments of 1972. 40 C.F.R. Part 7 implements Title VI of the Civil Rights Act of 1964, Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act, and Section 504 of The Rehabilitation Act of 1973. The Executive Order 13166 (E.O. 13166) entitled; "Improving Access to Services for Persons with Limited English Proficiency" requires Federal agencies work to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

Items "Applicant" means any entity that files an application or unsolicited proposal or otherwise requests EPA assistance. 40 C.F.R. §§ 5.105, 7.25. "Recipient" means any entity, other than applicant, which will actually receive EPA assistance. 40 C.F.R. §§ 5.105, 7.25. "Civil rights lawsuits and administrative complaints" means any lawsuit or administrative complaint alleging discrimination on the basis of race, color, national origin, sex, age, or disability pending or decided against the applicant and/or entity which actually benefits from the grant, but excluding employment complaints not covered by 40 C.F.R. Parts 5 and 7. For example, if a city is the named applicant but the grant will actually benefit the Department of Sewage, civil rights lawsuits involving both the city and the Department of Sewage should be listed. "Civil rights compliance review" means any review assessing the applicant's and/or recipient's compliance with laws prohibiting discrimination on the basis of race, color, national origin, sex, age, or disability. Submit this form with the original and required copies of applications, requests for extensions, requests for increase of funds, etc. Updates of information are all that are required after the initial application submission. If any item is not relevant to the project for which assistance is requested, write "NA" for "Not Applicable." In the event applicant is uncertain about how to answer any questions, EPA program officials should be contacted for clarification. * Note: Signature appears in the Approval Section of the EPA Comprehensive Administrative Review For Grants/Cooperative Agreements & Continuation/Supplemental Awards form.





CERTIFICATION REGARDING LOBBYING

CERTIFICATION FOR CONTRACTS, GRANTS, LOANS AND COOPERATIVE AGREEMENTS

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31 U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Crystal Geyser

Typed Name & Title of Authorized Representative

Signature and Date of Authorized Representative

The public reporting and recordkeeping burden for this collection of information is estimated to average 15 minutes per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

EPA Form 6600-06 (Rev. 06/2014) Previous editions are obsolete.

FEDERAL GRANT PROGRAM

WORK PLAN

Lust Trust Fund (LUST) Corrective Action Program

10/01/2020 - 09/30/2021

Attach to each application: a required work plan

(This Sample is only the cover page of work plan)

Each Program may have different work plan requirements. Check with your EPA Project Officer.

Application Package Requirements & The EPA Grant Funding Process

EPA follows the following sequence for overseeing the implementation of non-competitive and competitive grant opportunities. Applicants <u>must</u> use Grants.gov (<u>https://www.grants.gov/</u>) to submit a grant application package.

1 EPA posts competitive solicitations or Funding Announcements on Grants.gov for applicants to apply/submit an application. For Continuing Environmental Programs, annual Program Guidance may be posted EPA's website. Generally, on-going recipients will be sent a "Please Apply" email, which notifies the recipient that an application must be submitted for funding. The email will include, among other information, the amount of funding available, workplan guidelines, the program contacts and grants specialist, etc. In addition, generally, a Region 9 Applicant Guide will be attached which provides information for Grants.gov and to assist in submitting a complete application. The applicant must use Grants.gov to submit their complete proposal/application package consisting of:

The EPA Region 9 required application forms are:

- 1. SF424 Application for Federal Assistance
 - SF424A Section A Budget Information Non-Construction Programs
 - SF424A Section B Budget Categories
 - SF424A Section C Non-Federal Resources
- 2. Budget Detail (See Budget Development Guidance information on page 3 and page 9)
- 3. EPA 5700-54 EPA Key Contacts Form
- 4. EPA 4700-4 Preaward Compliance Review Report for All Applicants and Recipients Requesting Federal Financial Assistance
- 5. Final/Approved Grant Workplan
- 6. Current Indirect Rate Cost Negotiation Agreement (if applicable)
- 7. EPA 6600-06 Certification Regarding Lobbying (see submission rule on page 3)
- 8. SF-LL Disclosure of Lobbying Activities (if applicable)
- 9. EPA Financial Conflict of Interest Policy (if applicable, see page 3 for information)

2 EPA Project Officer and the Grants Specialist review the grant application in its entirety for completeness and correctness.

EPA Project Officer negotiates any outstanding workplan/budget issues with the applicant. Once negotiations are completed, the EPA Project Officer recommends to the EPA Approval Official the application to be funded. Once the EPA Approval Official approves the recommendations, then it moves to the EPA Grants Office for their review of all federal requirement and preparation of award.

3 The EPA Award Official electronically approves/signs the official "Notice of Award." The EPA Grants Specialist emails the award document to the recipient with instructions.

Two Types of EPA Grants:

Project & Continuing Environmental Program Grants



Congress authorizes EPA grants through laws or statutes which specifies the type of eligible entities and activities the funds can be used for. Project grants are generally competed programs and available to eligible entities. EPA's Continuing Environmental Program (CEP) grants are usually formula grants that are awarded primarily to our on-going recipients, I.e., state, tribal, and local governments. The amount of the CEP grant is generally determined by a formula prescribed by the statute and implementing EPA regulations.



Examples of a Continuing Environmental Program & Project Grant

Friend An example of a CEP grant:

WATER POLLUTION CONTROL PROGRAM

(Clean Water Act §106)



- Grant's project period/cycle is set on a Fiscal Year (FY): State FY (July 1 to June 30) or Federal FY (October 1 to September 30) or, in rare instances, Calendar Year (January 1 to December 31)
- Usually has a one-year period of performance (but, can be up to 5 years); EPA and recipient negotiates the grant's period of performance
- Grant with a one-year period of performance are typically fully funded in a single award; grant can be funded incrementally if the period of performance is two years or more
- Final Federal Financial Report (FFR) is submitted 90 days after the grant's project period end date; annual (interim) FFR is required if the grant's period of performance is more than one year

Man example of a Project grant:

WETLANDS PROTECTION DEVELOPMENT

(Clean Water Act §104(b))

Grant (Initial Award)		Amendment #1	Amendment #2	
\$55,000		Add: \$10,000	Add \$-0-	
		Total: \$65,000	Total: \$65,000	
11/15/2018	11/30/2019	11/30/202	20 10/31/2021	
Starts			Ends	

- Variable period of performance
- Funds may or may not be added to finish project
- Project period may be extended, without additional funds, to finish project
- Annual (interim) Federal Financial Report (FFR) is required since the period of performance is more than a year
- Final FFR is due 90 days after the grant's project period end date

Allowability of Costs



Recipients of EPA grant payments must maintain a financial management system that meets the standards for fund control and accountability. In general, costs must meet the basic criteria to be allowable under federal awards, including that it is necessary and reasonable for the performance of the grant. A cost is reasonable if it does not exceed what a prudent person would pay under the circumstances prevailing at the time the decision was made to incur the cost. "Prudence" refers to exercising sound business judgement given a recipient's responsibility to use federal funds efficiently. Lastly, a cost is allowable to a grant if the goods or services involved are chargeable or assignable to a cost objective in accordance with the relative benefits the grant receives.

Factors to Consider in Determining if a

Cost is Allowable:

- 1. Necessary and reasonable for the project being funded.
- 2. Eligible under the program that the project is funded by.
- 3. Allocable (can be allocated) to the project being funded.
- 4. Authorized and not prohibited by law or regulation.
- 5. Conform to limitations of laws, regulations, etc. and grant terms and conditions.
- Consistent with recipient's policies/procedures same factors apply to both federal and non-federal activities.
- Accorded to consistent treatment a cost may not be assigned as direct if a similar cost incurred for the same purpose has been allocated as indirect cost.
- Not included as a cost or used to meet a matching requirement for any other federal grant.
- 9. Consistent with generally accepted accounting principles.
- 10. Adequately documented.

EPA's COST PRINCIPLES

See 2 CFR, Part 200.403 through 200.409 for more detailed information.

<u>2 CFR, Part 200 – Uniform</u> <u>Administrative Requirements,</u> <u>Cost Principles, and Audit</u> <u>Requirements for Federal</u> <u>Awards</u>

For Continuing Environmental Program (CEP) grants, see 40 CFR, Part 35.

Cost-Share/Matching Funds



Cost-Share/Matching Funds is the portion of allowable project costs a grant recipient or a third-party contributes to a grant or cooperative agreement (2 CFR Part 200.306). There are two types of matching funds: Cash or In-Kind.



The following are examples of acceptable cash or in-kind contributions:



- All match/cost sharing funds must have supporting source documents (a record that supports a transaction).
- Dollar values must be placed on all donated services. All match/cost sharing funds must be included in the workplan and budget and be part of the grant's total project costs.
- All match/cost sharing funds must conform to the same laws, regulations, grant conditions, etc. as the federal funds within the grant.



Items that CANNOT be used as match/cost share funds:

- Other federal funds, except for Public Law (PL) 93-638 funds (Indian Self-Determination and Education Assistance Act). (Note: Activities performed under PL 93-638 must be for similar program activities as the EPA-funded program in order to qualify for its use as match.) PL 93-638 can be located at www.ihs.gov.
- Unallowable/ Ineligible costs for the project/program.

Formula for Calculating Cost-Share/Matching Funds





If you know the total federal funds available:

- 1. Divide the Total Federal Funds available by the maximum federal percentage allowed.
- 2. Subtract the amount of Total Federal Funds available from the amount derived from step #1.
- 3. The amount derived from step #2 is the MINIMUM nonfederal contribution (match) required.

Example: Let's say the total Federal funds available is \$100,000 and the recipient's required match is 20%; therefore, this makes the Federal portion of the project to be 80% (i.e., 100% - 20% = 80%). Follow the steps below.

Divide the Total Federal Funds available (\$100,000) by the maximum federal percentage allowed (80% or .80).

\$100,000 ÷ .80 = <u>\$125,000 (total project cost)</u>

\$125,000 - \$100,000 = <u>\$25,000</u>

The minimum non-Federal contribution (20%) required is \$25,000



If you know the total project cost:

- 1. Multiply the Total Project Cost amount by the required match percentage.
- 2. The amount derived from step #1 is your MINIMUM required match.

Example: Let's say \$125,000 is the Total Project Cost and the recipient's required match is 20% (i.e., .20 of total project cost). Follow the steps below.

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$125,000 x .20 = <u>$25,000</u>
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The required match the recipient must contribute to the grant is \$25,000

Indirect Costs (Overhead)



Indirect costs are costs that benefit more than one cost objective and are not readily identifiable with a particular grant, contract, or other activity, but are necessary to the overall operation of an organization, such as rent or utility costs. If your organization plans to charge indirect costs to an EPA grant, your financial management system must provide for and describe existing or planned indirect cost rate expenses (2 CFR § 200.412-419 and Appendices).

Differentiating Direct and Indirect Costs



KEY POINTS TO KEEP IN MIND ABOUT INDIRECT COST RATES:

- 1. Indirect cost proposals are due to your organization's cognizant agency within 6 months after your accounting year ends.
- 2. Lack of a current indirect cost rate may affect the budgetary accuracy, cash flow, and the ability to draw down funds, and close expired grants.
- 3. The organization may only drawdown funds when the approved Indirect Costs Rate Agreement is in place for that specified period. Otherwise, the organization will not be able to draw down indirect costs for that time period.
- 4. If you budget an indirect rate lower than your approved rate, make sure you have your Finance Office approval in writing.
- 5. If your organization has never had a negotiated indirect cost rate, you may elect to charge a de minimis rate of 10% of modified total direct costs.
- 6. Refer to EPA's policy on indirect cost at https://www.epa.gov/grants/rain-2018-g02 to learn about approved rate types and additional guidance regarding the use of the 10% de minimis rate.
- 7. For submission requirements, refer to 2 CFR 200, Appendix V and VII. For more information on Indirect Cost Agreements from IBC, to <u>https://www.doi.gov/ibc/services/finance/indirect-cost-services.</u>



Indian Organizations Indirect Cost Negotiation Agreement

EIN: 12-3456789

Organization:

Date: September 18, 2018

Arizona Raging Waters 123 Grand Canyon Road Lava Falls, AZ 82109 **Report No(S)**.:01-A-111

Filing Ref.: Last Negotiation Agreement dated 4/30/17

The indirect cost rates contained herein are for use on grants, contracts and other agreements with the Federal Government to which Public Law 93-638 and 2 CFR Part 200 apply for fiscal years beginning on or after December 26, 2014, subject to the limitations contained in 25 CFR 900 and Section II.A. of this agreement. Applicable OMB Circulars and the regulations at 2 CFR 225 will continue to apply to federal funds awarded prior to December 26, 2014. The rates were negotiated by the U.S. Department of the Interior, Interior Business Center, and the subject organization in accordance with the authority contained in applicable regulations.

Section I: Rates

	Effective	e Period			Applicable	
Туре	From	То	Rate*	Locations	То	
Fixed Carryforward	1/01/19	12/31/19	37.91%**	All	BIA Programs	
Fixed Carryforward	1/01/19	12/31/19	37.68%	All	All Other	

* Base: Modified total direct costs, less capital expenditures and passthrough funds. Passthrough funds are normally defined as major subcontracts, payments to participants, stipends to eligible recipients, and subgrants, all of which normally require minimal administrative effort.

**The rate for BIA programs was calculated using the Benchmarking Methodology stipulated in the Equitable Relief Orders filed by the U. S. District Court of New Mexico on June 1, 2001.

Treatment of fringe benefits: Fringe benefits applicable to direct salaries and wages are treated as direct costs; fringe benefits applicable to indirect salaries and wages are treated as indirect costs.

Section II: General

A. Limitations: Use of the rates contained in this agreement is subject to any applicable statutory limitations. Acceptance of the rates agreed to herein is predicated upon these conditions: (1) no costs other than those incurred by the subject organization were included in its indirect cost rate proposal, (2) all such costs are the legal obligations of the recipient/contractor, (3) similar types of costs have been accorded consistent treatment, and (4) the same costs that have been treated as indirect costs have not been claimed as direct costs (For example, supplies can be charged directly to a program or activity as long as these costs are not part of the supply costs included in the indirect cost pool for central administration).

B. Audit: All costs (direct and indirect, federal and non-federal) are subject to audit. Adjustments to amounts resulting from audit of the cost allocation plan or indirect cost rate proposal upon which the negotiation of this agreement was based will be compensated for in a subsequent negotiation agreement.

C. Changes: The rates contained in this agreement are based on the organizational structure and the accounting system in effect at the time the proposal was submitted. Changes in organizational structure, or changes in the method of accounting for costs that affect the amount of reimbursement resulting from use of the rate in this agreement, require the prior approval of the responsible negotiation agency. Failure to obtain such approval may result in subsequent audit disallowance.

D. Provisional/Final Rates: Within 6 months after yearend, a final rate must be submitted based on actual costs. Billings and charges to contracts and grants must be adjusted if the final rate varies from the provisional rate. If the final rate is greater than the provisional rate and there are no funds available to cover the additional indirect costs, the organization may not recover all indirect costs. Conversely, if the final rate is less than the provisional rate, the organization will be required to pay back the difference to the funding agency.

E. Fixed Carryforward Rate: The fixed carryforward rate is based on an estimate of costs that will be incurred during the period for which the rate applies. When the actual costs for such period have been determined, an adjustment will be made to the rate for a future period, if necessary, to compensate for the difference between the costs used to establish the fixed rate and the actual costs.

F. Agency Notification: Copies of this document may be provided to other federal offices as a means of notifying them of the agreement contained herein.

G. Record Keeping: Organizations must maintain accounting records that demonstrate that each type of cost has been treated consistently either as a direct cost or an indirect cost. Records pertaining to the costs of program administration, such as salaries, travel, and related costs, should be kept on an annual basis.

H. Reimbursement Ceilings: Recipient/contractor program agreements providing for ceilings on indirect cost rates or reimbursement amounts are subject to the ceilings stipulated in the contract or grant agreements. If the ceiling rate is higher than the negotiated rate in Section I of this agreement, the negotiated rate will be used to determine the maximum allowable indirect cost.

I. Use Of Other Rates: If any federal programs are reimbursing indirect costs to this

recipient/contractor by a measure other than the approved rates in this agreement, the recipient/contractor should credit such costs to the affected programs, and the approved rate should be used to identify the maximum amount of indirect cost allocable to these programs.

J. Central Service Costs: Where central service costs are estimated for the calculation of indirect cost rates, adjustments will be made to reflect the difference between provisional and final amounts.

K. Other:

1. The purpose of an indirect cost rate is to facilitate the allocation and billing of indirect costs. Approval of the indirect cost rate does not mean that an organization can recover more than the actual costs of a particular program or activity.

2. Programs received or initiated by the organization subsequent to the negotiation of this agreement are subject to the approved indirect cost rate if the programs receive administrative support from the indirect cost pool. It should be noted that this could result in an adjustment to a future rate.

3. New indirect cost proposals are necessary to obtain approved indirect cost rates for future fiscal or calendar years. The proposals are due in our office 6 months prior to the beginning of the year to which the proposed rates will apply.

Section III: Acceptance

Listed below are the signatures of acceptance for this agreement:

By the Indian Organization:

By the Cognizant Federal Government Agency:

/s/

Arizona Raging Waters	Craig A. Wills		
Name	Name		
	Office Chief		
Director	Office of Indirect Cost Services		
Title	Title		
	U.S. Department of the Interior		
10/10/18	Interior Business Center		
Date	Agency		
	Date 10/16/18		
	Negotiated by Susan Browne		
	Telephone (916) 566-7111		

Grant Work Plan

The Work Plan is an integral piece of the grant application package because it provides EPA's basis for making an award. When applying under competitive opportunities, Section IV (Proposal and Submission Information) of the solicitation announcement outlines the information that is required in the work plan. For non-competitive opportunities, the appropriate program office will provide instruction on what needs to be included.

Components of the Grant Work Plan

1 Outline all activities to be performed under the grant; summarize deliverables; and include a schedule for milestones, project completion, and deliverables.

2 Include a budget narrative that links the budget to work plan activities.

3. Describe the need for the project, project objectives, project methods, and anticipated environmental results.

4. Provide a framework for managing the project and performance measures for evaluating performance, including how they will be used to help track, measure, and report progress toward achieving the expected outputs and outcomes.

5 Describe the approach, procedures, and controls for ensuring that awarded grant funds will be expended in a timely and efficient manner.

KEY POINTS

The work plan should also clearly address the evaluation criteria listed in the competitive solicitation announcement and explains how the project meets the criteria.

It should clearly explain what the project expects to accomplish, and it should make clear why the application is worthy of funding.



Procuring Goods and Services: Requirements



The EPA's Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements is designed to ensure that purchases are obtained at a reasonable price in a fair and competitive way. Failure to follow proper procurement practices is often an audit finding that leads to questioned costs.

EPA Requirements Regarding Procurements:

- Recipient must use its own written procurement procedures which reflect applicable State, local, and tribal laws and regulations, <u>provided</u> that the procurements conform to applicable federal law and federal procurement standards. (2 CFR §200.318(a))
- 2 Recipient must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. (2 CFR §200.318(b))
- Recipient must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. (2 CFR §200.318(c)(1))
 - The non-Federal entity must maintain records sufficient to detail the history of procurement. These records will include but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price. (2 CFR §200.318(i))
 - All procurement actions must be conducted in a manner providing full and open competition consistent with federal standards. (2 CFR §200.319(a))

NOTE: Per 2 CFR§ 200. 317,States must follow the same policies and procedures it uses for procurements from its non- Federal funds and comply with 2 CFR §200. 322 (recovered materials) and 2 CFR § 200.326 (contract provisions).

EPA-Specific Procurement Standards: 2 CFR §§ 1500.9 & 1500.10

Procurement Standards: 2 CFR § 200 Subpart D (200.317 - 200.326)

about procurements requirements

Learn more

Participation by Disadvantaged Business Enterprises under EPA Programs: <u>40</u> <u>CFR § 33</u>

EPA-Specific Procurement Standards for Superfund Programs: <u>40 CFR § 35</u> Subpart O (35.6550 - 35.6610)
Procurement Practices

The EPA's Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements provides detailed guidance, including outlining the difference between procurement contracts and subawards and detailing requirements for competition, hiring consultants, and documenting purchasing decisions. EPA strongly recommends that recipients consult this guide during procurements.

BOOKMARK RECOMMENDATION: Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements

https://www.epa.gov/grants/best-practice-guide-procuring-services-supplies-andequipment-under-epa-assistance-agreements

This section provides a summary on procurement methods, guidelines on contracts and consultants. It is not a substitute for the more robust description of purchasing requirements in the EPA Best Practice guide.

Procurement Methods (2 CFR § 200.320)

- 1) Micro-Purchase
 - Aggregate dollar amount of which does not exceed the Micro-purchase threshold (2 CFR §200.67), which is currently set at \$10,000
 - May be awarded without soliciting competitive quotations if recipient determines the price to be reasonable
 - To the extent practicable, recipient must distribute micro-purchases equitably among qualified suppliers
- 2) Small Purchase
 - Simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold, which is currently set at \$250,000
 - Price or rate quotations must be obtained from an adequate number of qualified sources
- 3) Sealed Bid (formal advertising)
 - Publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price
 - Preferred method for construction
- 4) Competitive Proposals
 - Normally conducted with more than one source submitting an offer, and either a fixed price or costreimbursement type contract is awarded
 - Generally used when conditions are not appropriate for sealed bids

Types of Contracts

• <u>Fixed-price contracts</u> are used when there will likely be effective competition based on a complete product description and clear plans and specifications. As provided at 2 CFR 200.320(c), recipients must use fixed price contracts in sealed bid situations. Recipients may use fixed priced contracts in other situations as well.

a. There should not be any significant technical or engineering unknowns

b. The contractor furnishes the goods or services for the fixed-price, and so assumes significant risk. Profit is not typically stated or negotiated separately

• <u>Cost-reimbursable contracts</u> are used when it is not feasible to award a fixed price contract.

a. The contractor's cost and profit are typically negotiated separately. The contractor satisfactorily completes only the amount of work equivalent to the estimated cost to qualify for the negotiated profit; the contractor may not complete the entire project

b. The contractor assumes less risk than under a fixed price contract. Alternatively, recipient may negotiate a cost-reimbursable contract that includes a ceiling that may not be exceeded but requires completion of the work. In this situation, the risk to the contractor is increased

- <u>Time and Materials contracts</u> are used only in circumstances in which no other contracting instrument is available, and there is a cap on the amount of the contract that the contractor exceeds at its own risk (2 CFR 200.318(j)). A time-and-materials contract is one in which the contract price is the sum of the cost of materials plus fixed labor hours that are "loaded" with wages, overhead, and profit such that the contractor has no incentive to control costs. Additional information on time and materials contract rules is available at 2 CFR 200.318(j)(2).
- <u>"Cost Plus" contracts</u> are prohibited per 2 CFR 200.323(d). Percentage of construction cost and cost plus a percentage cost contracts provide an incentive for the contractor to increase costs in order to increase profit.

Procurement Rules on Contracts and Individual Consultants

Two issues that frequently arise are long-term contracts and sole-source contracts. Below are excerpts regarding these two issues from EPA's Best Practice Guide.

Contracts

1) Long-Term Contracts:

- Recipients may enter into competitively-awarded long-term (generally not to exceed five years) contracts for professional services or equipment leases that include options for periodic renewals. If the long-term contract precedes the EPA assistance agreement, recipients may use that contract if it was procured competitively consistent with Federal financial assistance regulations (including DBE considerations) in effect at the time. The use of such contracts in EPA assistance agreements does not constitute sole source procurement since the original contract was competed.
- Long-term contracts that were awarded without competition may not meet EPA's minimum requirements for compliance with 2 CFR § 200, Subpart D, Procurement Standards.
- 2) Sole-Source Contracts:
 - Sole-source contracts in <u>excess of the micro-purchase threshold</u> should be rare. Potential justifications include 2 CFR §200.320(f)(1), only one source has the goods or is able to perform the service, 2 CFR §200.320(f)(2), an emergency, 2 CFR §200.320(f)(3) EPA approval, or 2 CFR §200.320(f)(4) after soliciting a number of sources the recipient reasonably decided competition was inadequate.

- EPA's general policy is to require competition in accordance with 2 CFR § 200, Subpart D, Procurement Standards for commercially available items (including consulting services). EPA recommends that recipients consult with EPA prior to making sole source procurements. Recipients may proceed with sole source procurements if it falls under 2 CFR Part § 200.320 (f)(1), (2), or (4) provided that a justification is shared with EPA. For 2 CFR § 200.320(f)(3) EPA approval, recipients may request a sole source procurement and provide a justification.
- EPA staff may not suggest, recommend, or direct recipients to hire particular firms or individuals.
- EPA does not require recipients to identify contractors in proposals. The fact that a recipient has named a contractor in its proposal as a "partner" or otherwise <u>does not</u> justify a sole-source award. If, at any time, EPA finds that a sole-source contract does not comply with EPA's interpretation, EPA may disallow all or part of the cost of the contract as provided at 2 CFR § 200.338.

Payment to Individual Consultants (2 CFR § 1500.9)

- EPA will limit its participation in the salary rate (excluding overhead) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors to the maximum daily rate for level 4 of the Executive Schedule unless a greater amount is authorized by law. Recipients may pay consultants more than this amount with non-EPA funds; however, this cost paid by the recipient <u>cannot</u> be applied toward required cost-share by the EPA grant program.
- This limitation applies to consultation services of designated individuals with specialized skills who are paid at a daily or hourly rate.
- > This rate does not include transportation and subsistence costs for travel performed; recipients will pay these in accordance with their normal travel reimbursement practices.
- Contracts with firms for services which are awarded using the procurement standards under 2 CFR §200 Subpart D are not affected by this limitation.

EPA issued a <u>Federal Register Notice (Vol. 69, No.67 dated April 7, 2004)</u> wherein the formula to calculate the individual consultant hourly and daily rate cap is as follows. The rates of pay for <u>Executive Schedule</u> is located at <u>https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/</u>

The Executive Schedule IV salary is \$170,800 per year as of January 1, 2020 and 2,087 is the number of work hours per year.

\$170,800 ÷ 2,087 = \$81.84 per hour \$81.84 x 8 hours = \$654.72 per day

EPA Review of Documentation (2 CFR § 200.324)

The recipient must make available, upon request by EPA, technical specifications on proposed procurements where EPA believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if EPA desires to have the review accomplished after a solicitation has been developed, EPA may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.

All About the Rules: EPA Grant Regulations &

the Uniform Grants Guidance



The Uniform Grants Guidance (UGG) includes the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards codified in regulations located in 2 Code of Federal Regulations (CFR) Part 200. 2 CFR Part 200 serves as a government-wide framework for grants management and provides an authoritative set of rules and requirements for federal grant awards. 2 CFR Part 200 provides useful information about grant requirements, such as standards for financial and program management and how to identify allowable costs. Under 2 CFR 1500, EPA adopted the regulations at 2 CFR 200 and promulgated additional regulations specific to EPA.

Question:

Where do I find the comprehensive set of information on rules and requirements for federal grant awards?

Answer:

CFR: Code of Federal Regulations (Commonly known as the Uniform Grant Guidance (UGG) or Omni Circular)*

2 CFR, Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards *Supersedes requirements previously specified in 40 CFR Part 30 & 31, OMB Circulars A-21, A-87, A-102, A-110, A-122, and A-133

Questions:

What are the specific cost items that are allowed in a grant?

What costs cannot be budgeted in a grant?

How can we charge indirect (overhead) costs?

How do we track personnel costs? (compensation) and how much detail is required?

Is the cost of our single audit allowable?

Questions:

How often do we need an audit performed? Who must perform the audit?

Answer:

Cost Principles <u>2 CFR, Part 200, Subpart E – Cost Principles</u>

Answer:

Audit Requirements: 2 CFR 200 Subpart F – Audit Requirements What does the audit cover? What standards must the audit follow? What kind of a report is required?

NOTE:

The current threshold that triggers a single audit is \$750,000 in total federal funds spent in a recipient's fiscal year.

Question:

Where to I find the supplemental to 2 CFR 200, Subparts A through F for EPA's policies and procedures for financial assistance administration?

Answer:

<u>2 CFR, Part 1500 – Uniform Administrative</u> <u>Requirements, Cost Principles, and Audit</u> <u>Requirements for Federal Awards</u>

Questions:

What's the Disadvantage Business Enterprises in EPA Programs?

Are we required to file annually?

What is the threshold amount for reporting?

Where can I find the MBE/WBE form?



Disadvantage Business Enterprises (DBE) or MBE/WBE

40 CFR, Part 33 – Participation by Disadvantaged Business Enterprises (DBE) in EPA Programs

- DBE participation must be reported on EPA Form 5700-52A, by recipients when the budget for procuring construction, equipment, services, supplies, and subawards (under 'Other') exceeds \$250,000 (Simplified Acquisition Threshold).
- DBE reporting forms are due every October 30th to EPA.

Subawards

Under some grant projects, the primary grant recipient, referred to as the pass-through entity, will make awards, called subawards, to other organizations for certain activities. A subaward is when an organization receives an award of financial assistance from the pass-through entity to carry out part of the pass-through entity's grant project. Subawards do not include purchased goods and services or payments to program beneficiaries. By contrast, a procurement contractor is a company, individual consultant, instructor or other expert who is not an employee of the recipient that receives grant funding to provide commercially available goods or services. (2 CFR §200.330 - 332)

Is it a Subaward or a Contract?

EPA provides detailed guidance differentiating procurement contracts and subawards. With rare exceptions, EPA considers transactions between recipients and for-profit companies or individual consultants and instructors to be procurement contracts.

SUBAWARD

A subaward is for the purpose of carrying out a portion of a federal award and creates a federal assistance relationship with the subrecipient. Characteristics that support the classification of the non-federal entity as a subrecipient include when the non-federal entity:

- Determines who is eligible to receive what federal assistance;
- Has its performance measured in relation to whether objectives of a federal program were met;
- Is responsible for adherence to applicable federal program requirements specified in the federal award; and
- In accordance with its agreement, uses the federal funds to carry out a program for a public purpose specific in authorizing statute, as opposed to providing goods or services for the benefit of the pass-through entity.

CONTRACT

A contract is for the purpose of obtaining goods and services for the nonfederal entity's own use and creates a procurement relationship with the contractor. Characteristics indicative of a procurement relationship between the non-federal entity and a contractor are when the contractor:

- Provides the goods and services within normal business operations;
- Provides similar goods or services to many different purchasers;
- Normally operates in a competitive environment;
- Provides goods or services that are ancillary to the operation of the federal program; and
- Is not subject to compliance requirements of the federal program as a result of the agreement, though similar requirements may apply for other reasons.

Does the EPA award includes Subaward funding of an amount equal to or over \$25,000? If the answer is **YES** : In accordance with 2 CFR Chapter 1, Part 170 Reporting Sub-award and Executive Compensation Information, prime awardees awarded a federal grant are required to file a FFATA sub-award report by the end of the month following the month in which the prime awardee awards any sub-grant equal to or greater than \$25,000. Click link to the <u>Federal Funding</u> <u>Accountability and Transparency Act Subaward</u> <u>Reporting System(FSRS)</u> for detailed information.

Monitoring and Managing Subawards

- The grant recipient must ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the following information at the time of the subaward and if any of these data elements change, include the changes in subsequent subaward modification. (See §200.331(a) for full details.)
- The grant recipient must evaluate each subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring. (See §200.331(b) for full details.)
- The recipient must monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved. (See §200.331(d) for full details.)

TRAINING AND RESOURCES ON EPA'S SUBAWARD POLICY
https://www.epa.gov/grants/grants-policy-issuance-gpi-16-01-epa-subaward-policy-epa-assistance-
agreement-recipients
: Training
EPA Subaward Policy Training for EPA Assistance Agreement State Recipients
EPA Subaward Policy Training for EPA Assistance Agreement Non-State Recipients
EPA Subaward Policy Training Webinar for Recipients
Helpful Resources
EPA Subaward Frequent Questions as of November 6, 2018
EPA Subaward Cross Cutter Requirements
EPA Subaward Policy with attachments (PDF)
EPA Subaward Policy (PDF)
EPA Subaward Policy Appendix A: Distinctions Between Subrecipients and Contractors (PDF)
EPA Subaward Policy Appendix B: National Term and Condition for Subawards (PDF)
EPA Subaward Policy Appendix C: Model Programmatic Subaward Reporting Requirement (PDF)
EPA Subaward Policy Appendix D: Subaward Agreement Template (PDF)

EPA and Related Federal Agency Internet Resources

EPA & FEDERAL GOVERNMENT INFORMATION

Examples of information/resources:

Finding grant opportunities

Applying for grants

Grants Training for Applicants & Recipients

Disadvantage Business Enterprises (MBE/WBE)

U.S. Federal Government websites

- EPA Grants (EPA-National) <u>https://www.epa.gov/grants</u>
 Grant opportunities, application process, trainings, policies, payment, & regulations (Uniform Grants Guidance UGG).
- Grants.gov (Federal Grants) <u>https://www.epa.gov/grants</u>
 Search for grant programs available from 26+ federal agencies; Applying for grants electronically
 - EPA Region 9 Grants https://www.epa.gov/grants/grants-your-region-information-specificepa-region-9

 Available regional grants, funding solicitations, Region 9
 Application Guide (Application Checklist and instructions for Grants.gov), other financial forms & instructions, EPA regulations (40 CFR Part 35), Uniform Grants Guidance UGG (2 CFR Part 200).

 EPA DBE & MBE/WBE Requirements_ <u>https://www.epa.gov/grants/disadvantaged-business-enterprise-</u> <u>program-requirements</u>
 Provides Minority Business & Women-Owned BusinessEnterprise

- Provides Minority Business & Women-Owned BusinessEnterprise requirements for grants.

Paper Reduction Act

https://www.epa.gov/laws-regulations/summary-paperworkreduction-act

- Information on EPA's information collection.
- Environmental Federal Register Documents <u>http://www.epa.gov/fedrgstr/</u>
- Data Universal Numbering System (DUNS) number: <u>http://www.dnb.com/us/</u>
- Government Accounting Standards Board (GASB): <u>http://www.gasb.org</u>

Tribal Internet Resources

etc.

TRIBAL INFORMATION

Examples of information/resources:

Applying for a General Assistance Program (GAP) grant

Tribal consultations

Regional Tribal Operations Committee (RTOC meetings)

Region 9 Tribal contacts

Applying for an Indirect Rate Cost Agreement

 EPA Region 9 Tribal Programs <u>https://www.epa.gov/tribal/epas-pacific-southwest-tribal-program</u>

- Comprehensive website providing information on tribal grants, tribal consultations, Regional Tribal Operations Committee (RTOC) meetings, EPA Region 9 tribal contacts, etc.

- EPA American Indian Environmental Office <u>http://www.epa.gov/indian/index.htm</u>
 Comprehensive website providing information on tribal grants, tribal consultations, Regional Tribal Operations Committee (RTOC) meetings, EPA Region 9 tribal contacts,
- Tribal Indirect Cost Rates
 Information on indirect cost proposals, Department of Interior staff contact, etc.

Dept. of Interior's National Business Center: https://www.doi.gov/ibc/services/finance

Dept. of Health & Human Services https://rates.psc.gov/

List of approved indirect cost rates.



GRANT POSTAWARD PHASE

After accepting an award, the recipient is ready to start working on the activities outlined in the approved work plan. Adhering to various grant regulations and the terms and conditions outlined in the grant agreement are critical to ensuring a successful grant project. Various topics related to post-award grant management are covered in this section.

Annual To-Do Tasks: Post-Award EPA Reporting Requirements



EPA grants contain General, Administrative, and Programmatic terms and conditions which typically include reporting requirements such as filing an interim (annual) Federal Financial Report (FFR), annual MBE/WBE Report (if applicable), submitting progress reports. Additional terms and conditions may also be specified in an individual award document based on the project or recipient. Recipients should regularly review the terms and conditions throughout the duration of projects to ensure compliance with all requirements General (based on statutory or national requirements), Administrative (based on regulations or policies), or Programmatic (based on specific requirements imposed by the EPA program office, such as the timing and content of progress reports).

The EPA Grant Award

Grant Acceptance

Once EPA selects a grant application for award, it prepares an award agreement that is signed by the EPA Award Official. The award agreement is then sent to the applicant, generally via e-mail. EPA expects recipients to review the award agreement and the terms and conditions, to confirm that the applicant concurs with all the information.

Key Points to Review in the EPA Grant Award

- 1. **Recipient Information:** Is the recipient name, payee and recipient project manager information correct?
- 2. **Grant Project Title & Explanation of Changes:** Is the information regarding the description of the grant, the budget and project period start and end dates, including the total budget and project period cost correct?
- 3. Notice of Award: Is the amount of federal funding award and cost-share information (if applicable) correct?
- 4. **EPA Funding Information Table:** Are the amounts listed in the EPA amount funded (prior and this action), EPA in-kind amount, Recipient/State/Local/Other contributions correct?
- 5. **Table A Object Class Category:** Are the amounts listed in the Budget Summary Page, the Indirect Cost, Total Share information by Recipient and EPA, Total Approved Assistance Amount, Program Income, Total EPA Amount Awarded This Action and Total EPA Amount Awarded to Date correct?
- 6. Administrative Terms & Conditions: Will the grant require annual submission of an FFR, MBE/WBE or Subaward reporting?
- 7. Programmatic Conditions: How often should progress reports be submitted?
- 8. **Note:** In addition to the Administrative and Programmatic terms and conditions in the EPA Grant Award, review all "Electronic Administrative/Programmatic Terms and Conditions;" links provided in the award.

A sample of an EPA grant award document follows after this page.

21 calendar days

If the recipient disagrees with the terms and conditions specified in the award, the recipient must furnish a notice of disagreement to the EPA Award Official within 21 calendar days from the EPA award mailing date via Region 9's dedicated email address, GrantsRegion9@epa.gov.

ACCEPTANCE WITHIN 21 DAYS

The recipient accepts the grant by:

- Drawing down EPA funds; or
- Raising no objections to the award agreement within 21 days of receipt of the award agreement and make no drawdowns.

If the recipient has not raised any objections after <u>21</u> <u>days</u>, EPA considers the award agreement to be accepted <u>regardless</u> of whether the recipient draws down funds.

	F – 9T033320 - 0 Page 1							
A UNITED STATES	U.S. ENVIRO		GRANT NUMBER (FA MODIFICATION NUME PROGRAM CODE:		DATE OF 09/06/201			
li 📈 🖥	Grant Agreement		TYPE OF ACTION		MAILING			
MANAL PROTECTION			New PAYMENT METHOD: ASAP		09/13/201 ACH# 90030	19		
RECIPIENT TYPE: State			Send Payment Reque US EPA RTP Finance Email: rtpfc@epa.gov					
RECIPIENT:			PAYEE:					
Happy Valley Health De P.O. Box 5879 Chlorine, CA 96888-338 EIN: 99-9900999			Happy Valley Health De P.O. Box 5879 Chlorine, CA 96888-33					
PROJECT MANAGER		EPA PROJECT OFFIC	ER	EPA GRANT	SPECIALIST			
Jane DoeVery Clean JoePenelope PitstopP.O. Box 587975 Hawthorne Street, WTR-3-1Grants Branch,Chlorine, CA 96888-3388San Francisco, CA 94105MSD-6E-Mail: j.doe@hvhd.ca.govE-Mail: Joe.VeryC@epa.govE-Mail: Pitstop.Penelope@epa.govPhone: 818-666-7777Phone: 415-972-9377Phone: 415-972-6666								
PROJECT TITLE AND I FY-20 Public Water Sys		Filone. 413-372-3377		Filone. 413-8	72-0000			
no less stringent than the ensuring that public part water regulations. This assistance agreeme BUDGET PERIOD	This assistance agreement provides full federal funding in the amount of \$945,000.							
Protection Agency (EPA exceeding total federal f out this award by either: with the award terms an conditions specified in th days after the EPA awar down on the funds provi	on dated 06/18/2019 includ) hereby awards \$945,000. unding of \$945,000. Recipi 1) drawing down funds wit d conditions within 21 days his award, the authorized re d or amendment mailing da ded by this award/amendm utory provisions, all terms a	ing all modifications and EPA agrees to cost-shar ent's signature is not requinin 21 days after the EPA after the EPA award or a presentative of the recipinate. In case of disagreem ent, and any costs incurr	re <u>75.00</u> % of all approved uired on this agreement. T A award or amendment ma amendment mailing date. ent must furnish a notice ent, and until the disagree ed by the recipient are at	budget period of he recipient der ailing date; or 2) If the recipient do of disagreement ement is resolve its own risk. Thi	costs incurred, up to monstrates its common not filing a notice of isagrees with the te t to the EPA Award d, the recipient sho	o and not mitment to carry of disagreement erms and Official within 21 ould not draw		
ISSUING OFF	CE (GRANTS MANAGEM	ENT OFFICE)		AWARD APPR	OVAL OFFICE			
ORGANIZATION / ADI	DRESS		ORGANIZATION / ADI	DRESS				
U.S. EPA, Region 9 Grants Branch, MSD-6 75 Hawthorne Street San Francisco, CA 941			U.S. EPA, Region 9 Water Division, WTR-1 75 Hawthorne Street San Francisco, CA 94105					
	THE UNITED ST		THE U.S. ENVIRONMEN	TAL PROTECT	ION			
AGENCY Digital signature applied by EPA Award Official Carolyn Truong - Grants Management Officer DATE 09/06/2019								

EPA Funding Information

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 945,000	\$ 945,000
EPA In-Kind Amount	\$	\$	\$ C
Unexpended Prior Year Balance	\$	\$	\$ C
Other Federal Funds	\$	\$	\$ C
Recipient Contribution	\$	\$ 315,000	\$ 315,000
State Contribution	\$	\$	\$ O
Local Contribution	\$	\$	\$ O
Other Contribution	\$	\$	\$ C
Allowable Project Cost	\$ 0	\$ 1,260,000	\$ 1,260,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.432 - State Public Water System Supervision	Safe Drinking Water Act: Sec. 1443(a)	2 CFR 200 2 CFR 1500 40 CFR 33 and 40 CFR 35 Subpart A

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
	1909W41004	19	E1	09L3	000B03	4118	-		945,0
									945,0

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Budget Summary Page	
Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$510,400
2. Fringe Benefits	\$299,600
3. Travel	\$0
4. Equipment	\$0
5. Supplies	\$122,130
6. Contractual	\$152,114
7. Construction	\$0
8. Other	\$5,000
9. Total Direct Charges	\$1,089,244
10. Indirect Costs: 20.30% Base MTDC	\$170,756
11. Total (Share: Recipient 25.00 % Federal 75.00 %.)	\$1,260,000
12. Total Approved Assistance Amount	\$945,000
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$945,000
15. Total EPA Amount Awarded To Date	\$945,000

45

Administrative Conditions

General Terms and Conditions

The recipient agrees to comply with the current EPA general terms and conditions available at: <u>https://www.epa.gov/grants/epa-general-terms-and-conditions-effective-october-1-2019-or-later</u> These terms and conditions are in addition to the assurances and certifications made as a part of the award and the terms, conditions, or restrictions cited throughout the award.

The EPA repository for the general terms and conditions by year can be found at: <u>http://www.epa.gov/grants/grant-terms-and-conditionshttps://www.epa.gov/grants/grant-terms-and-conditions</u>.

A. Federal Financial Reporting (FFR)

For awards with cumulative project and budget periods greater than 12 months, the recipient will submit an annual FFR (SF 425) covering the period from "project/budget period start date" to **September 30** of each calendar year to the EPA Finance Center in Research Triangle Park, NC. The FFR will be submitted electronically to <u>rtpfc-grants@epa.gov</u> no later than **December 30** of the same calendar year.

B. Procurement

The recipient will ensure all procurement transactions will be conducted in a manner providing full and open competition consistent with 2 CFR Part 200.319. In accordance 2 CFR Part 200.323 the grantee and subgrantee(s) must perform a cost or price analysis in connection with applicable procurement actions, including contract modifications.

State recipients must follow procurement procedures as outlined in 2 CFR Part 200.317.

C. Six Good Faith Efforts 40 CFR § 33, Subpart C /Contract Provisions /Bidders List

Pursuant to 40 CFR § 33.301, the recipient agrees to make the following good faith efforts whenever procuring construction, equipment, services and supplies under an EPA financial assistance agreement, and to require that sub-recipients, loan recipients, and prime contractors also comply. Records documenting compliance with the six good faith efforts shall be retained:

(a) Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local and Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.

(b) Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.

(c) Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.

(d) Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.

(e) Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.

- (f) If the prime contractor awards subcontracts, require the prime contractor to take the steps in paragraphs
- (a) through (e) of this section.

CONTRACT ADMINISTRATION PROVISIONS, 40 CFR § 33.302

The recipient agrees to comply with the contract administration provisions of 40 CFR § 33.302 (a)-(d) and (i).

BIDDERS LIST, 40 CFR § 33.501(b) and (c)

Recipients of a Continuing Environmental Program Grant or other annual reporting grant, agree to create and maintain a bidders list. Recipients of an EPA financial assistance agreement to capitalize a revolving loan fund also agree to require entities receiving identified loans to create and maintain a bidders list if the recipient of the loan is subject to, or chooses to follow, competitive bidding requirements. Please see 40 CFR § 33.501 (b) and (c) for specific requirements and exemptions.

D. Disadvantaged Business Enterprise (DBEs) - UTILIZATION OF SMALL, MINORITY AND WOMEN'S BUSINESS ENTERPRISES

GENERAL COMPLIANCE, 40 CFR Part 33

The recipient agrees to comply with the requirements of EPA's Disadvantaged Business Enterprise (DBE) Program for procurement activities under assistance agreements, contained in 40 CFR Part 33 except as described below based upon the associated class deviation.

EPA MBE/WBE CERTIFICATION, 40 CFR Part 33, Subpart B

A class exception to the following provisions of Subpart B of 40 CFR Part 33 has been issued suspending the EPA MBE/WBE certification program: §33.204(a)(3) providing that an entity may apply to EPA MBE or WBE certification after unsuccessfully attempting to obtain certification as otherwise described in §33.204; and §33.205 through and including §33.211. The class exception was authorized pursuant to the authority in 2 CFR §1500.3(b).

FAIR SHARE OBJECTIVES, 40 CFR Part 33, Subpart D

A class exception to the entire Subpart D of 40 CFR Part 33 has been authorized pursuant to the authority in 2 CFR §1500.3(b). Notwithstanding Subpart D of 40 CFR Part 33, recipients are not required to negotiate or apply fair share objectives in procurements under assistance agreements.

E. MBE/WBE Reporting

General Compliance, 40 CFR Part 33, Subpart E – Reporting Condition

This award meets the conditions below and, henceforth, is subject to Disadvantaged Business Enterprise (DBE) Program reporting requirements based on EPA's review of the planned budget. Conversely, the recipient must submit to the <u>GrantsRegion9@epa.gov</u> a justification and budget detail within 21 days of the award date demonstrating that this award is not subject to the DBE reporting requirements.

MBE/WBE reports from grantees are required annually for assistance agreements where there are funds budgeted for procuring construction, equipment, services and supplies, including funds budgeted for direct procurement by the recipient or procurement under subawards or loans in the "Other" category, that exceed the Simplified Acquisition Threshold as defined by the Federal Acquisition Regulation (currently set at \$250,000), including amendments and/or modifications.

<u>The recipient agrees to complete and submit a "MBE/WBE Utilization under Federal Grants, Cooperative agreements" report (EPA Form 5700-52A) on an annual basis.</u> All procurement actions that are reportable, not just that portion which exceeds the Simplified Acquisition Threshold.

When completing the annual report, recipients are instructed to check the box titled "annual:" in section 1B of the form. For the final report, recipients must check the box indicated for the "last report" of the project in section 1B of the form. Annual reports are due by October 30th of each year. Final reports are due by October 30th or 90 days after the end of the project period, whichever comes first.

The reporting requirement is based on total procurements. Recipients with expended and/or budgeted funds for procurement are required to report annually whether the planned procurements take place during the reporting period or not. If no budgeted procurements take place during the reporting period, the recipient should check the box in section 5B when completing the form.

MBE/WBE reports should be sent to <u>GrantsRegion9@epa.gov</u> and assigned EPA Grants Specialist. The current EPA Form 5700-52A is located at <u>https://www.epa.gov/grants/epa-form-5700-52a-united-states-environmental-protection-agency-minority-business</u>.

This provision represents an approved deviation from the MBE/WBE reporting requirements as described in 40 CFR, Part 33, Section 33.502.

Programmatic Conditions

a]. Performance Reporting and Final Performance Report

Performance Reports – Content

In accordance with 2 CFR 200.328, the recipient agrees to submit performance reports that include brief information on each of the following areas: 1) A comparison of actual accomplishments to the outputs/outcomes established in the assistance agreement work plan for the period; 2) The reasons why established outputs/outcomes were not met; and 3) Additional pertinent information, including, when appropriate, analysis and explanation of cost overruns or high-unit costs.

The recipient agrees to inform EPA as soon as problems, delays, or adverse conditions which will materially impair the ability to meet the outputs/outcomes specified in the assistance agreement work plan are known.

For State Categorical Program Grants Only: Interim performance and final progress reports must prominently display the three Essential Elements for state work plans: 1) Strategic Plan Goal; (2) Strategic Plan Objective; and (3) Workplan Commitments plus time frame.

Performance Reports - Frequency

The recipient agrees to submit semi-annual performance reports electronically to the EPA Project Officer within 30 days after each reporting period ends *(see workplan for specific dates)*. The final report is due 90 days after the end of the project period.

b]. Cybersecurity

(a) The recipient agrees that when collecting and managing environmental data under this assistance agreement, it will protect the data by following all applicable State law cybersecurity requirements.

(b) (1) EPA must ensure that any connections between the recipient's network or information system and EPA networks used by the recipient to transfer data under this agreement, are secure. For purposes of this Section, a connection is defined as a dedicated persistent interface between an Agency IT system and an external IT system for the purpose of transferring information. Transitory, user-controlled connections such as website browsing are excluded from this definition.

If the recipient's connections as defined above do not go through the Environmental Information Exchange Network or EPA's Central Data Exchange, the recipient agrees to contact the EPA Project Officer (PO) and work with the designated Regional/Headquarters Information Security Officer to ensure that the connections meet EPA security requirements, including entering into Interconnection Service Agreements as appropriate. This condition does not apply to manual entry of data by the recipient into systems operated and used by EPA's regulatory programs for the submission of reporting and/or compliance data.

(b)(2) The recipient agrees that any subawards it makes under this agreement will require the subrecipient to comply with the requirements in (b)(1) if the subrecipient's network or information system is connected to EPA networks to transfer data to the Agency using systems other than the Environmental

Information Exchange Network or EPA's Central Data Exchange. The recipient will be in compliance with this condition: by including this requirement in subaward agreements; and during subrecipient monitoring deemed necessary by the recipient under 2 CFR 200.331(d), by inquiring whether the subrecipient has contacted the EPA Project Officer. Nothing in this condition requires the recipient to contact the EPA Project Officer on behalf of a subrecipient or to be involved in the negotiation of an Interconnection Service Agreement between the subrecipient and EPA.

c]. Quality Assurance

In accordance with 2 CFR 1500.11, the recipient must develop and implement quality assurance and quality control procedures, specifications and documentation that are sufficient to produce data of adequate quality to meet project objectives. Recipients implementing environmental programs within the scope of the assistance agreement must submit to the EPA Project Officer an approvable Quality Assurance Project Plan (QAPP) at least <u>60 days</u> prior to the initiating of data collection or data compilation. The Quality Assurance Project Plan (QAPP) is the document that provides comprehensive details about the quality assurance, quality control, and technical activities that must be implemented to ensure that project objectives are met. Environmental programs include direct measurements or data generation, environmental modeling, compilation of date from literature or electronic media, and data supporting the design, construction, and operation of environmental technology. The QAPP should be prepared in accordance with <u>EPA QA/R-5: EPA Requirements for Quality Assurance</u> <u>Project Plans</u>.

No environmental data collection or data compilation may occur until the QAPP is approved by the EPA Project Officer and Quality Assurance Regional Manager. When the recipient is delegating the responsibility for an environmental data collection or data compilation activity to another organization, the EPA Regional Quality Assurance Manager may allow the recipient to review and approve that organization's QAPP. Additional information on these requirements can be found at the EPA Office of Grants and Debarment Web Site: https://www.epa.gov/grants/implementation-quality-assurance-requirements-organizations-receiving-epa-financial. Contact the Region 9 QA Office at 415-972-3431.

d]. Competency of Organizations Generating Environmental Measurement Data

Following EPA Policy Directive Number FEM-2012-02, recipient agrees to demonstrate competency of any laboratory carrying out any activities involving the generation of environmental data on its behalf. Laboratory competency shall be maintained for the duration of the project period of this agreement and documented during the annual reporting process. A copy of the Policy is available online at https://www.epa.gov/measurements

END OF DOCUMENT

Grant Payments



Proper Payment Drawdown

As required by <u>2 CFR 200.305(b)</u>, EPA now requires that recipients of EPA financial assistance participate in the Automated Standard Application for Payments (ASAP) system. Recipients must only draw funds for the minimum amounts needed for actual and immediate cash, requirements to pay employees, contractors, subrecipients or to satisfy other obligations for allowable costs under the assistance agreement. The timing and amounts of the drawdowns must be as close as administratively feasible to actual disbursement of EPA funds. Disbursement within 5 business days of the drawdown will materially comply with this requirement. Excess funds drawdown not meeting this requirement should be returned to EPA. If a recipient draws down funds in excess of the allowed amount, the recipient must contact EPA's Research Triangle Park Finance Center at rtpfc-grants@epa.gov for instructions on how to return the funds to EPA. Note that enrolling in ASAP provides recipients with access to their funds even if EPA is not fully operating due to a lapse of EPA appropriations or EPA financial system upgrades and recipients must continue to comply with the 5business day disbursement requirement in these situations. Unless a waiver has been approved by EPA, all recipients must be enrolled or enroll in ASAP to receive payments.

To enroll in ASAP, please complete the <u>ASAP Initiate Enrollment</u> <u>Form</u> and email it to <u>rtpfc-grants@epa.qov</u>. Once enrolled, recipients can access ASAP at <u>www.asap.gov</u> to request payments. The ASAP payment process is designed to provide federal funds to a recipient organization within 48 hours.

21 CALENDAR DAYS

The recipient accepts conditions of the award agreement by drawing down funding. If the recipient disagrees with the terms and conditions or do not wish to accept EPA funding, the authorized representative must send a notice of disagreement to the EPA Award Official within 21 days of the award mailing date through EPA Region 9's email address: <u>GrantsRegion9@epa.gov</u>

INSTRUCTIONS FOR MAKING PAYMENTS OR RETURNING FUNDS

Instructions on how to make a payment to EPA/Returning funds to EPA are located at: <u>https://www.epa.gov/financial</u>. Further information on various types of payments can also be found at this link.

RAIN-2018-G06

EPA Requirements for Enrolling in the Automated Standard Application for Payments (ASAP) System and Disbursing EPA Funds Within 5 business Days of Drawdown

Notification Date: September 21, 2018

Purpose: This Recipient/Applicant Information Notice (RAIN) informs recipients and applicants of EPA's policy regarding the use of the ASAP system and disbursing funds promptly.

Summary: EPA now requires that recipients of EPA financial assistance participate in the Automated Standard Application for Payments (ASAP) system. EPA also requires that recipients (other than states) disburse substantially all funds within 5 business days of drawing down the funds from EPA.¹ Recipients may not retain more than 5% of the amount drawn down, or \$1,000 whichever is less, 5 business days after drawdown to materially comply with the standard. If a recipient draws down funds in excess of the allowed amount, the recipient must contact EPA's Research Triangle Park Finance Office at rtpfc-grants@epa.gov for instructions on whether to return the funds to EPA. Note that enrolling in ASAP provides recipients with access to their funds even if EPA is not fully operating due to a lapse of EPA appropriations or EPA financial system upgrades and recipients must continue to comply with the 5-business day disbursement requirement in these situations.

Both policy requirements are implemented in <u>EPA's General Terms and Conditions</u> for new awards as well as supplemental and incremental funding actions on or after October 1, 2018. This requirement does not apply to no-cost actions, direct stipend payments to Fellows under <u>40</u> <u>CFR 46.200(b)</u>, or to recipients exempt from electronic funds transfer payment requirements under <u>31 CFR 208.4</u>.

Applicants or recipients who cannot satisfy one or both requirements may request exceptions to these requirements prior to or after award if they demonstrate that compliance will impose undue administrative or financial management burdens on the recipient or that granting the waiver is otherwise in the public interest.

The exceptions, if granted, will be effective for the life of the assistance agreement(s) covered by the request and may be subject to conditions. To request an exception, please see the Exception Instructions below.

Background: Over 95% of EPA financial assistance recipients are currently enrolled in ASAP - EPA's preferred payment mechanism since 1998. This payment method provides faster distribution of funds and allows recipients to more easily track funds than the manual Automated Clearing House (ACH) Payment method. Recipients enrolled in ASAP may be able to drawdown approved funds when EPA is making upgrades to financial management systems or during lapses of EPA appropriations. Recipients using the ACH or other payment systems are

¹For the purposes of this policy, the term "state" includes any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any agency or instrumentality thereof exclusive of local governments.

unable to drawdown funds electronically in these situations and must make alternate arrangements that are burdensome for both recipients and EPA.

While the regulations at <u>2 CFR 200.305(b)</u> require that recipients minimize the time elapsing between drawing down EPA funds and disbursing the funds for allowable costs, there have been misunderstandings about this requirement in the context of audits and other reviews. EPA actions to recover funds that were not disbursed in a timely manner can adversely impact recipients. EPA policy sets a nationally consistent 5 business day disbursement standard.

Policy Exception Instructions

Applicants or recipients may request exceptions to the ASAP enrollment or 5-business day from drawdown disbursement requirements described in EPA's General Terms and Conditions if they demonstrate that compliance places an undue administrative or financial management burden or EPA determines that granting the exception is in the public interest.

The exceptions, if granted, will be effective for the life of the assistance agreement(s) covered by the request and may be subject to conditions. Exception requests must be submitted in writing to the National Policy, Training and Compliance Division of EPA's Office of Grants and Debarment (OGD) at <u>OGDWaivers@epa.gov</u>. The email subject should be "ASAP Requirements Exception Request" or "5 Business Day Disbursement Exception Request," depending on the nature of the request, and the body of the email must include the following information:

- Funding Opportunity Number (FON) (if available)
- Organization Name and DUNS/Universal Identifier
- Organization's Contact information
- Explanation of the inability of the organization to utilize the Automated Standard Application for Payments (ASAP) system and/or to disburse EPA funds within 5 business days

OGD will generally respond to the request in writing within 15 calendar days of receipt although a longer response time may be necessary depending on the complexity of the matter and staffing considerations. If the ASAP Policy Waiver Request and/or 5 Business Day Disbursement Policy Waiver Request is granted, the applicant will receive documentation that their waiver is approved and that it applies to the life of the EPA assistance agreement. The applicant should maintain a copy of the waiver approval in their official grant file.

Timekeeping



The recipient's personnel payroll and records system must be capable of providing reports on the activities of each employee who works directly on a grant. Charges to federal awards for salaries and wages must be based on records that accurately reflect the work performed.

Activity reports are typically signed by the individual employee and/or by a responsible supervisory official having first-hand knowledge of the activities performed by an employee. The supervisor should be able to certify that the distribution of activity represents a reasonable estimate of the actual work performed by the employee during the periods covered by the reports. Reports are typically prepared at least monthly and must coincide with one or more pay periods.

Managing Payroll Information

Recipients are encouraged to use timesheets or personnel activity reports as a best practice but does not require them if the recipient's payroll system provides adequate support for charging personnel costs to EPA grants. Reports must also reflect an after-the-fact determination of the actual activity of each employee.

Recipients are responsible for ensuring that payroll costs are reasonable. In general, this responsibility means that the salaries and wages paid for work on the grant must be consistent with what the recipient's organization pays for similar work under other projects.

Payroll Records Must:

- Be supported by a system of internal controls that provides reasonable assurance that the charges are accurate, allowable and properly allocated.
- Be incorporated into the organization's official documentation.
- Reasonably reflect the total activity for which an employee is compensated.
- Encompass both federally-assisted and all other activities compensated by the organization on an integrated basis.
- Comply with the organization's established accounting policies and practices.

In-depth Information on How to Record and Charge Payroll Costs



2 CFR 200 Code of Federal Regulations

<u>§200.430</u> Compensation—personal <u>services.</u>

The Federal Financial Report (Standard Form 425)

The Federal Financial Report (FFR) is a reporting requirement throughout the grant's lifecycle. The submission of annual/interim FFR is on an annual basis as directed by the terms and conditions of the grant agreement. The following reporting period end dates shall be used for the annual/interim reports: 9/30 (reporting period of 07/01-06/30) or 12/31 (reporting period of 10/01-09/30). Separately, the final FFR must be submitted at project completion to EPA's Research Triangle Park Finance Center (RTPFC) via email no later than 90 calendar days after the project period end date.

Filing the Federal Financial Report

Grant recipients must complete and submit to EPA's Research Triangle Park Finance Office (RTPFC) the FFR which is used to report on the financial progress of grants. The frequency of submitting the FFR is specified in the grant terms and conditions.



The next pages present a snapshot of the Standard Form 425 and the numbered sections corresponding to required fields and the instructions.





Recipients must submit a final FFR no later than 90 days after a grant has ended.

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	o. Unexpended program income (lir	ne I minus line m or line n)		0.00

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Federal Financial Report Instructions

Report Submissions

- 1) Recipients will be instructed by Federal agencies to submit the *Federal Financial Report (FFR)* to a single location, except when an automated payment management reporting system is utilized. In this case, a second submission location may be required by the agency.
- 2) If recipients need more space to support their *FFRs*, or *FFR* Attachments, they should provide supplemental pages. These additional pages must indicate the following information at the top of each page: Federal grant or other identifying number (if reporting on a single award), recipient organization, Data Universal Numbering System (DUNS) number, Employer Identification Number (EIN), and period covered by the report.

Reporting Requirements

- 1) The submission of interim *FFRs* will be on a quarterly, semi-annual, or annual basis, as directed by the Federal agency. A final *FFR* shall be submitted at the completion of the award agreement. The following reporting period end dates shall be used for interim reports: 3/31, 6/30, 9/30, or 12/31. For final *FFRs*, the reporting period end date shall be the end date of the project or grant period.
- 2) Quarterly and semi-annual interim reports shall be submitted no later than 30 days after the end of each reporting period. Annual reports shall be submitted no later than 90 days after the end of each reporting period. Final reports shall be submitted no later than 90 days after the project or grant period end date.

Note: For single award reporting:

1) Federal agencies may require both cash management information on lines 10(a) through 10(c) and financial status information lines 10(d) through 10(o).

2) 10(b) and 10(e) may not be the same until the final report.

Line item instructions for the Federal Financial Report					
Reporting Item	Instructions				
formation	×				
Federal Agency and	Enter the name of the Federal agency and organizational element				
Organizational Element to id	dentified in the award document or as instructed by the agency.				
Which Report is Submitted					
Federal Grant or Other	For a single award, enter the grant number assigned to the award by the				
Identifying Number	Federal agency. For multiple awards, report this information on the FFR				
Assigned by Federal	Attachment. Do not complete this box if reporting on multiple awards.				
Agency					
Recipient Organization	Enter the name and complete address of the recipient organization				
	including zip code.				
DUNS Number	Enter the recipient organization's Data Universal Numbering System				
	(DUNS) number or Central Contract Registry extended DUNS number.				
EIN	Enter the recipient organization's Employer Identification Number (EIN).				
Recipient Account Number	Enter the account number or any other identifying number assigned by the				
or Identifying Number	recipient to the award. This number is for the recipient's use only and is				
	not required by the Federal agency. For multiple awards, report this				
	Reporting ItemIformationFederal Agency andOrganizational Element to idWhich Report is SubmittedFederal Grant or OtherIdentifying NumberAssigned by FederalAgencyRecipient OrganizationDUNS NumberEINRecipient Account Number				

Line Item Instructions for the Federal Financial Report

FFR Number	Reporting Item	Instructions
i vuino ei		information on the FFR Attachment. Do not complete this box if
		reporting on multiple awards.
6	Report Type	Mark appropriate box. <i>Do not complete this box if reporting on multiple awards</i> .
7	Basis of Accounting (Cash/Accrual)	Specify whether a cash or accrual basis was used for recording transactions related to the award(s) and for preparing this FFR. Accrual basis of accounting refers to the accounting method in which expenses are recorded when incurred. For cash basis accounting, expenses are recorded when they are paid.
<mark>8</mark>	Project/Grant Period, From: (Month, Day, Year)	Indicate the period established in the award document during which
		Note: Some agencies award multi-year grants for a project period that is funded in increments or budget periods (typically annual increments). Throughout the project period, agencies often require cumulative reporting for consecutive budget periods. Under these circumstances, enter the beginning and ending dates of the project period not the budget period.
		Do not complete this line if reporting on multiple awards.
	Project/Grant Period, To: (Month, Day, Year)	See the above instructions for "Project/Grant Period, From: (Month, Day, Year)."
9	Reporting Period End Date: (Month, Day, Year)	Enter the ending date of the reporting period. For quarterly, semi-annual, and annual interim reports, use the following reporting period end dates: 3/31, 6/30, 9/30, or 12/31. For final <i>FFR</i> s, the reporting period end date shall be the end date of the project or grant period.
10	Transactions	
	Enter cumulative amounts reporting period specified i	, Lines 10d through 10o, or Lines 10a through 10o, as specified by the
	-	provide any information deemed necessary to support or explain FFR data.
		grants, also use FFR Attachment)
10a	Cash Receipts	Enter the cumulative amount of actual cash received from the Federal agency as of the reporting period end date.
10b	Cash Disbursements	Enter the cumulative amount of Federal fund disbursements (such as cash or checks) as of the reporting period end date. Disbursements are the sum of actual cash disbursements for direct charges for goods and services, the amount of indirect expenses charged to the award, and the amount of cash advances and payments made to subrecipients and contractors.
		For multiple grants, report each grant separately on the <i>FFR</i> Attachment. The sum of the cumulative cash disbursements on the <i>FFR</i> Attachment must equal the amount entered on Line 10b, <i>FFR</i> .
10c	Cash On Hand (Line 10a	Enter the amount of Line 10a minus Line 10b. This amount represents
	Minus Line 10b)	immediate cash needs. If more than three business days of cash are on hand, the Federal agency may require an explanation
		L

FFR Number	Reporting Item	Instructions
		on Line 12, Remarks, explaining why the drawdown was made prematurely or other reasons for the excess cash.
Federal awards.	Expenditures and Unoblig	ated Balance: Do not complete this section if reporting on multiple
10d	Total Federal Funds Authorized	Enter the total Federal funds authorized as of the reporting period end date.
	Federal Share of Expenditures	Enter the amount of Federal fund expenditures. For reports prepared on a cash basis, expenditures are the sum of cash disbursements for direct charges for property and services; the amount of indirect expense charged; and the amount of cash advance payments and payments made to subrecipients. For reports prepared on an accrual basis, expenditures are the sum of cash disbursements for direct charges for property and services; the amount of indirect expense incurred; and the net increase or decrease in the amounts owed by the recipient for (1) goods and other property received; (2) services performed by employees, contractors, subrecipients, and other payees; and (3) programs for which no current services or performance are required. Do not include program income expended in accordance with the deduction alternative, rebates, refunds, or other credits. (Program income expended in accordance with the deduction alternative should be reported separately on Line 100.)
10f	Federal Share of Unliquidated Obligations	Unliquidated obligations on a cash basis are obligations incurred, but not yet paid. On an accrual basis, they are obligations incurred, but for which an expenditure has not yet been recorded. Enter the Federal portion of unliquidated obligations. Those obligations include direct and indirect expenses incurred but not yet paid or charged to the award, including amounts due to subrecipients and contractors. On the final report, this line should be zero unless the awarding agency has provided other instructions. Do not include any amount in Line 10f that has been reported in Line 10e. Do not include any amount in Line 10f for a future commitment of funds (such as a long-term contract) for which an obligation or expense has not been incurred.
<mark>10g</mark>	Total Federal Share (Sum of Lines 10e and 10f)	Enter the sum of Lines 10e and 10f.
10h	Unobligated Balance of Federal Funds (Line 10d Minus Line 10g)	Enter the amount of Line 10d minus Line 10g.
		his section if reporting on multiple awards.
10i	Total Recipient Share Required	Enter the total required recipient share for reporting period specified in line 9. The required recipient share should include all matching and cost sharing provided by recipients and third-party providers to meet the level required by the Federal agency. This amount should not include cost sharing and match amounts in excess of the amount required by the Federal agency (for example, cost overruns for which the recipient incurs additional expenses and, therefore, contributes a greater level of cost

FFR Number	Reporting Item	Instructions
		sharing or match than the level required by the Federal agency).
<u>10j</u>	Recipient Share of Expenditures	Enter the recipient share of actual cash disbursements or outlays (less any rebates, refunds, or other credits) including payments to subrecipients and contractors. This amount may include the value of allowable third party in-kind contributions and recipient share of program income used to finance the non-Federal share of the project or program. Note: On the final report this line should be equal to or greater than the amount of Line 10i.
10k	Remaining Recipient Share	Enter the amount of Line 10i minus Line 10j. If recipient share in Line
	to be Provided (Line 10i	10j is greater than the required match amount in Line 10i, enter zero.
	Minus Line 10j)	
Program	57	this section if reporting on multiple awards.
101	Total Federal Program	Enter the amount of Federal program income earned. Do not report any
	Income Earned	program income here that is being allocated as part of the recipient's cost sharing amount included in Line10j.
10m	Program Income Expended	Enter the amount of program income that was used to reduce the Federal
	in Accordance With the	share of the total project costs.
	Deduction Alternative	
10n	Program Income Expended	Enter the amount of program income that was added to funds committed
	in Accordance With the	to the total project costs and expended to further eligible project or
	Addition Alternative	program activities.
100	Unexpended Program	Enter the amount of Line 101 minus Line 10m or Line 10n. This amount
	Income (Line 101 Minus	equals the program income that has been earned but not expended, as of
	Line 10m or Line 10n)	the reporting period end date.
11	Indirect Expense: Comple	te this information only if required by the awarding agency. Enter
	cumulative amounts from d period specified in line 9.	ate of the inception of the award through the end date of the reporting
<mark>11a</mark>	Type of Rate(s)	State whether indirect cost rate(s) is Provisional, Predetermined, Final, or Fixed.
11b	Rate	Enter the indirect cost rate(s) in effect during the reporting period.
11c	Period From; Period To	Enter the beginning and ending effective dates for the rate(s).
11d	Base	Enter the amount of the base against which the rate(s) was applied.
11e	Amount Charged	Enter the amount of indirect costs charged during the time period
		specified. (Multiply 11b. x 11d.)
11f	Federal Share	Enter the Federal share of the amount in 11e.
11g	Totals	Enter the totals for columns 11d, 11e, and 11f.
	s, Certification, and Agenc	
12	Remarks	Enter any explanations or additional information required by the Federal sponsoring agency including excess cash as stated in line 10c.
13a	Typed or Printed Name and	Enter the name and title of the authorized certifying official.
154	Title of Authorized	Litter are name and the of the authorized certifying official.
	Certifying Official	
13b	Signature of Authorized	The authorized certifying official must sign here.
	Certifying Official	
13c	Telephone (Area Code,	Enter the telephone number (including area code and extension) of the
12.1	Number and Extension)	individual listed in Line 13a.
13d	E-mail Address	Enter the e-mail address of the individual listed in Line 13a.

FFR Number	. Reporting Item	Instructions	
13e	Date Report Submitted	Enter the date the FFR is submitted to the Federal agency using the	
	(Month, Day, Year)	month, day, year format.	
14	Agency Use Only	This section is reserved for Federal agency use.	

Understanding the MBE/WBE Utilization Under Federal Grants (EPA Form 5700-52A)

If more than \$250,000 is budgeted for procuring supplies, equipment, construction or services, the grant agreement will include a term and condition that requires the submission of the EPA Form 5700-52A MBE/WBE (Minority Business Enterprise/Woman Business Enterprise Utilization Under Federal Grants and Cooperative Agreements.) The term and condition will also be included if the \$250,000 threshold includes subaward(s), too.

As specified in EPA's Disadvantaged Business Enterprises (DBE), recipients are required to consider qualified DBEs for contract work under grant projects. Recipients use EPA Form 5700-52A to document their efforts.



Recipients are required to make the following good faith efforts whenever procuring construction, equipment, services, and supplies under an EPA financial assistance agreement. A Native American recipient or prime contractor must follow the six good faith efforts only if doing so would not conflict with exiting Tribal or Federal law, including but not limited to the Indian Self-Determination and Education Assistance Act.

- 1. Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State, and Local Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
- 2. Make information on forthcoming opportunities available to DBEs, arrange time frames for contracts, and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates

participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.

- **3.** Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State, and Local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.
- 4. Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
- 5. Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.
- 6. If the prime contractor awards subcontracts, require the prime contractor to take the steps in items 1 through 5.



Requesting Changes to a Grant Agreement

If changes to the grant agreement become necessary for the project to succeed, contact the EPA Project Officer as soon as possible to discuss the changes. Be mindful that all changes must be within the scope of the grant agreement and the majority of changes must be approved by EPA. Even if a change does not specifically require approval by EPA, through regulation or the terms and conditions of the grant, it is good practice to communicate changes to avoid potential pitfalls.

Submitting a Change

Depending on the complexity of changes to a grant agreement, different steps may be required for the grant to comply with federal and EPA regulations. To request a change, submit to your EPA Project Officer and Grants Specialist a written request (email), including a justification for the proposed revisions.

Some types of changes require the prior approval of an authorized EPA official before they can be implemented, while other changes can be implemented without EPA's approval, but still require you to notify EPA. If changes to an award agreement are significant, a formal amendment may be necessary.

A formal grant amendment is required for certain types of changes, i.e., increase of federal funds and change in the budget/project period start and end dates. While other types of changes, such as a rebudgeting request, requires a written notification to the EPA Project Officer, with the EPA Grants Specialist copied to this request. The next pages provide various specific guidelines, along with a sample of an email request for a rebudgeting request.

Post Award Changes to Assistance Agreements

Requiring Prior Approval Under 2 CFR §200.308

APPLICABILITY	FORMAL AMENDMENT REQUIRED	PRIOR WRITTEN APPROVAL FROM EPA PROJECT OFFICER (2 CFR §200.308)	NO PRIOR APPROVAL REQUIRED (2 CFR §200.308)
TRIBES INTERTRIBAL	GRANT FUNDING: Revisions which will result in the need for additional funding GRANT EXTENSION: Extend period of performance or availability of funds (no cost extensions)	 Changes in key personnel i.e. Principal Investigator, Project Leader, Project Partner. Disengagement from the project for more than 3 months or 25% reduction in time devoted to the project by the approved Project Director or Principal Investigator. Transfer of amounts budgeted for indirect costs to absorb increases in direct costs or vice versa. 	 Incur pre-award costs 90 calendar days prior to award. Extend the expiration date of the award one time for up to 12 months. One-time extension may not be initiated if: Terms & conditions prohibit. Additional funds are required. Extension involves changes in the approved objectives or scope of the project.
CONSORTIA OR CONSORTIUM	OTHER TYPES OF CHANGES (for incorporation into next formal amendment):	Transfer of funds allotted for Training or	- Extending merely for using up unobligated balances.
STATES	 Changes in the scope or objective of the project with significant budget revisions. Changes in the scope or objective of the project with significant budget revisions. DVERNMENTS 	EXPIRATION DATES (AT LEAST 10 DAYS BEFORE THE EXPIRATION DATE SPECIFIED IN THE AWARD) <u>§200.458 Pre-award Costs</u> : - Pre-award costs must be included in application	
LOCAL GOVERNMENTS		 Applicant incurs pre-award costs at its own risk EPA will only allow pre-award costs without approval if there are sufficient programmatic reasons for incurring the expenditure prior to 	
NONPROFITS	 Changes in the approved cost share/match provided. Dreaward costs* 		award - Pre-award costs must conform with the appropriate costs principles and procurement must comply with requirements of 2 CFR Part 200
UNIVERSITIES	- rieawaru costs"		<u>§200.308 Revision of Budget and Program Plans</u> : - Recipient must use the same format for budget information that was used in the application unless awarding agency indicates a letter of request suffices.
		Changes in third-party services for central program activities (e.g., contractors performed majority of work).	- PO must notify the recipient whether budget revisions have been approved otherwise, inform recipient of the date when recipient may expect the decision.

POST AWARD CHANGES FOR STATES & LOCAL GOVERNMENTS

[For Continuing Environmental Program (CEP) Agreements Awarded Under 40 CFR Part 35, Subpart A **]

	FORMAL AMENDMENT	PRIOR WRITTEN APPROVAL	PRIOR APPROVAL NOT
	REQUIRED	REQUIRED FROM EPA	REQUIRED
	40 CFR §35.114(b)*	40 CFR §35.114(a)*	40 CFR §35.114(c)
APPLICABLE TO: - STATE AND LOCAL GOVERNMENT ** NOTE: This subpart does not supersede 2 CFR §200, Subpart E (Cost Principles) which identifies certain items of costs requiring prior approval.	 Revisions which will result in the need for additional funding Extend period of performance or availability of funds <u>NOTE</u>: Should recipients begin implementing a change before the formal amendment has been signed/approved by EPA, they do so at their own risk. EPA will notify recipients in writing if requested changes are disapproved. 	 Significant changes to workplan commitments and/or budget. NOTE: → "Significant" is not defined under this subpart. Therefore, recipients are encouraged to consult with the EPA Project Officer to determine "significant" and "insignificant" changes before changing the EPA-approved workplan. → Documentation of requests and approvals for changes or revisions, including associated budgets, is required. 	 Except for situations described in §35.114(a)* and (b)*, recipients do not need to obtain approval for changes, <u>unless</u> EPA determines that additional approval requirements should be imposed on a specific recipient, on a case-by-case basis. <u>NOTE</u>: EPA will notify specific recipients in writing or by term(s) and condition(s) contained within the assistance agreements, if additional EPA approval requirements are imposed.

POST AWARD CHANGES FOR TRIBES

(For Continuing Environmental Program (CEP) Agreements Awarded Under 40 CFR §35, Subpart B**)

APPLICABLE TO:	FORMAL AMENDMENT REQUIRED 40 CFR § 35.514(b)*	PRIOR WRITTEN APPROVAL REQUIRED FROM EPA 40 CFR § 35.514(a)*	PRIOR APPROVAL NOT REQUIRED 400 CFR § 35.514(c)
TRIBES	 Revisions which will result in the need for additional 	Prior written approval from the EPA Project Officer include:	Except for situations described in §35.514(a)* and (b)*, recipients do not
INTERTRIBAL CONSORTIA OR CONSORTIUM * * This subpart	funding Extend period of performance or availability of funds 	 <u>Significant</u> post-award changes to workplan commitments and/or budget. Increases in grant amounts Project period extensions 	need to obtain approval for changes, <u>unless</u> EPA determines that additional approval requirements should be imposed on a specific recipient, on a case-by-case basis.
does not supersede 2 CFR § 200, Subpart E (Cost Principles) which identifies certain items of costs requiring prior approval.	<u>NOTE</u> : Should recipients begin implementing a change before the formal amendment has been signed/approved by EPA, they do so at their own risk. EPA will notify recipients in writing if requested changes are disapproved.	 NOTE: ▶ "Significant" is not defined under this subpart. Therefore, recipients are encouraged to consult with the EPA Project Officer to determine "significant" and "insignificant" changes before changing the EPA-approved workplan. ▶ Documentation of requests and approvals for changes or revisions, including associated budgets, is required. 	<u>NOTE</u> : EPA will notify specific recipients in writing or by term(s) and condition(s) contained within the assistance agreements, if additional EPA approval requirements are imposed.
From: Recipient Program Manager
To: EPA Project Officer
Cc: EPA Grants Specialist, Recipient's Finance Officer
Subject: Recipient's Name: Grant Number, Budget Modification #1
Attached: Re-budget Request, Revised 424A
Dear Project Officer,

SAMPLE OF A REBUDGETING REQUEST

We are requesting that \$8,000 budgeted in Travel & Other be re- budgeted to the Equipment & Contractual expense categories because the amount we had to spend for the recycling composters was more than we had originally estimated. Based on our conversation earlier this month, we are requesting approval of this re-budget in order to support Tasks 3 and 4 of the workplan. Please see attached for our revised 424A.

Sincerely, Recipient Project Manager

From: EPA Project Officer
To: Recipient
Cc: EPA Grants Specialist, Recipient's Finance Officer
Subject: REPLY: Recipient's Name: Grant Number, Budget Modification #1

Dear Recipient's Program Manager,

I approve your request to re-budget \$8,000 in Travel & Other to the Equipment & Contractual category based on the justification you provided.

Sincerely, EPA Project Officer

		BUDGET INFORMATION	- Non-Construction Prog	GMB Approval No. 0348-0044		
		-	SECTION A - BUDGET SUMMARY	-		
Grant Program Catalog of Federal		Estimated Unobligated Funds		New or Revised Budget		
Function or Activity (a)	Domestic Assistance Number (b)	Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. PWSS	66.432	\$	\$	\$465,000	\$155,000	\$620,000
2.						
3.						
4.						
5. TOTALS				\$465,000	\$155,000	\$620,000
		1	SECTION B - BUDGET CATEGORIES	5		
6. OBJECT CLASS CAT	EGORIES					Total (5)
		(1) Old Budget	(2) Revised Budget	(3)	(4)	(3)
a. Personnel		\$310,993 65,308	310,993	\$	\$	
b. Fringe Benefits c. Travel		15,179	65,308 10,179			
d. Equipment		52,000	57,000			
e. Supplies		8,650	8,650			
f. Contractual		60,000	63,000			
g. Construction		0	0			
h. Other		13,795	10,795			
i. Total Direct Charg	ges (sum of 6a - 6h)	525,925	525,925			
j. Indirect Charges		94,075	94,075			
k. TOTALS (sum of 6i and 6j)		620,000	620,000			
7. Program Income		\$	\$	\$	\$	\$

SAMPLE - REBUDGET

Managing Unspent (Unexpended/Unobligated) Grant Funds

Regular and timely submissions of an annual (interim) Federal Financial Report and Progress Reports are integral requirements of an EPA grant agreement. EPA Project Officers and Grants Specialists review these reports to confirm that the amount of funds expended under the grant align to the technical and administrative requirements of the grant's terms and conditions. In situations when a reconciliation is required between project tasks completed versus unexpended funds, a discussion with the EPA Project Officer should be initiated. Determine whether the grant outputs and outcomes specified in the work plan are being achieved. If a discrepancy exists between unspent funds within the grant's lifecycle, action steps are required.



- 1. All funds & expenses are tracked cumulatively until the grant end date: 9/30/2021.
 - a. If Year 1 activities are <u>completed</u> and funds <u>unspent</u>, the recipient should contact the EPA Project Officer on how funds can be used for other activities approved in the workplan within the start and end dates of the grant.
 - b. If Year 1 activities are <u>NOT completed</u> and funds <u>unspent</u>, the recipient should contact the EPA Project Officer on how the activities should be completed and funds spent in the following year -- but before the grant ends in 9/30/2021.
 - c. If Year 2 activities are behind based on the project schedule, the recipient and EPA Project Officer should discuss how best to complete the activities by the grant end date and/or revise the workplan with realistic, concrete activities to complete by the grant end date.
- 2. By the end of the grant (9/30/2021), all workplan tasks should be completed. The final federal financial report SF425 should be submitted to the EPA Research Triangle Park Finance Center (RTPFC) by 12/30/2021.
- 3. Once the EPA-RTPFC receives the final federal financial report, any unobligated balances (unspent funds) reported on the final federal financial form will be de-obligated.
- 4. NOTE: At the end of the grant, workplan activities and the funds spent should match up. If certain workplan activities have not been completed due to unforeseen circumstances, the recipient and the EPA Project Officer must discuss the status of these workplan activities and whether the funds spent agree with workcompleted.

Keeping Records of the Grant's Financial Transactions

Costs incurred under a grant must be supported by "source documentation," such as invoices, receipts, bills, online transaction confirmations, and other items. In addition to recording financial transactions in the recipient's accounting system, records must be maintained to support those transactions. The EPA, including the Office of Inspector General (OIG), periodically examines assistance agreements to ensure that grant funds are being used efficiently and effectively. Such audits may involve assessing the allowability of grant costs and compliance with grant requirements, terms and conditions. Setting up a comprehensive and organized grant file will greatly facilitate responses to an audit, including any Administrative Advanced Monitoring (AAM) reviews, by which the recipient's drawdowns are compared with back-up documentation to confirm that funds were spent on allowable costs and that they were properly allocated to thegrant.

AREA OF COST	Supporting Source Documentation Applies to all Federal <u>and</u> Non-Federal (Cost Share) Costs (dates of service or goods purchased should appear on all documentation)
Personnel / Payroll (Includes Fringe Benefits)	 Time/Attendance Records - Time sheets Time/Attendance Amendments Worksheet showing fringe benefit calculations (if not calculated by accounting system) Proof of payment (copies of checks or bank statements)
Travel	 Authorization (including purpose of trip) Travel voucher showing: Approval signatures, as required Starting point & destination Transportation method Number & names of persons on trip Receipts (airline, hotel, etc.) Proof of payment (copies of checks or bank statements)
Equipment / Supplies	 Authorization to purchase item Hourly records of equipment use (if applicable) Invoice from vendor Receipt of item & approval of invoice Proof of payment (copies of checks or bank statements)
Contractor Services	 Signed contract Contractor's invoices (include date of service) Receipt & approval of invoices Proof of payment (copies of checks or bank statements)
Cost / Price Analysis (2 CFR §200.323)	 Documents supporting cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold (currently set at \$250,000) including contract modifications.
Other (i.e., training/ tuition, phones, repairs, subawards, etc)	 Travel vouchers, etc. (see "Travel" above) Receipts (airline, hotel, tuition, etc.) Copies of phone bills, other invoices Copies of awards Proof of all payments (copies of checks or bank statements)
Indirect Costs (Overhead)	 Indirect cost rate proposal submitted to Cognizant Federal Agency Indirect Cost Rate Agreement



GRANT CLOSEOUT (CLOSURE)

What's a Grant Closeout?

Closeout refers to the process EPA uses to determine that a recipient has completed all the required technical work under a grant and confirm that all applicable financial and administrative requirements have been met. Per federal grant regulations (2 CFR § 200.343), the non-Federal entity must submit, no later than 90 calendar days after the end date of the period of performance, all financial, performance, and other reports as required by the terms and conditions of the Federal award unless EPA agrees to a time extension. The closeout process involves three separate offices: Research Triangle Park Finance Center (RTPFC), the EPA Regional Program Office, and the EPA Regional Grants Branch. RTPFC reviews the final FFR and reconciles it against the recipient's drawdowns. The Program Office certifies that the technical work has been completed, work plan requirements met, and compliance with program terms and conditions. The Grants Branch receives a copy of the final FFR from RTPFC, the Project Officer's closeout certification, and any outstanding reports from the recipient for review and completion of the administrative grant closeout. The grant is closed when all three EPA offices complete their portion.

List of Required Documents to be Submitted for Closeout:

- ✓ Final Federal Financial Report (FFR) Standard Form 425 due within 90 days after grant end date
- ✓ Final Progress Report (Final Technical & Performance Report) due within 90 days after grant enddate
- ✓ Personal Property Report and Disposition Instructions (if applicable)
- ✓ Final MBE/WBE (Minority/Women-Owned Business Enterprise Form 5200-52A) (if applicable)
- ✓ Any additional report or deliverables under the terms and conditions of the award due within 90 days after grant end date

CLOSING OUT THE EXPIRED GRANT: THE PROCESSING OF THE FINAL FEDERAL FINANCIAL REPORT (FFR)

- 1. RTPFC may send a final FFR reminder within 30 calendar days after the grant expires.
 - a. If final FFR is not received within 90 days after the grant expires, RTPFC may send a "2nd Notice-Overdue FFR" email to the recipient (ASAP automatically locks the account associated with the expired grant).
 - b. If final FFR is still not received by 30 days of date of 2nd Notice, RTPFC may contact the recipient by phone.
 - c. RTPFC will forward the issue to the EPA Grants Specialist, who will then follow up with the recipient if the final FFR remains unsubmitted.
- 2. RTPFC reviews the final FFR for accuracy and reconciles it against the recipient's drawdowns. If RTPFC finds a problem, the recipient will be contacted.
- 3. RTPFC forwards copy of final FFR to the EPA Grants Specialist and Project Officer.
- 4. EPA Project Officer certifies to the Grants Specialist that the technical work has been completed, work plan requirements and any program conditions have been meet. EPA Grants Specialist verifies that administrative conditions were met.
- 5. Grant is officially closed out with the EPA.

Equipment Disposition Requirements for Non-Superfund Grants



Under 2 CFR 200.33, Equipment is defined as tangible personal property that has a (1) useful life of more than 1 year and (2) a unit acquisition cost of \$5,000 or more. After a grant expires, grant recipients may continue using equipment on the project originally funded through the grant and/or other federally funded projects, regardless of whether the program or project continues to be supported by federal grants. However, EPA may provide alternate disposition instructions in a term and condition stipulated in the official award document or at closeout. The table below lists the disposition requirements for states and tribal/local government, institutions of higher education and other non-profit organizations.

RECIPIENT	DISPOSITION CATEGORY	OBLIGATION TO EPA	
STATES	Determined by State Law and Procedures	None 2 CFR §200.313 (b)	Acquisition cost of \$5,000 and more per
INDIAN TRIBES, LOCAL GOVERNMENTS, INSTITUTIONS OF HIGHER	1) Equipment with Fair Market Value of Less Than \$5,000	None. Recipients may retain, sell or otherwise dispose of the equipment with no further obligation to EPA. 2 CFR §200.313 (e)(1)	unit, and a useful life of more than 1 year.
EDUCATION & OTHER NON- PROFIT ORGANIZATIONS	2) Equipment with Fair Market Value of More than \$5,000	When no longer used for original project or program or for other activities currently or previously supported by a Federal awarding agency, the Recipient may retain or sell the equipment, but EPA is entitled to an amount that is	See full Definition of Equipment in 2 CFR 200.33: A useful life of more than 1 year, and a unit acquisition cost of \$5,000 or more.
		calculated by multiplying the current market value or proceeds from a sale by EPA's percentage of participation in the cost of the original purchase. Recipient should contact the EPA Project Officer to confirm proper disposition of equipment purchased with EPA funds. 2 CFR §200.313 (c-e)	

Record Retention Requirements

(EPA Grants except Superfund Cooperative Agreements)



Recipients should set up at the beginning of the project a grant project file to maintain relevant financial and programmatic information. Financial records, supporting documents, and all other records pertinent to a federal award must be retained for at least 3 years from the date the final Federal Financial Report is submitted. Some grant programs require longer retention periods. For example, the Superfund cooperative agreement's record retention is 10 years per 40 CFR §35.6705(b) & (d). Check 2 CFR §200.333 for full list of exceptions.

TYPE OF RECORD	LENGTH OF RETENTION	APPLICABLE GRANT REGULATIONS
GRANT RECIPIENT RECORDS (all financial, program, and other records which support or are pertinent to assistance agreement or to grant	Records must be retained for three (3) years from the date of submission of the final expenditure report. There are a few exceptions to the record retention period: You may need to keep the records longer if any litigation, claim, negotiation, audit or other action involving	2 CFR §200.333
regulations)	claim, negotiation, audit or other action involving the records started before the record retention period expired. The records must be retained until the action has been	
	completed and all issues that arise from it are resolved, or until the end of the regular 3-year period, whichever is later. You must keep records for real property and equipment acquired with federal funds for three years after the final	
	disposition of the property.	
RECORDS MAINTAINED BY GRANT RECIPIENTS' CONTRACTOR	Retention of all required records for three years after recipients or subrecipients make final payments and all other pending matters are closed.	

ACCESS- TO- RECORDS 2 CFR § 200.336: The federal awarding agency, the Office of the Inspector General, the Comptroller General of the United States and the pass-through entity, or any of their authorized representatives, must have the right of access to any documents, papers, or other transcripts. The right also includes timely and reasonable access to the non-Federal entity's personnel for the purpose of interview and discussion related to such documents.

The rights of access in this section are not limited to the required retention period, but last as long as the records are retained. Federal awarding agencies and pass-through entities must not impose any other access requirements upon non-Federal entities.

Tips for Achieving Financial & Administrative Management Success

with an EPA Grant

This section provides key points and tips for achieving success in complying with all three phases of the EPA grant funding cycle (Preaward, Postaward, and Closeout). Individuals involved in the preparation and submission, including the financial and administrative management of an EPA grant, will find these tips particularly useful in performing self-assessment checkmarks for complying with each stage of their EPA grants.

GENERAL: The Grant's Qualifying Funding Requirements

□ EPA Grants website: <u>https://www.epa.gov/grants</u>

EPA Grants Management Training for Applicants and Recipients
 Go to https://www.epa.gov/grants to obtain a broad spectrum of information and resources for applicants and recipients on EPA's grant programs, latest grant opportunities, application process, including helpful training "EPA Grants Management Training for Applicants and Recipients."

Check for specific grant requirements - federal agencies may have differing grant requirements.

Contract laws and regulations are different from grant laws and regulations; contracts are NOT grants.

Check the grant program being funded – program grant requirements are specific to the laws and regulations of that program and to the specific type of money used.

Check-in with your (recipient) Finance Office and communicate with them on a regular basis.

APPLICATION & BUDGET: A Well-Developed Application Package

Check to ensure the organization's SAM registration is active and current; and, Grants.gov is set up properly with assigned levels of review and approvals.

□ Check the grant application deadline date – to provide applicants enough time to make required changes.

Check if all application items have been submitted. Review the R9 Application Guide which includes an Application Checklist of all forms (and the links to forms) required for a complete application. Incomplete applications may cause delays in receiving federal funding.

C Check if all numbers on application pages add up and are consistent with each other.

Check if the budget includes computers, printers, furniture, etc. -- these items need to be tracked per 2 CFR, Part 200.310 Property Standards.

C Check that the application has been signed by the Authorized Organization Representative (AOR) via Grants.gov.

INDIRECT COSTS (OVERHEAD): Key Points to Remember

Check for the approved, current Indirect Cost Rate Agreement. In order to be reimbursed for indirect costs, the recipient must have an approved, current indirect cost rate for the applicable period. Certain recipient types are eligible to maintain a Cost Allocation Plan or Indirect Cost Rate Proposal.

Check to ensure Indirect Cost Rate proposal are submitted timely to the cognizant agency, if applicable.

Check the calculation of your approved Indirect Cost Rate for the current indirect rate, the base used (i.e., personnel and fringe, or total direct costs), and the time period of the agreement.

□ If the recipient wishes to charge/budget a lower indirect cost rate than the approved negotiated rate, the organization's Finance Office must provide a statement allowing the use of the lower rate.

GRANT AWARD: What to Do Upon Receipt of the Award Document

Once the recipient contact receives the EPA Notice of Assistance Agreement, forward a copy to all appropriate staff (i.e., Project Manager, Financial Officer, and any other personnel in your organization requiring information about the award).

□ Review the assistance agreement; terms and conditions; note the budget/project period start and end dates; and reporting due dates.

D Drawdown of funds is acceptance of the assistance agreement in the Federal requirements.

□ Finance staff, especially those responsible for draw down of grant funds, must always have the current assistance agreement including all amendments thereto.

PAYMENTS: Reimbursements & Draw Down of Funds

D Payment requested expenses must be within the assistance agreement's budget/project start and end dates.

D Payment requested must be for tasks/work indicated in the approved workplan.

□ Invoices may be paid up to 90 calendar days after the grant end date for approved costs based on the workplan covered within the assistance agreement's budget/project start and end dates.

D Recipients have access to the payment system up to 90 calendar days after the budget/project end dates.

□ For information regarding payments and financial reports, please refer to the following website at <u>https://www.epa.gov/financial/grants</u>.

□ If you have questions or need assistance, please contact EPA's Research Triangle Park Finance Center at rtpsc.grants@epa.gov; or Kesha Baldwin Nickerson at (919) 541-5288.

REPORTS: Submitting Required Reports

Annual/interim <u>Federal Financial Report SF 425 (Excel)</u> (FFR) forms are submitted to Research Triangle Park Finance Center (RTPFC); email: <u>rtpfc-grants@epa.gov</u>. (see Administrative Terms and Conditions).

□ Final Federal Financial Report SF 425 (Excel) (Final FFR) are due within 90 days of the budget/project period end dates to Research Triangle Park Finance Center (RTPFC); email: rtpfc-grants@epa.gov. (see Administrative Terms and Conditions).

□ Once the Final FFR is received by RTPFC, they will reconcile the payment history to the Final FFR. RTPFC will provide an Assistance Adjustment Notice to the recipient if payment is required or if funds need to be returned back to EPA.

Check the assistance agreement's Administrative terms and conditions if the <u>Minority/Women's Business Enterprise Utilization</u> <u>Report (MBE/WBE) EPA Form 5700-52A</u> reports are required or not.

Check the assistance agreement's Programmatic terms and conditions for when Progress Reports are due (Quarterly, Semi-Annually, or Annually).

□ Final Progress Reports are due to the EPA Project Officer within 90 calendar days of the budget/project period end dates.

EPA Region 9 Commonly-Used Acronyms

The following is a listing of the most common acronyms in EPA grant-talk.

	Acronyms
FOIA	Freedom of Information Act
FON	Funding Opportunity Number
FSRS	FFATA Subaward Reporting System
GAAP	Generally Accepted Accounting Principles
GAO	Government Accountability Office
GAP	General Assistance Program
GMO	Grants Management Officer
GPI	Grants Policy Issuance
GS	Grants Specialist
GSA	General Services Administration
IAE	Integrated Award Environment
ICR	Information Collection Request
ICR	Indirect Cost Rate
IDC	Indirect Cost
MBE/WBE	Minority Business Enterprise/ Women Business Enterprise
OCFO	Office of the Chief Financial Officer
OCR	Office of Civil Rights
OGC	Office of General Counsel
OGD	Office of Grants and Debarment
ΟΙΤΑ	Office of International and Tribal Affairs
OIG	Office of the Inspector General
ОМВ	Office of Management and Budget
ORC	Office of Regional Counsel
PI	Principal Investigator
P.L.	Public Law
РМ	Project Manager
РО	Project Officer
PRA	Paperwork Reduction Act
QA	Quality Assurance

Acronyms

RA	Regional Administrator
RAIN	Recipient/Applicant Information Notice
RFA	Request for Applications
RFIP	Request for Initial Proposal
RTPFC	Research Triangle Park Finance Center
RTOC	Regional Tribal Operations Committee
SF	Standard Form
SAM	System for Award Management
SPOC	State Single Point of Contact
SRO	Senior Resource Official
TIN	Taxpayer Identification Number
T&C	Terms & Conditions
UGG	Uniform Grants Guidance (2 CFR, Part 200)
UEI	Unique Entity Identifier (GSA to fully implement use by 12/ 2020)
U.S.C.	United States Code

How to Reach Us: The EPA Region 9 Grants Branch



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION IX 75 Hawthorne Street San Francisco, CA 94105

EPA Region 9 Grants Branch, MSD-6

Grants Management Officer

Carolyn Truong truong.carolyn@epa.gov

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