

RESOLUTION NO. 58-25

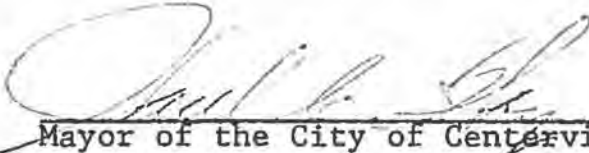
CITY OF CENTERVILLE, OHIO

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY, OHIO WHEREBY THE CITY OF CENTERVILLE SHALL BE A CONTRACTOR IN CONNECTION WITH CERTAIN IMPROVEMENT WORK TO BE DONE ON THE CITY OF CENTERVILLE'S THIRTY FIVE ACRE LOT.

THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1. The City Manager of the City of Centerville is hereby authorized and directed to execute an agreement with the Board of County Commissioners of Montgomery County, Ohio, a copy of which is attached hereto, marked Exhibit A and incorporated herein whereby the City of Centerville shall undertake certain improvement work on the Centerville thirty five acre lot located on Spring Valley Road.

PASSED this 6th day of October, 1975.



Mayor of the City of Centerville, Ohio

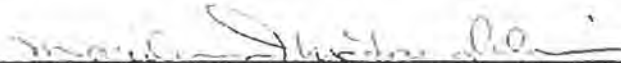
ATTEST:



Clerk of the Council of the
City of Centerville, Ohio

C E R T I F I C A T E

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Resolution No. 58-25, passed by the Council of the City of Centerville, Ohio, on the 6th day of October, 1975.



Clerk of the Council

Approved: _____
with _____
charter: _____

Municipal Secretary

A G R E E M E N T

THIS AGREEMENT entered into between the BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY, OHIO, hereinafter called the "County", and The City of Centerville, Ohio, herein after called the "Contractor".

W I T N E S S E T H:

1. The Contractor shall establish and/or implement the project known as the " Construction of Community Center Picnic Facility ", hereinafter called the work, in accordance with the Appendices to this instrument, which are incorporated herein, as if written, which Appendices are:

Appendix A - A grant from the Federal Government Numbered B-75-UC-39-0004, including all the special conditions thereto.

Appendix B - A list of all the federal assurances required under the regulations for Housing and Community Development Block Grants.

Appendix C - A monthly financial report required by the County.

Appendix D - The grant application for the work.

Appendix E - Federal Management Circular 74-7.

It is understood between the parties that the sole source for funds for payment for the work is the grant from the Federal Government.

2. The Contractor shall furnish personnel to perform the work as described in the appendices hereto. Such personnel shall not be employees of, nor have any contractual relationship with, the County.

3. The Contractor shall not assign all or any part of this agreement without the prior written consent of the County, which consent shall not be unreasonably withheld.

4. The Contractor shall comply with the provisions described in Appendix E as it applies to the letting of contracts and/or procurement of equipment.

5. The Contractor shall perform the work by
July 18, 1976.

6. The Contractor will supply, in timely fashion, such information within its control and knowledge as the County may request in order to file the reports required by H.U.D.

7. The Contractor shall provide to the County, or its designee, the Grants Coordinator and the Coordinator of Community Development, monthly narrative progress reports detailing the progress of the work, and append thereto, if requested, samples of materials prepared and/or used in the work during each month. These narrative reports shall be submitted in accordance with all Federal guidelines with which the County must comply in making its reports.

8. The Contractor shall comply with all Federal fiscal guidelines as applicable including providing evidence to the County, prior to being paid any monies under the terms of this agreement, that all personnel involved in fiscal work in connection with the work under this contract have been bonded in accordance with the Federal guidelines, if required thereby.

9. For the services to be performed under this agreement, the County shall pay to the Contractor a sum not to exceed Ten Thousand Dollars

10. Monthly invoices are to be submitted by the Contractor to the County, or its designee, the Grants Coordinator, demonstrating that the Contractor has performed its obligations under this agreement. Accompanying the monthly invoices will be the check numbers of all checks written for services or supplies or equipment for the work. The total payment to the Contractor each month shall not exceed the sum of the monthly invoices for that month. Unless otherwise specified, the Contractor will supply this information within five (5) days after the first of each month.

11. The County shall provide necessary environmental review procedures. However, should County personnel be unable to perform any special tasks required for the work, the County will obtain necessary special services for such tasks. Any costs thereof shall be charged against the sum to be paid to the Contractor. All costs for required legal notices for the work shall also be charged against the sum to be paid to the Contractor.

12. If the Contractor shall fail to fulfill in reasonable, timely and proper manner, its obligations under this agreement, or if the Contractor shall substantially violate any of the covenants, agreements, or stipulations of this agreement, or if the Federal funds which the County is to receive for this work are terminated, the County shall thereupon have the right to terminate this agreement by giving written notice to Contractor of such termination and specifying an effective date thereof at least fifteen (15) days before the effective date of said termination. In that event, copies of all finished or unfinished work prepared by the Contractor shall become the property of the County, and Contractor shall be entitled to receive compensation for satisfactory work completed under this agreement to the time of the termination, not to exceed the funds made available to the County by the Federal Government. Termination by the County shall not constitute a waiver of any other right or remedy it may have at law or in equity for breach of this agreement by the Contractor.

13. All amendments to this agreement agreed upon by the parties shall be in writing and made a part of this agreement.

14. There shall be no discrimination against any employee who is employed in the work covered by this agreement or against any application for such employment because of race, color, religion, sex or national origin.

14. (Continued) This provision shall apply to, but not be limited to, employment, upgrading, demotion or transfer, recruitment or recruitment advertising, lay-off or termination, raises of pay or other forms of compensation, and selection for training, including apprenticeship. The Contractor shall insert a similar provision in any sub-contract for services covered by this agreement.

15. Contractor covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner with the performance of services required under this agreement. No members of, nor delegates to, the Congress of the United States of America, and no resident commissioner shall share in any part hereof or any benefits to arise herefrom. Contractor shall execute the equal employment opportunity certificate, which is a part of Paragraph 14.

16. No materials prepared under the terms of this agreement shall be subject to an application for copyright by the Contractor.

17. In the event of any conflict between the provisions of this document and the provisions of Appendix A, B, C, D, or E, it is understood and agreed between the parties that the language of this document shall prevail.

IN WITNESS WHEREOF, the parties have hereunto set their hands this ___ day of _____, 1975.

Witnesses:

BOARD OF COUNTY COMMISSIONERS
OF MONTGOMERY COUNTY, OHIO

_____ By _____

_____ By _____

_____ By _____

CITY OF CENTERVILLE

_____ By _____

_____ Its _____

This instrument prepared by:

LEE C. FALKE, Prosecuting Attorney of Montgomery County, Ohio

By _____

Lillian M. Kern

Assistant Prosecuting Attorney

*Please indicate ordinance number referencing council's approval to enter into this agreement.

CERTIFICATE

I hereby certify that the amount of money required to meet the payments called for in the above Agreement has been lawfully appropriated for such purpose and is in the Treasury or in the process of collection to the credit of an appropriation fund free from previous encumbrances.

Auditor _____

FUNDING APPROVAL UNDER TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 (Public Law 93-383)

| | |
|--|---|
| 1. NAME OF APPLICANT MONTGOMERY COUNTY, OHIO | 2. APPLICATION/GRANT NO. B-75-UC-39-0004 |
| 3. APPLICANT'S ADDRESS (Include Street, City, County, State and Zip Code) Government Plaza 451 West Third Street Montgomery County Dayton, Ohio 45402 | 4. DATE OF APPLICATION May 6, 1975 |
| | 5. DATE OF HUD RECEIPT OF APPLICATION May 15, 1975 |
| | 6. <input checked="" type="checkbox"/> Original Funding Approval <input type="checkbox"/> Amendment, Amendment No. _____ |

All section references below are to the Housing and Community Development Act of 1974, unless otherwise indicated.

7. CATEGORY OF COMMUNITY DEVELOPMENT BLOCK GRANT FOR THIS FUNDING ACTION
(Check only one)

a. Metropolitan Entitlement (Sec. 106)
 b. Metropolitan Discretionary (Sec. 106)

(1) _____, SMSA, State of _____
 (SMSA Name)

c. Non-Metropolitan Entitlement (Sec. 106)
 d. Non-Metropolitan Discretionary (Sec. 106)
 e. Secretary's Discretionary (Sec. 107)
 f. Urgent Needs Fund (Sec. 103(b))

8. AMOUNT OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS APPROVED

a. Amount of CDBG Funds Currently Reserved for this Applicant. \$ 757,000

b. Amount of CDBG Funds Now Being Approved for this Applicant \$ 757,000

c. Amount of Reservation to be Cancelled (Line 8a minus 8b). \$ -0-

HUD ACCOUNTING USE ONLY

| | | | | | | | | | | |
|----------|------------|----------------|----|----------|--------------|------|-------------|----------------|----|----|
| BATCH | TAC | PROGRAM | Y | A | REG | AREA | DOCUMENT NO | PROJECT NUMBER | S | |
| | 153 176 | | | | | | 7082 | | | |
| 1 | 4 | 9 | 12 | 13 | 14 | 16 | 18 | 23 | 30 | 35 |
| CATEGORY | AMOUNT 1 | EFFECTIVE DATE | F | AMOUNT 2 | SCHEDULE NO. | | | | | |
| 38 | 41 | 45 | 50 | 54 | 60 | 61 | 65 | 70 | 74 | 79 |

9. DISTRIBUTION OF APPROVED COMMUNITY DEVELOPMENT BLOCK GRANT

a. Amount of Advance Approved by Authorization dated 5-5-75 \$ 72,500

b. Grant Amount Reserved for Guarantee of Loans for Acquisition of Property (Sec. 108(b)). \$ -0-

c. Grant Amount Reserved to Settle Outstanding Urban Renewal Loans (Sec. 112(a)).
 Attach schedule in accordance with instructions \$ -0-

d. Sum of lines 9a, 9b, and 9c \$ 72,500

e. Amount of Approved COBG Available for Disbursement (Line 8b minus 9d) \$ 684,500

10. AMOUNT OF SURPLUS URBAN RENEWAL FUNDS APPROVED AND BALANCE AVAILABLE (Sec. 112(b))

| | | |
|--|----|-----|
| a. Amount of Surplus U.R. Funds Reserved for this Applicant | \$ | N/A |
| b. Amount of Surplus U.R. Funds Now Being Approved | \$ | N/A |
| c. Balance of Surplus U.R. Funds Available for Future Use (Line 10a minus 10b) | \$ | N/A |

HUD ACCOUNTING USE ONLY

| | | | | | | | | | | |
|----------|------------|----------------|----|----------|--------------|------|--------------|----------------|-----|----|
| BATCH | TAC | PROGRAM | Y | A | REG | AREA | DOCUMENT NO. | PROJECT NUMBER | - S | |
| | 153 176 | | | | | | 7082 | | | |
| 1 | 4 | 9 | 12 | 13 | 14 | 16 | 18 | 23 | 30 | 35 |
| CATEGORY | AMOUNT 1 | EFFECTIVE DATE | F | AMOUNT 2 | SCHEDULE NO. | | | | | |
| | | | | | | | | | | |
| 36 | 41 | 45 | 50 | 54 | 60 | 61 | 65 | 70 | 74 | 79 |

11. RECIPIENTS OF APPROVED GRANT AMOUNTS

| IDENTIFICATION OF RECIPIENTS | APPROVED COMMUNITY DEVELOPMENT BLOCK GRANT | APPROVED SURPLUS URBAN RENEWAL FUNDS |
|---|--|--------------------------------------|
| (1) | (2) | (3) |
| a. Applicant Identified in Block No. 1 | \$ 757,000 | \$ |
| b. Name and Address of Recipient Other Than Applicant (Include Street, City, County, State and Zip Code) | \$ | \$ |
| c. Total | \$ 757,000 | \$ |

12. AMOUNT OF LOAN GUARANTEE NOW BEING APPROVED (Sec. 108(b))

N/A

\$

13. RECIPIENT OF LOAN GUARANTEE

(Check only one)

- a. Applicant Identified in Block No. 1
- b. Recipient Other Than Applicant (Name and Address)

N/A

14. Waiver of Certain Application Requirements for Section 106 Grants

The application requirements of Section 104(a)(1), (2) and (3) are waived pursuant to Sec. 104(b)(3), except as indicated below:

N/A

15. Determination Regarding Priorities or Needs to be Met by Proposed Activities

(a) The Applicant has certified to the satisfaction of HUD that its Community Development Program has been developed so as to give maximum feasible priority to activities which will benefit low or moderate income families or aid in the prevention or elimination of slums or blight.

(b) The Applicant has certified and HUD has determined that the activities described in the application meet other community development needs having a particular urgency as specifically described in the application.

16. Environmental Review Actions

(a) The Applicant lacks legal capacity to assume environmental responsibilities under Sec. 104(h). HUD has prepared and circulated a final Environmental Impact Statement on the application.

(b) The Applicant has legal capacity to assume environmental responsibilities under Sec. 104(h) and has submitted requests for release of funds and certifications approved by HUD under Section 104(h)(2) for all projects except those listed under Item 17(a) hereof and the following exempt projects:

17. Conditional Approvals on Use of Funds

Utilization by the Grantee of the approved funds for the projects, services and facilities shown below is prohibited without the further express written authorization of HUD.

(a) Projects requiring HUD environmental approval under Section 104(h)(2):

| <u>Projects</u> | <u>Amount</u> |
|-----------------|---------------|
| Miamisburg | \$ 85,000 |

| | |
|------------------------------------|-----------|
| Trotwood (Code Enforcement) | \$ 16,000 |
| West Carrollton (Planning) | 20,000 |
| County-wide (Code Enforcement) | 149,633 |
| Jefferson Township Facilities Plan | 10,000 |
| Bearcreek Facilities Plan | 10,625 |
| Greater Northridge Sewer Plan | 12,495 |
| Jefferson Township Water Plan | 18,500 |
| County-wide (Rehab) | 100,000 |

(See Attachment - Page 4a)

(b) Section 105(a)(8) public services determined necessary or appropriate for which other Federal assistance may be available:

| <u>Services</u> | <u>Amount</u> |
|-----------------|---------------|
| N/A | |

(c) Section 105(a)(2) flood or drainage facilities for which other Federal assistance may be available:

| <u>Facilities</u> | <u>Amount</u> |
|-----------------------------|---------------|
| Lily Creek Basin Flood Plan | \$ 19,000 |

18. Ineligible Activities Reducing Section 106 Grant Entitlement

Application for funding of the following proposed activities, determined by HUD to be ineligible under Title I of the Act, is disapproved and the Applicant's section 106 grant entitlement has been reduced in the amount shown below:

| <u>Proposed Activity</u> | <u>Amount</u> |
|--------------------------|---------------|
| N/A | |

| | |
|-------------------------------------|-----------|
| West Montgomery County Water System | \$ 30,000 |
| Lily Creek Basin Flood Plan | 19,000 |
| Curundu Storm Drainage Plan | 4,300 |
| Clayton Facilities Plan | 6,818 |
| New Lebanon Facilities Plan | 6,818 |
| New Lebanon Storm Sewer Plan | 20,454 |
| Riverside Tot-lot | 4,612 |
| Miamisburg Orchard Hill Park | 10,000 |
| West Carrollton Planning | 5,000 |
| Centerville Park Equipment | 10,000 |
| Clayton Senior Citizens Hall | 38,000 |
| Contingencies | 32,000 |
| Administration | 62,572 |

19. Grant or Loan Guarantee Recipient Other than Applicant

The grant and/or loan guarantee approved for any recipient other than the Applicant, as shown in Items 11.b. and/or 13.b., is for the following projects or activities:

| <u>Name of Recipient</u> | <u>Project or Activity</u> | <u>Amount</u> |
|--------------------------|----------------------------|---------------|
|--------------------------|----------------------------|---------------|

N/A

20. Special Conditions and Modifications of Grant Agreement

N/A

Check if continued on extra sheet and attach.

The funding approval indicated above for utilization of the assistance provided thereunder in accordance with the approved application, subject to the requirements of Title I of the Housing and Community Development Act of 1974 (P.L. 93-383) and the Department of Housing and Urban Development's rules and regulations, and the execution of a Grant Agreement in accordance therewith, is hereby authorized.

Date: JUL 18 1975

Secretary of Housing and Urban Development

By: *Edwin E. Davis*
(Signature)

DeVry Area Director
(Title)

Date Applicant notified that funding has been authorized: JUL 22 1975

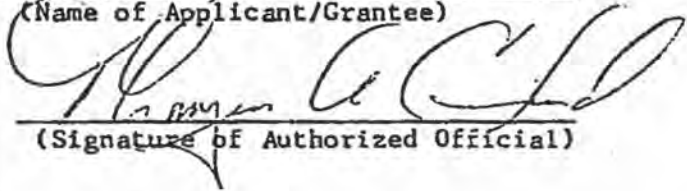
ACCEPTANCE PROVISIONS

The Grant Agreement, authorized by the Department of Housing and Urban Development on July 18, 1975 under the Funding Approval for application/grant no. B-75-UC-39-0004 is hereby accepted by the Applicant as Grantee under the Agreement and the Grantee agrees to comply with the terms and conditions of the Agreement, applicable law, regulations and all requirements of HUD, now or hereafter in effect, pertaining to the assistance provided.

Montgomery County Board of Commissioners

(Name of Applicant/Grantee)

By:



(Signature of Authorized Official)

Title: President

Date: July 30, 1975

ACCEPTANCE PROVISIONS
(Use only if paragraph A applies)

The Grant Agreement authorized by the Department of Housing and Urban Development on _____, under the Funding Approval for application/grant no. _____ is hereby accepted by the parties in the capacities indicated below.

(The Applicant must complete and sign Sec. A if any party who is not the Applicant is required to sign Sec. B)

- A. The acceptance of the Agreement under Sec. B below by any party other than the Applicant is due to the legal incapacity of the Applicant concurred in by HUD, to enter into the Agreement with respect to the (grant) (loan guarantee) being provided thereunder to such party. The Applicant hereby consents to the provision of the (grant) (loan guarantee) to such party as Grantee, designated by the Applicant to undertake the program, or that portion thereof, for which such (grant) (loan guarantee) is authorized by HUD, and accepts responsibility in assuring that the party will comply with the requirements of the Agreement and all Assurances of the Applicant regarding compliance with post application requirements.

Name of Applicant: _____

By: _____

Title: _____ Date: _____

(Each entity designated as a recipient for grant or loan guarantee assistance in the Funding Approval, including the Applicant if so designated, must complete and sign Sec. B)

- B. The Grantee designated below agrees to comply with the terms and conditions of the Agreement, applicable law, regulations and all requirements of HUD, now or hereafter in effect, pertaining to the assistance provided, and hereby accepts the Agreement as Grantee thereunder.

1. Name: _____ Grant

Loan Guarantee

By: _____
(Signature of Authorized Official)

Title: _____ Date: _____

2. Name: _____ Grant

Loan Guarantee

By: _____
(Signature of Authorized Official)

Title: _____ Date: _____

ASSURANCES

(INSTRUCTIONS: The applicant must provide assurances and/or certify to all the following items.

The applicant hereby assures and certifies that he has complied with the regulations, policies, guidelines and requirements of OMB Circular No. A-95, and that he will comply with the regulations, policies, guidelines and requirements of Federal Management Circulars 74-4 and 74-7, as they relate to the application, acceptance and use of Federal funds for this federally-assisted program. Also, the applicant gives assurance and certifies with respect to the grant that:

1. It will comply with:

(a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and in accordance with Title VI of that Act, from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.

(b) Title VIII of the Civil Rights Act of 1968, (P.L. 90-284) as amended, and will administer all programs and activities relating to housing and community development in a manner to affirmatively further fair housing.

(c) Section 109 of the Housing and Community Development Act of 1974 and in conformance with all requirements imposed by or pursuant to the Regulations of the Department (24 CFR Part 570.601) issued pursuant to that Section; and in accordance with that Section, no person in the United States shall, on the ground of race, color, national origin or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with the community development funds.

(d) Executive Order 11063 on equal opportunity in housing.

2. The applicant will:

(a) Provide fair and reasonable relocation payments and assistance in accordance with Sections 202, 203, and 204 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act (P.L. 91-646) and applicable HUD regulations, to or for families, individuals, partnerships, corporations or associations displaced as a result of any acquisition of real property for an activity assisted under the program;

(b) Provide relocation assistance programs offering the services described in Section 205 of P.L. 91-646 to such displaced families, individuals, partnerships, corporations or associations in the manner provided under applicable HUD regulations;

(c) Assure that, within a reasonable time prior to displacement, decent, safe, and sanitary replacement dwellings will be available to such displaced families and individuals in accordance with Section 205(c)(3) of P.L. 91-646;

(d) Inform affected persons of the benefits, policies, and procedures provided for under HUD regulations; and

(e) Carry out the relocation process in such a manner as to provide displaced persons with uniform and consistent services, and assure that replacement housing will be available in the same range of choices with respect to such housing to all displaced persons regardless of race, color, religion, or national origin.

3. The applicant will:

(a) In acquiring real property in connection with the community development block grant program, be guided to the extent permitted under State law, by the real property acquisition policies set out under Section 301 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act and the provisions of Section 302 thereof;

(b) Pay or reimburse property owners for necessary expenses as specified in Sections 303 and 304 of the Act; and

(c) Inform affected persons of the benefits, policies, and procedures provided for under HUD regulations.

4. It will give HUD and the Comptroller General through any authorized representative access to and the right to examine all records, books, papers, or documents related to the grant.

5. The applicant will comply with the provisions of the Hatch Act which limit the political activity of employees.

6. The applicant's certifying officer:
 - (a) Consents to assume the status of a responsible Federal official under the National Environmental Policy Act of 1969 insofar as the provisions of such act apply pursuant to this Part; and
 - (b) Is authorized and consents on behalf of the applicant and himself to accept the jurisdiction of the Federal courts for the purpose of enforcement of his responsibilities as such an official.
7. It will establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
8. It will comply with all requirements imposed by HUD concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with Federal Management Circular 74-7.
9. It will comply with the provisions of: Executive Order 11296, relating to evaluation of flood hazards, and Executive Order 11128, relating to the prevention, control, and abatement of water pollution.

Grant # _____

APPENDIX C

Period From _____ To _____

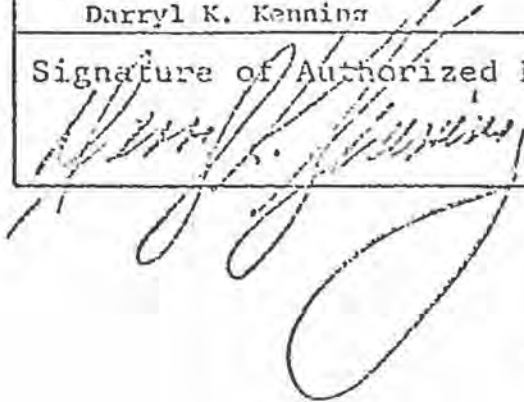
| CATEGORY | AMOUNT BUDGETED | THIS PERIOD | TO DATE | BALANCE |
|--------------------|-----------------|-------------|---------|---------|
| A. Personnel | | | | |
| B. Fringe Benefits | | | | |
| C. Travel | | | | |
| D. Equipment | | | | |
| E. Supplies | | | | |
| F. Contractual | | | | |
| G. Other Expenses | | | | |
| Total Expenditures | | | | |

DATE: _____ SIGNED BY: _____
DATE: _____ PREPARED BY: _____

INSTRUCTIONS FOR APPENDIX C -
MONTHLY FINANCIAL REPORT

1. "Category": Under Items A. Personnel, B. Fringe Benefits, and H. Other list the expenses expected under these items, i.e. Project Coordinator for A., Blue Cross for B., and Xerox for H., etc.
2. "Amount Budgeted": Total budget for the project is broken down in this column and remains constant throughout the project, unless a Budget Revision is requested in writing to the County.
3. "This Period": All expenses for the month are listed in this column. Documentation of all expenses recorded in this column are to be submitted with the report, otherwise the report will be considered incomplete and returned for completion. Documentation shall consist of copies of personnel timesheets, copies of forms submitted to the Federal Government for withheld taxes, copies of all requests for reimbursement, i.e. Travel, copies of all invoices for costs incurred on such items as hospitalization insurance, equipment, supplies, contractual agreements, miscellaneous expenses, etc.; plus copies of checks written to pay these expenses.
4. "To Date": A running total of all expenses to date is to be recorded in this column by adding the expenses recorded in "This Period" to the previous total in "To Date".
5. "Balance": The balance for each item is recorded in this column by subtracting the amount in "To Date" from the amount in "Amount Budgeted".

HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974

| | | | | |
|---|--|---|--|--|
| <p>APPLICATION FOR COMMUNITY DEVELOPMENT FUNDS</p> <p>1. <u>City of Centerville</u> Organizational Unit</p> <p><u>100 West Spring Valley Road</u> Street Address - P.O. Box</p> <p><u>Centerville, Ohio 45459</u> City State Zip Code</p> | | <p>2. <u>Darryl K. Kenninger</u> Contact Person</p> <p><u>100 West Spring Valley Road</u> Street Address - P.O. Box</p> <p><u>Centerville, Ohio 45459</u> City State Zip Code</p> | | |
| <p>3. Descriptive Name of Project</p> <p align="center">Construction of Community Center Picnic Facility.</p> | | | | |
| <p>4. Population Directly Benefiting From Project</p> <p align="center">20,000</p> | | <p>5. Length of Project</p> <p align="center">3 Months</p> | | |
| <p>6. Federal Dollars Requested</p> <p align="center">\$25,000</p> | | <p>7. Beginning Date</p> <p align="center">Within 120-150 days* after monies are made available.</p> <p align="center">* Time allowed for choosing a consultant & developing a master plan.</p> | | |
| <p>8. The applicant certifies that to the best of his knowledge and belief the data in this application are true and correct, and that he will comply with the attached assurances if he receives the grant.</p> | | | | |
| <p>Typed Name</p> <p align="center">Darryl K. Kenninger</p> | | <p>Title</p> <p align="center">City Manager</p> | <p>Telephone Number</p> | |
| <p>Signature of Authorized Representative</p>  | | <p>Area Code</p> <p align="center">513</p> | <p>Number</p> <p align="center">433-7151</p> | |
| | | <p>Ext.</p> <p align="center">32/33</p> | | |

Narrative For Community Center Picnic Facility

I. Summary Statement of Project.

Development of a Community Center picnic area will provide the residents of Centerville with a much needed picnic facility. This small facility will be the cornerstone of a much larger facility to be constructed as part of a comprehensively planned 35 acre Community Center complex. The proposed facility will include construction of an entryway and 20 parking spaces to be increased in the future; a large shelter, storage area, and fireplace; 40 shade trees 2 1/2 inches in diameter; 20 decorative 6 foot evergreens; 1 sign; 10 picnic tables; 3 permanent outdoor grills; 5 trash containers; and miscellaneous items. The picnic facility and the Community Center as a whole will be of special benefit to the low and moderate income families residing in the Chevy Chase complex, and to the elderly who will live in the Federally-subsidized project approved for nearby Washington Twp. Thus, we feel that this project falls well within the guidelines of eligible activities under the Community Development Act of 1974. (See 570.200 (a)(2)).

II. Statement of Problem

Presently, Centerville's low to moderate income residents seeking picnic facilities must travel outside the City. With the City's population approaching 20,000, the City has responded to the increased recreational needs of its residents by purchasing a 35 acre tract of land adjacent to the Municipal Building. Preliminary long range plans for this land include an indoor-outdoor swimming pool, lighted tennis courts, an art center for performing, fine arts and arts and crafts, outdoor basketball and shuffleboard courts, children's playground and tot lots, a general purpose athletic field, softball diamond, and picnic facilities with shelter and restrooms.

Picnic facilities within the community have long been a priority among residents, but with the recent construction of Chevy Chase (a Federally-subsidized low to moderate income housing project) and the proposed construction of a Federally-subsidized project for the elderly in nearby Washington Twp., the need has become pressing. The proposed facilities will provide residents of Chevy Chase with picnic facilities within a five-minute walk of their home. For many of these people, the minimal expense involved in driving to facilities outside the City is prohibitive. In addition to the residents of Chevy Chase, all residents of Centerville (17,000) and contiguous Washington Twp. will benefit from the proposed picnic facilities and the eventual completion of the entire community center.

III. Description of Project

- A. The goal or objective of this project is simply to provide much needed public picnic facilities to the low and moderate income families living in Chevy Chase, the elderly to be living in the Federally-subsidized project proposed for nearby Washington Twp., and all residents of the community in general.

of \$10,000. (Funds for hiring the consultant are being requested as a separate project under the Community Development Act of 1974.) Working in cooperation with the consultant and on behalf of the City will be the City Planner, the Director of Parks and Recreation, and the City Engineer. Construction will be done by a general contractor.

NOTE: Construction of the picnic facility will begin only after development of a master plan by a qualified consultant.

IV. Administration

A. Planning of the facility will involve the City Planner, City Engineer and Director of Parks and Recreation. The construction of the proposed facility will be supervised by the City Engineer to insure that specifications are met. After construction of the facility is completed, administrative responsibility will be given to the Director of Parks and Recreation and the City Manager.

B.

1. City Manager *
2. Director of Parks and Recreation *
3. City Engineer *
4. City Planner *

*Job descriptions attached

V. Budget (Estimated)

| | |
|--|----------|
| 1. Entryway and twenty (20) parking spaces. 50' x 20' access drive 60' x 20' parking area. Including excavating, base material, and blacktop. | \$ 5,000 |
| 2. Large shelter, storage area, and fireplace. (56' x 25' including fireplace). | 12,000 |
| 3. Shade trees (40) 2 1/2" in diameter. | 4,000 |
| 4. (20) decorative 6' evergreens. | 1,000 |
| 5. Sign. | 100 |
| 6. Picnic tables (10). | 1,000 |
| 7. Permanent outdoor grills (3). | 180 |
| 8. Trash containers (5). | 320 |
| 9. Miscellaneous costs | 1,400 |
| Total Project Costs* | \$25,000 |

* Local administrative costs will be borne by the City.

Construction should be completed within 3 months after monies are made available.

GENERAL SERVICES ADMINISTRATION
OFFICE OF FEDERAL MANAGEMENT POLICY

FEDERAL MANAGEMENT CIRCULAR

FMC 74-7: Uniform administrative requirements
for grants-in-aid to State and local
governments

September 13, 1974

TO: HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

1. Purpose. This circular promulgates standards for establishing consistency and uniformity among Federal agencies in the administration of grants to State and local governments. Also included in the circular are standards to ensure the consistent implementation of sections 202, 203, and 204 of the Intergovernmental Cooperation Act of 1968 (P.L. 90-577) (82 Stat. 1101).

2. Supersession. The President by Executive Order 11717 transferred the functions covered by this circular from the Office of Management and Budget to the General Services Administration. This circular is therefore issued as a replacement for Office of Management and Budget Circular No. A-102. No substantive changes have been made.

3. Background. On March 27, 1969, the President ordered a 3-year effort to simplify, standardize, decentralize, and otherwise modernize the Federal grant machinery. The standards included in the attachments to this circular replace the multitude of varying and oftentimes conflicting requirements in the same subject matter which have been burdensome to State and local governments. Inherent in the standardization process is the concept of placing greater reliance on State and local governments. In addition, the Intergovernmental Cooperation Act of 1968 was passed, in part, for the purpose of: (a) Achieving the fullest cooperation and coordination of activities among levels of Government, (b) improving the administration of grants-in-aid to the States, and (c) establishing coordinated intergovernmental policy and administration of Federal

Attachment

assistance programs. This act provides the following basic policies pertaining to administrative requirements to be imposed upon the States as a condition to receiving Federal grants :

"DEPOSIT OF GRANTS-IN-AID

Sec. 202. No grant-in-aid to a State shall be required by Federal law or administrative regulation to be deposited in a separate bank account apart from other funds administered by the State. All Federal grant-in-aid funds made available to the States shall be properly accounted for as Federal funds in the accounts of the State. In each case the State agency concerned shall render regular authenticated reports to the appropriate Federal agency covering the status and the application of the funds, the liabilities and obligations on hand, and such other facts as may be required by said Federal agency. The head of the Federal agency and the Comptroller General of the United States or any of their duly authorized representatives shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to the grant-in-aid received by the States.

"SCHEDULING OF FEDERAL TRANSFERS TO THE STATES

Sec. 203. Heads of Federal departments and agencies responsible for administering grant-in-aid programs shall schedule the transfer of grant-in-aid funds consistent with program purposes and applicable Treasury regulations, so as to minimize the time elapsing between the transfer of such funds from the United States Treasury and the disbursement thereof by a State, whether such disbursement occurs prior to or subsequent to such transfer of funds, or subsequent to such transfer of funds [sic]. States shall not be held accountable for interest earned on grant-in-aid funds, pending their disbursement for program purposes.

"ELIGIBLE STATE AGENCY

Sec. 204. Notwithstanding any other Federal law which provides that a single State agency or multimember board or commission must be established or designated to administer or supervise the administration of any grant-in-aid program, the head of any Federal department or agency administering such program may, upon request of the Governor or other appropriate executive or legislative authority of the State responsible for determining or revising the organizational

structure of State government, waive the single State agency or multimember board or commission provision upon adequate showing that such provision prevents the establishment of the most effective and efficient organizational arrangements within the State government and approve other State administrative structure or arrangements: Provided, That the head of the Federal department or agency determines that the objectives of the Federal statute authorizing the grant-in-aid program will not be endangered by the use of such other State structure or arrangements."

Some of the above provisions require implementing instructions. These provisions are provided in the attachments to this circular which deal with the specific provisions.

4. Applicability and scope. The standards promulgated by this circular apply to all Federal agencies responsible for administering programs that involve grants to State and local governments. However, agencies are encouraged to apply the standards to loan and loan guarantee programs to the extent practicable. If the enabling legislation for a specific grant program prescribes policies or requirements that differ from the standards provided herein, the provisions of the enabling legislation shall govern.

5. Definitions. For the purposes of this circular:

a. The term "grant" or "grant-in-aid" means money or property provided in lieu of money paid or furnished by the Federal Government to a State or local government under programs that provide financial assistance through grant or contractual arrangements. The term does not include technical assistance programs or other assistance in the form of revenue sharing, loans, loan guarantees, or insurance.

b. The term "State" means any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, or any agency or instrumentality of a State exclusive of State institutions of higher education and hospitals.

c. The term "local government" means a local unit of government including specifically a county, municipality, city, town, township, local public authority, special

district, intrastate district, council of governments, sponsor group representative organization, and other regional or interstate government entity, or any agency or instrumentality of a local government exclusive of institutions of higher education, hospitals, and school districts.

6. Attachments. The standards promulgated by this circular are set forth in the attachments, which are:

Attachment A - Cash depositories

Attachment B - Bonding and insurance

Attachment C - Retention and custodial requirements for records

Attachment D - Waiver of "single" State agency requirements

Attachment E - Program income

Attachment F - Matching share

Attachment G - Standards for grantee financial management systems

Attachment H - Financial reporting requirements

Attachment I - Monitoring and reporting program performance

Attachment J - Grant payment requirements

Attachment K - Budget revision procedures

Attachment L - Grant closeout procedures

Attachment M - Standard forms for applying for Federal assistance

Attachment N - Property management standards

Attachment O - Procurement standards

7. Requests for exceptions. The General Services Administration may grant exceptions from the requirements of this circular when exceptions are permissible under existing laws. However, in the interest of keeping maximum uniformity, deviations from the requirements of this circular will be permitted only in exceptional cases.

8. Responsibilities. The head of each Federal agency responsible for administering programs that involve grants to State and local governments will designate an official to serve as the agency representative on matters relating to the implementation of this circular. The name and title of that representative will be furnished to the Office of Federal Management Policy, GSA, not later than 30 days after receipt of this circular. If the name and title were previously transmitted to the Office of Management and Budget in connection with its OMB Circular No. A-102, notification to the Office of Federal Management Policy, GSA, is required only when there is a change in the designated representative.

9. Inquiries. Further information concerning this circular may be obtained by contacting:

General Services Administration (AMF)
Washington, DC 20405

Telephone: IDS 183-33816
 PTS 202-343-3816


DWIGHT A. INK
Acting Administrator of General Services

(Note: This circular will be codified in the Code of Federal Regulations as 34 CFR 256.)

CASH DEPOSITORIES

1. Except for situations described in 2, 3, and 4, below, no grant program shall:

a. Require physical segregation of cash depositories for Federal grant funds which are provided to a State or local government.

b. Establish any eligibility requirements for cash depositories, in which Federal grant funds are deposited by State or local governments.

2. A separate bank account may be used when payments under letter of credit are made on a "checks-paid" basis in accordance with agreements entered into by a grantee, the Federal Government, and the banking institutions involved.

3. Any moneys advanced to the State or local governments which are determined to be "public moneys" (owned by the Federal Government) must be deposited in a bank with FDIC insurance coverage and the balances exceeding the FDIC coverage must be collaterally secure, as provided for in 12 U.S.C. 265.

4. Consistent with the national goal of expanding the opportunities for minority business enterprises, State and local governments shall be encouraged to use minority banks.

BONDING AND INSURANCE

1. Except for situations described in 2 and 3, below, Federal grantor agencies shall not impose bonding and insurance requirements, including fidelity bonds, over and above those normally required by the State or local units of government.

2. A State or local unit of government receiving a grant from the Federal Government which requires contracting for construction or facility improvement shall follow its own requirements relating to bid guarantees, performance bonds, and payment bonds except for contracts exceeding \$100,000. For contracts exceeding \$100,000, the minimum requirements shall be as follows:

a. A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" shall consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of his bid, execute such contractual documents as may be required within the time specified.

b. A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.

c. A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

3. Where the Federal Government guarantees the payment of money borrowed by the grantee, the Federal grantor agency may, at its discretion, require adequate bonding and insurance if the bonding and insurance requirements of a State or local government are not deemed to be sufficient to protect adequately the interest of the Federal Government.

RETENTION AND CUSTODIAL REQUIREMENTS FOR RECORDS

1. Federal grantor agencies shall not impose record retention requirements over and above those established by the State or local governments, receiving Federal grants except that financial records, supporting documents, statistical records, and all other records pertinent to a grant program shall be retained for a period of three years, with the following qualifications:

a. The records shall be retained beyond the three-year period if audit findings have not been resolved.

b. Records for nonexpendable property which was acquired with Federal grant funds shall be retained for three years after its final disposition.

c. When grant records are transferred to or maintained by the Federal grantor agency, the three-year retention requirement is not applicable to the grantee.

2. The retention period starts from the date of the submission of the final expenditure report or, for grants which are renewed annually, from the date of the submission of the annual expenditure report.

3. State and local governments should be authorized, by the Federal grantor agency, if they so desire, to substitute microfilm copies in lieu of original records.

4. The Federal grantor agency shall request transfer of certain records to its custody from State and local governments when it determines that the records possess long-term retention value. However, in order to avoid duplicate record-keeping a Federal grantor agency may make arrangements with State and local governments to retain any records which are continuously needed for joint use.

5. The head of the Federal grantor agency and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents,

September 13, 1974

papers, and records of the State and local governments and their subgrantees which are pertinent to a specific grant program for the purpose of making audit, examination, excerpts, and transcripts.

6. Unless otherwise required by law, no Federal grantor agency will place restrictions on State and local governments which will limit public access to the State and local governments' records except when records must remain confidential. Following are some of the reasons for withholding records:

- a. Prevent a clearly unwarranted invasion of personal privacy.
- b. Specifically required by statute or Executive order to be kept secret.
- c. Commercial or financial information obtained from a person or a firm on a privileged or confidential basis.

WAIVER OF "SINGLE" STATE AGENCY REQUIREMENTS

1. Requests to Federal grantor agencies from the Governors, or other duly constituted State authorities, for waiver of the "single" State agency requirements in accordance with section 204 of the Intergovernmental Cooperation Act of 1968 should be given expeditious handling and, whenever possible, an affirmative response should be made to such requests.
2. When it is necessary to refuse a request for waiver of the "single" State agency requirements under section 204, the Federal grantor agency handling such request will so advise the General Services Administration prior to informing the State that the request cannot be granted. Such advice should indicate the reasons for the denial of the request.
3. Future legislative proposals embracing grant-in-aid programs should avoid inclusion of proposals for "single" State agencies in the absence of compelling reasons to do otherwise. In addition, existing "single" State agency requirements in present grant-in-aid programs should be reviewed and legislative proposals should be developed for the removal of these restrictive provisions.

PROGRAM INCOME

1. Federal grantor agencies shall apply the standards set forth in this attachment in requiring State and local government grantees to account for program income related to projects financed in whole or in part with Federal grant funds. For the purpose of this attachment, program income means gross income earned by the grant-supported activities.
2. In accordance with Section 203 of the Intergovernmental Cooperation Act of 1968 (Public Law 90-577) (82 Stat. 1101), the States and any agency or instrumentality of a State shall not be held accountable for interest earned on grant-in-aid funds, pending their disbursement for program purposes.
3. Units of local government shall be required to return to the Federal Government interest earned on advances of grant-in-aid funds in accordance with a decision of the Comptroller General of the United States (42 Comp. Gen. 289).
4. Proceeds from the sale of real and personal property, either provided by the Federal Government or purchased in whole or in part with Federal funds, shall be handled in accordance with attachment N to this circular pertaining to property management.
5. Royalties received from copyrights and patents produced under the grant during the grant period shall be retained by the grantee and, in accordance with the grant agreement, be either added to the funds already committed to the program or deducted from total allowable project costs for the purpose of determining the net costs on which the Federal share of costs will be based. After termination or completion of the grant, the Federal share of royalties in excess of \$200 received annually shall be returned to the Federal grantor agency in the absence of other specific agreements between the grantor agency and the grantee. The Federal share of royalties shall be computed on the same ratio basis as the Federal share of the total project cost.

September 13, 1974

6. All other program income earned during the grant period shall be retained by the grantee and, in accordance with the grant agreement, shall be:

a. Added to funds committed to the project by the grantor and grantee and be used to further eligible program objectives, or

b. Deducted from the total project costs for the purpose of determining the net costs on which the Federal share of costs will be based.

7. Federal grantor agencies shall require the grantees to record the receipt and expenditure of revenues (such as taxes, special assessments, levies, fines, etc.) as a part of grant project transactions when such revenues are specifically earmarked for a grant project in accordance with grant agreements.

MATCHING SHARE

1. This attachment sets forth criteria and procedures for the allowability and evaluation of cash and in-kind contributions made by State and local governments in satisfying matching share requirements of Federal grants.

2. The following definitions apply for the purpose of this attachment:

a. Project costs. Project costs are all necessary charges made by a grantee in accomplishing the objectives of a grant during the grant period. For matching share purposes, project costs are limited to the allowable types of costs as set forth in Federal Management Circular 74-4.

b. Matching share. In general, matching share represents that portion of project costs not borne by the Federal Government. Usually, a minimum percentage for matching share is prescribed by program legislation, and matching share requirements are included in the grant agreements.

c. Cash contributions. Cash contributions represent the grantee's cash outlay, including the outlay of money contributed to the grantee by other public agencies and institutions, and private organizations and individuals. When authorized by Federal legislation, Federal funds received from other grants may be considered as grantee's cash contributions.

d. In-kind contributions. In-kind contributions represent the value of noncash contributions provided by (1) the grantee, (2) other public agencies and institutions, and (3) private organizations and individuals. In-kind contributions may consist of charges for real property and equipment, and value of goods and services directly benefiting and specifically identifiable to the grant program. When authorized by Federal legislation, property purchased with Federal funds may be considered as grantee's in-kind contributions.

September 13, 1974

3. General guidelines for computing matching share are as follows:

a. Matching share may consist of:

(1) Charges incurred by the grantee as project costs. Not all charges require cash outlays during the grant period by the grantee; examples are depreciation and use charges for buildings and equipment.

(2) Project costs financed with cash contributed or donated to the grantee by other public agencies and institutions, and private organizations and individuals.

(3) Project costs represented by services and real or personal property, or use thereof, donated by other public agencies and institutions, and private organizations and individuals.

b. All in-kind contributions shall be accepted as part of the grantee's matching share when such contributions meet the following criteria:

(1) Are identifiable from the grantee's records;

(2) Are not included as contributions for any other federally-assisted program;

(3) Are necessary and reasonable for proper and efficient accomplishment of project objectives; and

(4) Conform to other provisions of this attachment.

4. Specific procedures for the grantees in placing the value on in-kind contributions from private organizations and individuals are set forth below:

a. Valuation of volunteer services. Volunteer services may be furnished by professional and technical personnel, consultants, and other skilled and unskilled labor. Each hour of volunteered service may be counted as matching share if the service is an integral and necessary part of an approved program.

(1) Rates for volunteer services. Rates for volunteers should be consistent with those regular rates paid for similar work in other activities of the State or local government. In cases where the kinds of skills required for the federally-assisted activities are not found in the other activities of the

grantee, rates used should be consistent with those paid for similar work in the labor market in which the grantee competes for the kind of services involved.

(2) Volunteers employed by other organizations. When an employer other than the grantee furnishes the services of an employee, these services shall be valued at the employee's regular rate of pay (exclusive of fringe benefits and overhead cost) provided these services are in the same skill for which the employee is normally paid.

b. Valuation of materials. Contributed materials include office supplies, maintenance supplies, or workshop and classroom supplies. Prices assessed to donated materials included in the matching share should be reasonable and should not exceed the cost of the materials to the donor or current market prices, whichever is less, at the time they are charged to the project.

c. Valuation of donated equipment, buildings, and land, or use of space.

(1) The method used for charging matching share for donated equipment, buildings, and land may differ depending upon the purpose of the grant as follows:

(a) If the purpose of the grant is to furnish equipment, buildings, or land to the grantee or otherwise provide a facility, the total value of the donated property may be claimed as a matching share.

(b) If the purpose of the grant is to support activities that require the use of equipment, buildings, or land on a temporary or part-time basis, depreciation or use charges for equipment and buildings may be made; and fair rental charges for land may be made provided that the grantor agency has approved the charges.

(2) The value of donated property will be determined as follows:

(a) Equipment and buildings. The value of donated equipment or buildings should be based on the donor's cost less depreciation or the current market prices of similar property, whichever is less.

(b) Land or use of space. The value of donated land or its usage charge should be established by an independent

September 13, 1974

appraiser (i.e., private realty firm or GSA representatives) and certified by the responsible official of the grantee.

d. Valuation of other charges. Other necessary charges incurred specifically for and in direct benefit to the grant program in behalf of the grantee may be accepted as matching share provided that they are adequately supported and permissible under the law. Such charges must be reasonable and properly justifiable.

5. The following requirements pertain to the grantee's supporting records for in-kind contribution from private organizations and individuals:

a. The number of hours of volunteer services must be supported by the same methods used by the grantee for its employees.

b. The basis for determining the charges for personal services, material, equipment, buildings, and land must be documented.

STANDARDS FOR GRANTEE FINANCIAL MANAGEMENT SYSTEMS

1. This attachment prescribes standards for financial management systems of grant-supported activities of State and local governments. Federal grantor agencies shall not impose additional standards on grantees unless specifically provided for in other Attachments to this circular. However, grantor agencies are encouraged to make suggestions and assist the grantees in establishing or improving financial management systems when such assistance is needed or requested.

2. Grantee financial management systems shall provide for:

a. Accurate, current, and complete disclosure of the financial results of each grant program in accordance with Federal reporting requirements. When a Federal grantor agency requires reporting on an accrual basis and the grantee's accounting records are not kept on that basis, the grantee should develop such information through an analysis of the documentation on hand or on the basis of best estimates.

b. Records which identify adequately the source and application of funds for grant-supported activities. These records shall contain information pertaining to grant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays, and income.

c. Effective control over and accountability for all funds, property, and other assets. Grantees shall adequately safeguard all such assets and shall assure that they are used solely for authorized purposes.

d. Comparison of actual with budgeted amounts for each grant. Also, relation of financial information with performance or productivity data, including the production of unit cost information whenever appropriate and required by the grantor agency.

e. Procedures to minimize the time elapsing between the transfer of funds from the U.S. Treasury and the disbursement by the grantee, whenever funds are advanced by the Federal Govern-

September 13, 1974

ment. When advances are made by a letter-of-credit method, the grantee shall make drawdowns from the U.S. Treasury through his commercial bank as close as possible to the time of making the disbursements.

f. Procedures for determining the allowability and allocability of costs in accordance with the provisions of FMC 74-4.

g. Accounting records which are supported by source documentation.

h. Audits to be made by the grantee or at his direction to determine, at a minimum, the fiscal integrity of financial transactions and reports, and the compliance with laws, regulations, and administrative requirements. The grantee will schedule such audits with reasonable frequency, usually annually, but not less frequently than once every two years, considering the nature, size, and complexity of the activity.

i. A systematic method to assure timely and appropriate resolution of audit findings and recommendations.

3. Grantees shall require subgrantees (recipients of grants which are passed through by the grantee) to adopt all of the standards in paragraph 2 above.

FINANCIAL REPORTING REQUIREMENTS

1. This attachment prescribes requirements for grantees to report financial information to grantor agencies and to request advances and reimbursement when a letter-of-credit method is not used, and promulgates standard forms incident thereto.

2. The following definitions apply for the purposes of this attachment:

a. Accrued expenditures. Accrued expenditures are the charges incurred by the grantee during a given period requiring the provision of funds for: (1) goods and other tangible property received; (2) services performed by employees, contractors, subgrantees, and other payees; and (3) amounts becoming owed under programs for which no current services or performance are required.

b. Accrued income. Accrued income is the earnings during a given period which is a source of funds resulting from (1) services performed by the grantee, (2) goods and other tangible property delivered to purchasers, and (3) amounts becoming owed to the grantee for which no current services or performance are required by the grantee.

c. Disbursements. Disbursements are payments in cash or by check.

d. Federal funds authorized. Funds authorized represent the total amount of the Federal funds authorized for obligations and establish the ceilings for obligation of Federal funds. This amount may include any authorized carryover of unobligated funds from prior fiscal years.

e. In-kind contributions. In-kind contributions represent the value of noncash contributions provided by (1) the grantee, (2) other public agencies and institutions, and (3) private organizations and individuals. In-kind contributions may consist of charges for real property and equipment, and value of goods and services directly benefiting and specifically identifiable to the grant program. When authorized by Federal legislation,

September 13, 1974

property purchased with Federal funds may be considered as grantee's in-kind contributions.

f. Obligations. Obligations are the amounts of orders placed, contracts and grants awarded, services received, and similar transactions during a given period, which will require payment during the same or a future period.

g. Outlays. Outlays represent charges made to the grant project or program. Outlays can be reported on a cash or accrued expenditure basis.

h. Program income. Program income represents earnings by the grantee realized from the grant-supported activities. Such earnings exclude interest income and may include, but will not be limited to, income from service fees, sale of commodities, usage or rental fees, sale of assets purchased with grant funds, and royalties on patents and copyrights. Program income can be reported on a cash or accrued income basis.

i. Unobligated balance. The unobligated balance is the portion of the funds authorized by the Federal agency which has not been obligated by the grantee and is determined by deducting the cumulative obligations from the funds authorized.

j. Unpaid obligations. Unpaid obligations represent the amount of obligations incurred by the grantee which have not been paid.

3. Only the following forms will be authorized for obtaining financial information from State and local governments for grants-in-aid programs.

a. Financial Status Report (Exhibit 1)

(1) Each Federal grantor agency shall require grantees to use the standard Financial Status Report to report the status of funds for all nonconstruction grant programs. The grantor agencies may, however, have the option of not requiring the Financial Status Report when the Request for Advance or Reimbursement (paragraph 4a) is determined to provide adequate information to meet their needs, except that a final Financial Status Report shall be required at the completion of the grant when the Request for Advance or Reimbursement form is used only for advances.

(2) The grantor agency shall prescribe whether the report shall be on a cash or accrual basis. If the grantor agency

requires accrual information and the grantee's accounting records are not normally kept on the accrual basis, the grantee should develop such information through an analysis of the documentation on hand or on the basis of best estimates.

(3) The grantor agency shall determine the frequency of the Financial Status Report for each grant program considering the size and complexity of the particular program. However, the report shall not be required more frequently than quarterly or less frequently than annually. Also, a final report shall be required at the completion of the grant.

(4) The original and two copies of the Financial Status Report shall be submitted 30 days after the end of each specified reporting period. In addition, final reports shall be submitted 90 days after the end of the grant period or the completion of the project or program. Extensions to reporting due dates may be granted when requested by the grantee.

b. Report of Federal Cash Transactions (Exhibit 2)

(1) When funds are advanced to grantees through letters of credit or with Treasury checks, the Federal grantor agencies shall require each grantee to submit a Report of Federal Cash Transactions. The Federal grantor agency shall use this report to monitor cash advanced to grantees and to obtain disbursement or outlay information for each grant or project from the grantees.

(2) Grantor agencies may require forecasts of Federal cash requirements in the Remarks section of the report.

(3) When practical and deemed necessary, the grantor agencies may require grantees to report in the Remarks section the amount of cash in excess of three days' requirements in the hands of subgrantees or other secondary recipients and to provide short narrative explanations of actions taken by the grantees to reduce the excess balances.

(4) Grantor agencies may accept the identical information from the grantees in a machine-usable format in lieu of the Report of Federal Cash Transactions.

(5) Grantees shall be required to submit the original and two copies of the Report of Federal Cash Transactions no later than 15 working days following the end of each quarter. For those grantees receiving annual grants totalling one million

September 13, 1974

dollars or more, the Federal grantor agencies may require a monthly report.

(6) Grantor agencies may waive the requirement for submission of the Report of Federal Cash Transactions when monthly advances do not exceed \$10,000 per grantee provided that such advances are monitored through other forms contained in this Attachment or the grantee's accounting controls are adequate to minimize excessive Federal advances.

4. Except as noted below, only the following forms will be authorized for the grantees in requesting advances and reimbursements.

a. Request for Advance or Reimbursement (Exhibit 3)

(1) Each grantor agency shall adopt the Request for Advance or Reimbursement as the standard form for all nonconstruction grant programs when letters of credit or predetermined automatic advance methods are not used. Agencies, however, have the option of using this form for construction programs in lieu of the Outlay Report and Request for Reimbursement for Construction Programs (paragraph 4b).

(2) Grantees shall be authorized to submit requests for advances or reimbursement at least monthly when letters of credit are not used. Grantees shall submit the original and two copies of the Request for Advance or Reimbursement.

b. Outlay Report and Request for Reimbursement for Construction Programs (Exhibit 4)

(1) Each grantor agency shall adopt the Outlay Report and Request for Reimbursement for Construction Programs as the standard format to be used for requesting reimbursement for construction programs. The grantor agencies may, however, have the option of substituting the Request for Advance or Reimbursement (paragraph 4a) in lieu of this form when the grantor agencies determine that the former provides adequate information to meet their needs.

(2) Grantees shall be authorized to submit requests for reimbursement at least monthly when letters of credit are not used. Grantees shall submit the original and two copies of the Outlay Report and Request for Reimbursement for Construction Programs.

5. When the grantor agencies need additional information in using these forms, the following shall be observed:

a. When necessary to comply with legislative requirements, grantor agencies shall issue instructions to require grantees to submit such information under the Remarks section of the reports.

b. When necessary to meet specific program needs, grantor agencies shall submit the proposed reporting requirements to the General Services Administration for approval under the exception provision of this circular.

c. The grantor agency, in obtaining information as in paragraphs a and b above, must also comply with report clearance requirements of the Office of Management and Budget Circular No. A-40, as revised.

6. Federal grantor agencies are authorized to reproduce these forms. The forms for reproduction purposes can be obtained from the General Services Administration, (AMF), Washington, DC 20405, and are available both in letter size and legal size; the larger size provides more space where large dollar amounts are involved.

INSTRUCTIONS FOR PREPARING THE FINANCIAL STATUS REPORT

Item 1 - Enter the name of the Federal grantor agency and organizational element to which this report is submitted.

Item 2 - Enter the grant number or other identifying number assigned by the Federal grantor agency.

Item 3 - Enter the name and complete mailing address, including the ZIP code for the grantee organization.

Item 4 - Enter the employer identification number as signed by the U.S. Internal Revenue Service.

Item 5 - This space is reserved for an account number or other identifying numbers which may be assigned by the grantee.

Items 6 and 7 - Mark the appropriate boxes.

Item 8 - Enter the month, day, and year of the beginning and ending of this project period. For formula grants which are not awarded on a project basis, show the grant period.

Item 9 - Enter the month, day, and year of the beginning and ending dates of the period for which this report is prepared. The frequency of the report will be established by the Federal grantor agency.

PLEASE READ BEFORE COMPLETING ITEM 10 - The purpose of vertical Columns (1) through (6) is to provide financial data for each program, function, and activity in the budget as approved by the Federal grantor agency. If additional columns are needed, use as many additional forms as needed and mark "continuation" on each form; however, the summary totals of all programs, functions or activities should be shown in the "total" Column of the first page.

For grants pertaining to a single Federal grant program (catalog number) or several grant programs which do not require a functional or activity classification, enter under Columns (1) through (6) the title of the program(s). For grants pertaining to multiple programs where one or more programs require a further breakdown by function or activity, use a separate form for each program showing the applicable functions or activities in separate columns. For grants containing several functions or activities which are funded from several programs, prepare a separate form for each activity or function when requested by the Federal grantor agency.

Item 10 - STATUS OF FUNDS

Line a. Enter the total outlays reported on Line 10e of the last report. Show zero, if this is the initial report.

Line b. Enter the total gross program outlays for this report period, including disbursements of cash realized as program income. For reports which are prepared on a cash basis, outlays are the sum of actual cash disbursements for goods and services, the amount of indirect expense charged, the value of in-kind contributions applied, and the amount of cash advances and payments made to contractors and subgrantees. For reports prepared on an accrued expenditure basis, outlays are the sum of actual cash disbursements, the amount of indirect expense incurred, the value of in-kind contributions applied, and the net increase (or decrease) in the amounts owed by the grantee for goods and other property received and for services performed by employees, contractors, subgrantees, and other payees.

Line c. Enter the amount of all program income realized in this period which is to be used in the project or program in accordance with the terms of the grant. For reports prepared on a cash basis, enter the amount of cash

income received during the reporting period. For reports prepared on an accrual basis, enter the amount of the net increase (or decrease) in the amount of accrued income since the beginning of the report period.

Line d. This amount should be the difference between amounts shown on Lines b and c.

Line e. Enter the sum of amounts shown on Lines a and d above.

Line f. Enter the amount pertaining to the non-Federal share of program outlays included in the amount on Line e.

Line g. Enter the Federal share of program outlays. The amount should be the difference between Lines e and f.

Line h. When the report is prepared on a cash basis, enter the total amount of unpaid obligations for this project or program including unpaid obligations to subgrantees. If the report is prepared on an accrued expenditure basis, enter the amount of undelivered orders and other outstanding obligations. Do not include any amounts that have been included on Lines a through g. On the final report, Line h should have a zero balance.

Line i. Enter the non-Federal share of unpaid obligations shown on Line h.

Line j. Enter the Federal share of unpaid obligations shown on Line h. The amount shown on this line should be the difference between the amounts on Lines h and i.

Line k. Enter the sum of the amounts shown on Lines g and j. If the report is final, the report should not contain any unpaid obligations.

Item l - Enter the total cumulative amount of Federal funds authorized.

Line m. Enter the unobligated balance of Federal funds. This amount should be the difference between Lines k and l.

Item 11 - INDIRECT EXPENSE

a. Type of rate - Mark the appropriate box.

b. Rate - Enter the rate in effect during the reporting period.

c. Base - Enter the amount of the base to which the rate was applied.

d. Total Amount - Enter the total amount of indirect cost charged during the report period.

e. Federal Share - Enter the amount of the Federal share charged during the report period.

If more than one rate was applied during the project period, include a separate schedule which shows the bases against which the indirect cost rates were applied, the respective indirect rates, the month, day, and year the indirect rates were in effect, amounts of indirect expense charged to the project, and the Federal share of indirect expense charged to the project to date. (See FMC 74 4, which contains principles for determining allowable costs of grants and contracts with State and local governments.)

Item 12 - Space is provided for any explanation deemed necessary by the grantee or for the provision of information required by the Federal grantor agencies in compliance with the governing legislation.

Item 13 - Complete the certification before submitting this report.

Exhibit H-1. Financial Status Report

(Page 2 of 2)

Attachment II

FD-707 (Rev. 12-29-69)

| REPORT OF FEDERAL CASH TRANSACTIONS | | 1. Federal Agency Identification and Element | | | | | | | | | | | | | | | | | | | | | | |
|---|-----|---|---|-----------|-------------------------------------|-----|------------------------------|----|----------------------------|----|--|----|--|----|-----------------------|----|------------------------------------|----|--|----|---------------------------------|----|-------------------------------|----|
| 2. Name of Grantee Organization Address: _____ City: _____ State: _____ ZIP: _____ | | 4. Federal Grant Title or Other Identification No. 6. Letter of Intent No. 8. Number of Payment Vouchers | 3. Grantee's Account Number (Identifying No.) 7. Cash Payment Number No. 9. No. of Forfeiting Checks Returned | | | | | | | | | | | | | | | | | | | | | |
| 3. Federal Agency Use Information No. | | 10. Report Period (Month, Day, Year) <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 30%; border: none;">Month</td> <td style="width: 30%; border: none;">Day</td> <td style="width: 30%; border: none;">Year</td> <td style="width: 10%; border: none;">TG</td> </tr> <tr> <td style="border: 1px solid black; height: 20px;"></td> <td style="border: 1px solid black; height: 20px;"></td> <td style="border: 1px solid black; height: 20px;"></td> <td style="border: 1px solid black; height: 20px;"></td> </tr> </table> | | | Month | Day | Year | TG | | | | | | | | | | | | | | | | |
| Month | Day | Year | TG | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | |
| 11. STATUS OF FEDERAL CASH <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 80%; border: none;">a. Cash on hand beginning of period</td> <td style="width: 20%; border: none; text-align: right;">\$</td> </tr> <tr> <td style="border: none;">b. Total of total withdrawal</td> <td style="border: none; text-align: right;">\$</td> </tr> <tr> <td style="border: none;">c. Treasury check payments</td> <td style="border: none; text-align: right;">\$</td> </tr> <tr> <td style="border: none;">d. Total receipts (Sum of Lines b and c)</td> <td style="border: none; text-align: right;">\$</td> </tr> <tr> <td style="border: none;">e. Total cash available (Sum of Lines d and e)</td> <td style="border: none; text-align: right;">\$</td> </tr> <tr> <td style="border: none;">f. Cash disbursements</td> <td style="border: none; text-align: right;">\$</td> </tr> <tr> <td style="border: none;">g. Federal share of program income</td> <td style="border: none; text-align: right;">\$</td> </tr> <tr> <td style="border: none;">h. Net disbursements (Line f minus Line g)</td> <td style="border: none; text-align: right;">\$</td> </tr> <tr> <td style="border: none;">i. Adjustments of prior periods</td> <td style="border: none; text-align: right;">\$</td> </tr> <tr> <td style="border: none;">j. Cash on hand end of period</td> <td style="border: none; text-align: right;">\$</td> </tr> </table> | | | | | a. Cash on hand beginning of period | \$ | b. Total of total withdrawal | \$ | c. Treasury check payments | \$ | d. Total receipts (Sum of Lines b and c) | \$ | e. Total cash available (Sum of Lines d and e) | \$ | f. Cash disbursements | \$ | g. Federal share of program income | \$ | h. Net disbursements (Line f minus Line g) | \$ | i. Adjustments of prior periods | \$ | j. Cash on hand end of period | \$ |
| a. Cash on hand beginning of period | \$ | | | | | | | | | | | | | | | | | | | | | | | |
| b. Total of total withdrawal | \$ | | | | | | | | | | | | | | | | | | | | | | | |
| c. Treasury check payments | \$ | | | | | | | | | | | | | | | | | | | | | | | |
| d. Total receipts (Sum of Lines b and c) | \$ | | | | | | | | | | | | | | | | | | | | | | | |
| e. Total cash available (Sum of Lines d and e) | \$ | | | | | | | | | | | | | | | | | | | | | | | |
| f. Cash disbursements | \$ | | | | | | | | | | | | | | | | | | | | | | | |
| g. Federal share of program income | \$ | | | | | | | | | | | | | | | | | | | | | | | |
| h. Net disbursements (Line f minus Line g) | \$ | | | | | | | | | | | | | | | | | | | | | | | |
| i. Adjustments of prior periods | \$ | | | | | | | | | | | | | | | | | | | | | | | |
| j. Cash on hand end of period | \$ | | | | | | | | | | | | | | | | | | | | | | | |
| 12. The amount in item 11j represents cash requirements for the ensuing _____ days. | | | | | | | | | | | | | | | | | | | | | | | | |
| 13. OTHER INFORMATION <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 80%; border: none;">a. Interest income</td> <td style="width: 20%; border: none; text-align: right;">\$</td> </tr> <tr> <td style="border: none;">b. Advances to sub-grantees</td> <td style="border: none; text-align: right;">\$</td> </tr> </table> | | | | | a. Interest income | \$ | b. Advances to sub-grantees | \$ | | | | | | | | | | | | | | | | |
| a. Interest income | \$ | | | | | | | | | | | | | | | | | | | | | | | |
| b. Advances to sub-grantees | \$ | | | | | | | | | | | | | | | | | | | | | | | |
| 14. REMARKS (Attach additional sheets if necessary) | | | | | | | | | | | | | | | | | | | | | | | | |
| 15. CERTIFICATION — I certify that to the best of my knowledge and belief this report is true in all respects and that all disbursements have been made for the purposes and conditions of the grant. | | | | | | | | | | | | | | | | | | | | | | | | |
| Name | | Title | | TELEPHONE | | | | | | | | | | | | | | | | | | | | |
| | | | | Area Code | | | | | | | | | | | | | | | | | | | | |
| | | | | Number | | | | | | | | | | | | | | | | | | | | |
| | | | | Ext. | | | | | | | | | | | | | | | | | | | | |
| Signature of Authorized Official | | | Date Report is Submitted | | | | | | | | | | | | | | | | | | | | | |
| FOR AGENCY USE ONLY | | | | | | | | | | | | | | | | | | | | | | | | |

Exhibit H-2. Report of Federal Cash Transactions
(Page 1 of 4)

**INSTRUCTIONS FOR PREPARING PAGE 1
OF THE REPORT OF FEDERAL CASH
TRANSACTIONS**

Item 1 – Enter the name of the Federal grantor agency and organizational element to which this report is submitted.

Item 2 – Enter the name and complete mailing address including the ZIP Code for the grantee organization.

Item 3 – Enter the employer identification number assigned by the U. S. Internal Revenue Service.

Item 4 – Enter the Federal grant number or other identifying numbers requested by the grantor agency. If this report covers more than one grant, leave this space blank and provide the information on page 2 of this report.

Item 5 – This space is reserved for an account number or other identifying number which may be assigned by the grantee.

Item 6 – Enter the letter of credit number which applies to this report. If all advances were made by Treasury check, enter "NA" for not applicable and leave Items 7 and 8 blank.

Item 7 – Enter the voucher number of the last letter of credit payment voucher (Form TUS 5401) which was credited to your account.

Item 8 – Enter the total number of letter of credit payment vouchers which were credited to your account during the reporting period.

Item 9 – Enter the total number of Treasury checks received during the reporting period, whether or not deposited.

Item 10 – Enter the month, day, and year of the beginning and ending dates of the period covered by this report.

Item 11 – STATUS OF FEDERAL CASH

Line a. Enter the total amount of Federal cash on hand at the beginning of the reporting period including all of the Federal funds on deposit, imprest funds, and undeposited Treasury checks.

Line b. Enter the total amount of all Federal funds received through payment vouchers (Form TUS 5401) which were credited to your account during the reporting period.

Line c. Enter the total amount of all Federal funds received during the reporting period through Treasury checks, whether or not deposited.

Line d. Enter the sum of Lines b and c.

Line e. Enter the sum of Lines a and d.

Line f. Enter the total Federal cash disbursements or payments made during the reporting period including dis-

bursements of cash received as program income. Disbursements as used here also include the amount of advances and payments less refunds to subgrantees or contractors and the amount to which the grantee is entitled for indirect costs and usage charges for buildings and equipment.

Line g. Enter the Federal share of program income received during the reporting period. Enter only the amount of program income which was required to be used on the project or program by the terms of the grant.

Line h. Enter the net disbursements. This amount is the difference between the amount shown on Line f minus the amount on Line g.

Line i. Enter the amount of all adjustments pertaining to prior periods affecting the ending balance which have not been included in any lines above. Identify each grant for which an adjustment was made, and enter an explanation for each adjustment in the "Remarks" space provided.

Line j. Enter the total amount of Federal cash on hand at the end of the reporting period. This amount should include all funds on deposit, imprest funds, and undeposited funds (Line e less Line h plus or minus Line i).

Item 12 – Enter the estimated number of days until the cash on hand, shown on Line 11j, will be expended. If more than three days cash requirements are on hand, provide an explanation in the "Remarks" space as to why the draw-down was made prematurely, or other reasons for the excess cash. The requirement for the explanation does not apply to prescheduled or automatic advances.

Item 13 – OTHER INFORMATION

Line a. Enter the amount of interest earned on advances of Federal funds but not remitted to the grantor agency. If this includes any amount earned and not remitted to the grantor agency for over 60 days, explain in the "Remarks" space. (States and State agencies do not need to complete this line.)

Line b. Enter the amount of advances to subgrantees or other secondary recipients included in Line 11h.

Item 14 – In addition to providing explanations as required above, this space is provided for additional explanation deemed necessary by the grantee and for the information required by the Federal grantor agencies in compliance with the governing legislation.

Item 15 – Complete the certification before submitting this report.

Attachment II

FD-203 (Rev. 12-10-62)

| REPORT OF FEDERAL CASH TRANSACTIONS | | 1. Federal Agency and Organizational Element | |
|---|--|--|---------------|
| 2. Bureau of Origin (Organization) | | 3. Report Period (Month, Day, Year) FROM TO | |
| 4. Federal Credit (Home Office) (Monthly) | 5. Credit to Account (Home Office) (Monthly) | 6. Federal Value of Net Disbursements | |
| | | a. For the Period | b. Cumulative |
| | | | |
| 7. TOTALS | | | |

Exhibit H-2. Report of Federal Cash Transactions
(Page 3 of 4)

INSTRUCTIONS FOR PREPARING PAGE 2 OF
THE REPORT OF FEDERAL CASH TRANSACTIONS

Use this page *only* when the Report of Federal Cash Transactions covers more than one grant.

Item 1 -- Enter the name of the Federal grantor agency and organizational element to which this report is submitted.

Item 2 -- Enter only the name of the grantee as shown on Item 2 of page 1.

Item 3 -- Enter the reporting period covered by this report as shown in Item 10 of page 1.

Item 4 -- Enter the Federal grant number for each grant listed. Provide a subdivision by other identifying numbers if required by the Federal grantor agency.

Item 5 -- Space is reserved for the grantee to show its account or other identification numbers.

Item 6a -- Show the net disbursements (gross disbursements less program income received) made from Federal cash during the reporting period for each grant or line item shown under Item 4.

Item 6b -- Show the cumulative net disbursements made for each grant or line item under Item 4.

Item 7 -- Enter the totals for Columns 6a and 6b. The total of Column 6 should be the same as the total on Line 11h on page 1. Also the total in Column 6b should be same as the sum of this period's disbursement (Column 6a), the adjustments shown on Line 11i on page 1, and the cumulative disbursements in the last report. Explain any differences.

Attachment #1

22-80223

| REQUEST FOR ADVANCE OR REIMBURSEMENT | | 1. Federal Agency or Department (Use only) | 2. Federal Committee or Other Identifying Agency | |
|--|-----------------------------------|--|--|-----------------------------|
| 3. Type of Payment Requested a. Advance b. Reimbursement | | 4. Type of Report a. Cash b. Actual Expenditures | | |
| 5. Type of Period a. Final b. Partial | | 6. Period Payment Requested | | |
| 7. Budget Identification No. | | 8. Contract Number (Use only if applicable) | | |
| 9. Name of Federal Organization | | 10. Period Covered (Month, Day, Year) | | |
| 11. Period of Report (If different than in 10) | | 12. Period of Report (If different than in 10) | | |
| 13. Project Name (Use only if applicable) | | 14. Project Number (Use only if applicable) | | |
| 15. Project Title (Use only if applicable) | | 16. Project Number (Use only if applicable) | | |
| II. COMPUTATION OF AMOUNT REQUESTED | | | | |
| | PROGRAMS - FUNCTIONS - ACTIVITIES | | | TOTAL |
| | (1) | (2) | (3) | |
| a. Total program outlays to date of _____ | \$ | \$ | \$ | \$ |
| b. Less: Cumulative program income | | | | |
| c. Net program outlays | | | | |
| d. Estimated net cash outlays for advance period | | | | |
| e. Total of lines c and d | | | | |
| f. Non-Federal share of amount on Line e | | | | |
| g. Federal share of amount on Line e | | | | |
| h. Federal payments previously received | | | | |
| i. Federal share now requested | | | | |
| j. Would advance requirements | | | | |
| (1) 30 months | | | | |
| (2) 24 months | | | | |
| (3) 18 months | | | | |
| 12. REMARKS (Attach additional sheets if necessary) | | | | |
| 13. I certify that to the best of my knowledge and belief the data reported above is correct and that all outlays were made in accordance with grant conditions and that payment is due and has not been previously requested. | | | | |
| Name | | Title | | TELEPHONE |
| | | | | Area Code Number Ext. |
| Signature of Authorized Official | | | | Date Report is Submitted |
| FOR AGENCY USE ONLY | | | | |

INSTRUCTIONS FOR PREPARING THE
REQUEST FOR ADVANCE OR REIMBURSEMENT

Item 1 — Enter the name of the Federal grantor agency and organizational element to which the request is submitted.

Item 2 — Enter the Federal grant number or other identifying number assigned by the Federal grantor agency.

Item 3 — Indicate with an "X" whether the type of payment requested is:

- a. An advance, reimbursement, or both.
- b. Final or partial.

Item 4 — Indicate with an "X" whether the report is prepared on a cash or accrued expenditure basis. All requests which are for advances only shall be prepared on a cash basis.

Item 5 — Enter the partial payment request number for this request.

Item 6 — Enter the employer identification number assigned by the U. S. Internal Revenue Service.

Item 7 — This space is reserved for an account number or other identifying number which may be assigned by the grantee.

Item 8 — Enter the month, day, and year for the beginning and ending of the period covered in this request. If the request is for an advance or for both an advance and reimbursement, show the period that the advance will cover. If the request is for a reimbursement, show the period for which the reimbursement is requested.

Item 9 — Enter the name and complete mailing address, including ZIP Code for the grantee organization.

Item 10 — Enter the name and complete mailing address, including ZIP Code of the payee if it is different than the grantee organization shown in Item 9.

PLEASE READ BEFORE COMPLETING ITEM 11 — The purpose of the vertical Columns (1) through (3) is to provide space for separate cost breakdowns when a large project has been planned and budgeted by program, function, and activity. If additional columns are needed, use as many additional forms as needed and mark "continuation" on each form; however, the summary totals of all programs, functions, or activities should be shown in the "total" Column on the first page.

Item 11 — COMPUTATION OF AMOUNT REQUESTED.

Line a — On the stub enter the month, day, and year of the ending of the accounting period to which this amount applies. Enter program outlays to date in the appropriate columns. For reports which are prepared on a cash basis, outlays are the sum of actual cash disbursements for goods and services, the amount of indirect expenses

charged, the value of in-kind contributions applied, and the amount of cash advances and payments made to sub-contractors and subgrantees. For reports prepared on an accrued expenditure basis, outlays are the sum of the actual cash disbursements, the amount of indirect expenses incurred, the value of in-kind contributions applied, amounts owed by the grantee for goods and other property received, amounts owed for services performed by employees, contractors, subgrantees, and other payees, and amounts becoming owed for which no current service or performance is required.

Line b — Enter the cumulative cash income received to date, if reports are prepared on a cash basis. For reports prepared on an accrued expenditure basis, enter the cumulative income earned to date. Under either basis, enter only the amount applicable to program income which was required to be used for the project or program by the terms of the grant.

Line c — This amount should be the difference between the amounts shown on Line a less the amounts shown on Line b.

Line d — Only when making requests for advance payments, enter the total estimated amount of cash outlays that will be made during the period covered by the advance.

Line e — Enter the total of Lines c and d.

Line f — Enter the non-Federal share of the amount shown on Line e.

Line g — Enter the Federal share of the amount shown on Line e.

Line h — Enter the cumulative amount of Federal payments received and amounts included in outstanding requests.

Line i — Enter the Federal share now requested. (Line g minus Line h).

Line j — Show the amount of advances required by month on each of Lines (1), (2), and (3) when requested by the Federal grantor agency for use in making pre-scheduled advances.

Item 12 — This space is provided for any explanation deemed necessary by the grantee and for any information required by the Federal grantor agency in compliance with the governing legislation.

Item 13 — Complete the certification before submitting this report.

Attachment III

24-00275

OUTLAY REPORT AND REQUEST FOR REIMBURSEMENT FOR CONSTRUCTION PROGRAMS

1. Title of Agency and Division (State or Local) _____ 2. Title of State Representative (Name and Address) _____

3. Type of Account _____ 4. Name of Project _____ 5. Name of Project (If different) _____

6. Project Number (If different) _____ 7. Project Account Number (If different) _____

8. Name of Local Organization _____ 9. Name of Project (If different) _____

10. _____

II. STATEMENT (Entry)

| CLASSIFICATION | PROGRAM | | | TOTAL |
|--|---------|-----|-----|-------|
| | (1) | (2) | (3) | |
| a. All outlay expense | \$ | \$ | \$ | \$ |
| b. Indirect expense | | | | |
| c. Land structures, up to date | | | | |
| d. Architectural engineering, basic fees | | | | |
| e. Other architectural engineering, fees | | | | |
| f. Project inspection fees | | | | |
| g. Land development | | | | |
| h. Relocation expense | | | | |
| i. Relocation payments to utility and other agencies | | | | |
| j. Utilities and removal | | | | |
| k. Construction and project inspection cost | | | | |
| l. Equipment | | | | |
| m. Other direct cost | | | | |
| n. Total cumulative to date (Sum of Lines a-m) | | | | |
| o. Deduction for program income | | | | |
| p. Net cumulative to date (Line n minus Line o) | | | | |
| q. Federal share to date | | | | |
| r. Rehabilitation grants (IG's) (estimated) | | | | |
| s. Total Federal share (Sum of Lines q and r) | | | | |
| t. Federal payments previously requested | | | | |
| u. Amount requested for reimbursement | \$ | \$ | \$ | \$ |
| v. Percent of project completed | % | % | % | % |

12. **CERTIFICATION** - I certify that to the best of my knowledge and belief the billed costs of disbursements are in accordance with the terms of the contract and that the reimbursement requested is the Federal share due which has not been previously requested and that an inspection has been performed and all work is in accordance with the terms of the grant.

Name: _____ Title: _____ Telephone No.: _____ Date: _____

Name: _____ Title: _____ Telephone No.: _____ Date: _____

Exhibit II-4. Outlay Report and Requests for Reimbursement and Construction Programs (page 1 of 2)

**INSTRUCTIONS FOR PREPARING THE OUTLAY REPORT AND REQUEST FOR
REIMBURSEMENT FOR CONSTRUCTION PROGRAMS**

Item 1 - Enter name of the Federal grantor agency and organizational element to which the report is submitted.

Item 2 - Enter the grant number or other identifying number assigned by the Federal grantor agency.

Item 3 - Mark the appropriate box. If the request is final, the amounts billed should represent the final cost of the project.

Item 4 - Show whether amounts are computed on an accrued expenditure or cash disbursement basis.

Item 5 - Enter the partial payment request number.

Item 6 - Enter the employer identification number as signed by the U. S. Internal Revenue Service.

Item 7 - This space is reserved for an account number or other identifying number which may be assigned by the grantee.

Item 8 - Enter the month, day, and year for the beginning and ending of the period for which this report is prepared.

Item 9 - Enter the name and complete mailing address including ZIP Code for the grantee organization.

Item 10 - Enter the name and complete mailing address including the ZIP Code where the check should be sent, if the payee is different than the grantee organization shown in Item 9.

PLEASE READ BEFORE COMPLETING ITEM 11 - The purpose of vertical columns (1) through (3) is to provide space for separate cost breakdowns when a large project has been planned and budgeted by program, function and activity. If additional columns are needed, use as many additional forms as needed and mark "continuation" on each form; however, the summary totals of all programs, functions, or activities should be shown in the "total" column on the first page.

Item 11 - STATUS OF FUNDS - All amounts are reported on a cumulative basis.

Line a. Enter amounts expended for such items as travel, legal fees, rental of vehicles and any other administrative expenses. Include the amount of interest expense when authorized by program legislation. Also show the amount of interest expense on a separate sheet.

Line b. Enter amounts pertaining to the work of locating and designing, making surveys and maps, sinking test holes, and all other work required prior to actual construction.

Line c. Enter all amounts directly associated with the acquisition of land, existing structures and related right-of-way.

Line d. Enter basic fees for services of architectural engineers.

Line e. Enter other architectural engineering services. Do not include any amounts shown on Line d.

Line f. Enter inspection and audit fees of construction and related programs.

Line g. Enter all amounts associated with the development of land where the primary purpose of the grant is land improvement. The amount pertaining to land development normally associated with major construction should be excluded from this category and entered on Line k.

Line h. Enter the dollar amounts used to provide relocation advisory assistance and net costs of replacement housing (last resort). Do not include amounts needed

for relocation administrative expense. These amounts should be included in amounts shown on Line a.

Line i. Enter the amount of relocation payments made by the grantor to displaced persons, farms, business concerns, and nonprofit organizations.

Line j. Enter gross salaries and wages of employees of the grantee and payments to third party contractors directly engaged in performing demolition or removal of structures from developed land. All proceeds from the sale of salvage or the removal of structures should be credited to this account; thereby reflecting net amounts if required by the grantor agency.

Line k. Enter those amounts associated with the actual construction of, addition to, or restoration of a facility. Also include in this category the amounts for project improvements such as sewers, streets, landscaping, and lighting.

Line l. Enter amounts for all equipment, both fixed and movable, exclusive of equipment used for construction. For example, permanently attached laboratory tables, built-in audio visual systems, movable desks, chairs, and laboratory equipment.

Line m. Enter the amounts for all items not specifically mentioned above.

Line n. Enter the total cumulative amount to date which should be the sum of Lines a through m.

Line o. Enter the total amount of program income applied to the grant except income included on Line j. Identify on a separate sheet of paper the sources and types of the income.

Line p. Enter the net cumulative amount to date which should be the amount shown on Line n minus the amount on Line o.

Line q. Enter the Federal share of the amount shown on Line p.

Line r. Enter the amount of rehabilitation grant payments made to individuals when program legislation provides 100 percent payment by the Federal grantor agency.

Line s. Enter the total of Lines q and r.

Line t. Enter the total amount of Federal payments previously requested, if this form is used for requesting reimbursement.

Line u. Enter the amount now being requested for reimbursement. This amount should be the difference between the amounts shown on Lines s and t. If different, explain on a separate sheet.

Line v. Show the percentage of the physical completion of the project.

Item 12 - CERTIFICATION

a. GRANTEE - Enter the name, title, telephone number, and signature of the grantee official who is responsible for the operation of the program. The date should be the actual date the form is submitted to the Federal grantor agency.

b. STATE, LOCAL, OR FEDERAL GOVERNMENT REPRESENTATIVE - Enter the name, title, telephone number, and signature of the Government representative who is certifying to the percent of project completion. This representative may be a professional architectural engineer, under contract to the State, local, or Federal government or he may be a qualified State, local, or Federal government employee.

Exhibit II-4. Outlay Report and Requests for Reimbursement
and Construction Programs
(page 2 of 2)

MONITORING AND REPORTING PROGRAM PERFORMANCE

1. This attachment sets forth the procedures for monitoring and reporting program performance under Federal grants. These procedures are designed to place greater reliance on State and local governments to manage the day-to-day operations of the grant-supported activities.

2. Grantees shall constantly monitor the performance under grant-supported activities to assure that time schedules are being met, projected work units by time periods are being accomplished, and other performance goals are being achieved. This review shall be made for each program, function, or activity of each grant as set forth in the approved grant application.

3. Grantees shall submit a performance report for each grant which briefly presents the following for each program, function, or activity involved:

a. A comparison of actual accomplishments to the goals established for the period. Where the output of grant programs can be readily quantified, such quantitative data should be related to cost data for computation of unit costs.

b. Reasons for slippage in those cases where established goals were not met.

c. Other pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs.

4. Grantees shall submit the performance reports to grantor agencies with the Financial Status Reports, in the frequency established by Attachment H of this circular. The grantor agency shall prescribe the frequency with which the performance reports will be submitted with the Request for Advance or Reimbursement when that form is used in lieu of the Financial Status Report. In no case shall the performance reports be required more frequently than quarterly or less frequently than annually.

5. Between the required performance reporting dates, events may occur which have significant impact upon the project or program.

September 13, 1974

In such cases, the grantee shall inform the grantor agency as soon as the following types of conditions become known:

a. Problems, delays, or adverse conditions which will materially affect the ability to attain program objectives, prevent the meeting of time schedules and goals, or preclude the attainment of project work units by established time periods. This disclosure shall be accompanied by a statement of the action taken, or contemplated, and any Federal assistance needed to resolve the situation.

b. Favorable developments or events which enable meeting time schedules and goals sooner than anticipated or producing more work units than originally projected.

6. If any performance review conducted by the grantee discloses the need for change in the budget estimates in accordance with the criteria established in Attachment K to this circular, the grantee shall submit a request for budget revision.

7. The grantor agency shall make site visits as frequently as practicable to:

a. Review program accomplishments and management control systems.

b. Provide such technical assistance as may be required.

GRANT PAYMENT REQUIREMENTS

1. This attachment establishes required methods of making grant payments to State and local governments that will minimize the time elapsing between the disbursement by a grantee and the transfer of funds from the United States Treasury to the grantee, whether such disbursement occurs prior to or subsequent to the transfer of funds.

2. Grant payments are made to grantees through a letter of credit, an advance by Treasury check, or a reimbursement by Treasury check. The following definitions apply for the purpose of this attachment:

a. Letter of credit. A letter of credit is an instrument certified by an authorized official of a grantor agency which authorizes a grantee to draw funds when needed from the Treasury, through a Federal Reserve Bank and the grantee's commercial bank, in accordance with the provisions of Treasury Circular No. 1075.

b. Advance by Treasury check. An advance by Treasury check is a payment made by a Treasury check to a grantee upon its request or through the use of predetermined payment schedules before payments are made by the grantee.

c. Reimbursement by Treasury check. A reimbursement by Treasury check is a payment made to a grantee with a Treasury check upon request for reimbursement from the grantee.

3. Except for construction grants for which the letter-of-credit method is optional, the letter-of-credit funding method shall be used by grantor agencies where all of the following conditions exist:

a. When there is or will be a continuing relationship between a grantee and a Federal grantor agency for at least a 12-month period and the total amount of advances to be received within that period from the grantor agency is \$250,000, or more, as prescribed by Treasury Circular No. 1075.

September 13, 1974

b. When the grantee has established or demonstrated to the grantor the willingness and ability to establish procedures that will minimize the time elapsing between the transfer of funds and their disbursement by the grantee.

c. When the grantee's financial management system meets the standards for fund control and accountability prescribed in Attachment G to this circular, "Standards for Grantee Financial Management Systems."

4. The method of advancing funds by Treasury check shall be used, in accordance with the provisions of Treasury Circular No. 1075, when the grantee meets all of the requirements specified in paragraph 3 above except those in 3.a.

5. The reimbursement by Treasury check method shall be the preferred method when the grantee does not meet the requirements specified in either or both of paragraphs 3.b. and 3.c. This method may also be used when the major portion of the program is accomplished through private market financing or Federal loans, and when the Federal grant assistance constitutes a minor portion of the program.

6. Unless otherwise required by law, grantor agencies shall not withhold payments for proper charges made by State and local governments at any time during the grant period unless (a) a grantee has failed to comply with the program objectives, grant award conditions, or Federal reporting requirements, or (b) the grantee is indebted to the United States and collection of the indebtedness will not impair accomplishment of the objectives of any grant program sponsored by the United States. Under such conditions, the grantor may, upon reasonable notice, inform the grantee that payments will not be made for obligations incurred after a specified date until the conditions are corrected or the indebtedness to the Federal government is liquidated.

7. Attachment H of this circular, "Financial Reporting," provides for the procedures and forms for requesting advances or reimbursements.

BUDGET REVISION PROCEDURES

1. This attachment promulgates criteria and procedures to be followed by Federal grantor agencies in requiring grantees to report deviations from grant budgets and to request approvals for budget revisions.

2. The grant budget as used in this attachment means the approved financial plan for both the Federal and nonfederal shares to carry out the purpose of the grant. This plan is the financial expression of the project or program as approved during the grant application and award process. It should be related to performance for program evaluation purposes whenever appropriate and required by the grantor agency.

3. For nonconstruction grants, State and local governments shall request prior approvals promptly from grantor agencies for budget revisions whenever:

a. The revision results from changes in the scope or the objective of the grant-supported program.

b. The revision indicates the need for additional Federal funding.

c. The grant budget is over \$100,000 and the cumulative amount of transfers among direct cost object class budget categories exceeds or is expected to exceed \$10,000, or five percent of the grant budget, whichever is greater. The same criteria apply to the cumulative amount of transfers among programs, functions, and activities when budgeted separately for a grant, except that the grantor agency shall permit no transfer which would cause any Federal appropriation, or part thereof, to be used for purposes other than those intended.

d. The grant budget is \$100,000, or less, and the cumulative amount of transfers among direct cost object class budget categories exceeds or is expected to exceed five percent of the grant budget. The same criteria apply to the cumulative amount of

September 13, 1974

transfers among programs, functions, and activities when budgeted separately for a grant, except that the grantor agency shall permit no transfer which would cause any Federal appropriation, or part thereof, to be used for purposes other than those intended.

e. The revisions involve the transfer of amounts budgeted for indirect costs to absorb increases in direct costs.

f. The revisions pertain to the addition of items requiring approval in accordance with the provisions of FMC 74-4.

4. All other changes to nonconstruction grant budgets, except for the changes described in paragraph 6, do not require approval. These changes include (a) the use of grantee funds in furtherance of program objectives over and above the grantee minimum share included in the approved grant budget and (b) the transfer of amounts budgeted for direct costs to absorb authorized increases in indirect costs.

5. For construction grants, State and local governments shall request prior approvals promptly from grantor agencies for budget revisions whenever:

a. The revision results from changes in the scope or the objective of the grant-supported programs.

b. The revision increases the budgeted amounts of Federal funds needed to complete the project.

6. When a grantor agency awards a grant which provides support for both construction and nonconstruction work, the grantor agency may require the grantee to request prior approval from the grantor agency before making any fund or budget transfers between the two types of work supported.

7. For both construction and nonconstruction grants, grantor agencies shall require State and local governments to notify the grantor agency promptly whenever the amount of Federal authorized funds is expected to exceed the needs of the grantee by more than \$5,000 or 5 percent of the Federal grant, whichever is greater. This notification will not be required when applications for additional funding are submitted for continuing grants.

September 13, 1974

FMC 74-7
Attachment K

8. When requesting approval for budget revisions, grantees shall use the budget forms which were used in the grant application. However, grantees may request by letter the approvals required by the provisions of FMC 74-4.

9. Within 30 days from the date of receipt of the request for budget revisions, grantor agencies shall review the request and notify the grantee whether or not the budget revisions have been approved. If the revision is still under consideration at the end of 30 days, the grantor shall inform the grantee in writing as to when the grantee may expect the decision.

GRANT CLOSEOUT PROCEDURES

1. This attachment prescribes uniform closeout procedures for Federal grants to State and local governments.

2. The following definitions shall apply for the purpose of this attachment:

a. Grant closeout. The closeout of a grant is the process by which a Federal grantor agency determines that all applicable administrative actions and all required work of the grant have been completed by the grantee and the grantor.

b. Date of completion. The date when all work under a grant is completed or the date in the grant award document, or any supplement or amendment thereto, on which Federal assistance ends.

c. Termination. The termination of a grant means the cancellation of Federal assistance, in whole or in part, under a grant at any time prior to the date of completion.

d. Suspension. The suspension of a grant is an action by a Federal grantor agency which temporarily suspends Federal assistance under the grant pending corrective action by the grantee or pending a decision to terminate the grant by the grantor agency.

e. Disallowed costs. Disallowed costs are those charges to a grant which the grantor agency or its representative determines to be unallowable. (See FMC 74-4.)

3. All Federal grantor agencies shall establish grant closeout procedures which include the following requirements:

a. Upon request, the Federal grantor agency shall make prompt payments to a grantee for allowable reimbursable costs under the grant being closed out.

September 13, 1974

b. The grantee shall immediately refund to the grantor agency any unencumbered balance of cash advanced to the grantee.

c. The grantor agency shall obtain from the grantee within 90 days after the date of completion of the grant all financial, performance, and other reports required as a condition of the grant. The agency may grant extensions when requested by the grantee.

d. The grantor agency shall make a settlement for any upward or downward adjustments to the Federal share of costs after these reports are received.

e. The grantee shall account for any property acquired with grant funds, or received from the Government in accordance with the provisions of attachment N to this circular.

f. In the event a final audit has not been performed prior to the closeout of the grant, the grantor agency shall retain the right to recover an appropriate amount after fully considering the recommendations on disallowed costs resulting from the final audit.

4. All Federal grantor agencies shall provide procedures to be followed when a grantee has failed to comply with the grant award stipulations, standards, or conditions. When that occurs, the grantor agency may, on reasonable notice to the grantee, suspend the grant, and withhold further payments, or prohibit the grantee from incurring additional obligations of grant funds, pending corrective action by the grantee or a decision to terminate in accordance with paragraph 5.a. The grantor agency may allow all necessary and proper costs which the grantee could not reasonably avoid during the period of suspension provided that they meet the provisions of FMC 74-4.

5. Subject to statutory provisions referred to in paragraph 4 of the basic circular, of which this attachment is a part, all Federal grantor agencies shall provide for the systematic settlement of terminated grants including the following:

a. Termination for cause. The grantor agency may terminate any grant in whole, or in part, at any time before the date of completion, whenever it is determined that the grantee has failed to comply with the conditions of the grant. The grantor agency shall promptly notify the grantee in writing of the determination and the reasons for the termination, together with the effective date. Payments made to grantees or recoveries by the grantor

September 13, 1974

FMC 74- 7
Attachment L

agencies under grants terminated for cause shall be in accord with the legal rights and liabilities of the parties.

b. Termination for convenience. The grantor agency or grantee may terminate grants in whole, or in part, when both parties agree that the continuation of the project would not produce beneficial results commensurate with the further expenditure of funds. The two parties shall agree upon the termination conditions, including the effective date and, in the case of partial terminations, the portion to be terminated. The grantee shall not incur new obligations for the terminated portion after the effective date, and shall cancel as many outstanding obligations as possible. The Federal agency shall allow full credit to the grantee for the Federal share of the noncancelable obligations, properly incurred by the grantee prior to termination.

STANDARD FORMS FOR APPLYING FOR FEDERAL ASSISTANCE

1. This attachment promulgates standard forms to be used by State and local governments in applying for all Federal grants except those Federal formula grant programs which do not require grantees to apply for Federal funds on a project basis.

2. The standard forms and their purposes are briefly described in the following paragraphs:

a. Preapplication for Federal Assistance (Exhibit 1). Preapplication for Federal Assistance is used to: (1) establish communication between the Federal grantor agency and the applicant; (2) determine the applicant's eligibility; (3) determine how well the project can compete with similar applications from others; and (4) eliminate any proposals which have little or no chance for Federal funding before applicants incur significant expenditures for preparing an application. Preapplication forms shall be required for all construction, land acquisition and land development projects or programs for which the need for Federal funding exceeds \$100,000. The Federal grantor agency may require the use of the preapplication form for other types of grant programs or for those for which the Federal fund request is for \$100,000 or less. In addition, Federal agencies shall establish procedures allowing State and local government applicants to submit, if they so desire, the preapplication form when mandatory requirements for preapplication do not exist.

b. Notice of Review Action (Exhibit 2). The purpose of the Notice of Review Action is to inform the applicant of the results of the review of the preapplication forms which were submitted to Federal grantor agencies. The Federal grantor agency shall send a notice to the applicant within 45 days of the receipt of the preapplication form. When the review cannot be made within 45 days, the applicant shall be informed by letter as to when the review will be completed.

c. Federal Assistance Application for Nonconstruction Programs (Exhibit 3). The Federal Assistance Application for Nonconstruction Programs form is designed to accommodate several programs and shall be used by the applicant for all actions

covered by this attachment except where the major purpose of the grant involves construction, land acquisition, or development or single-purpose and one-time grant applications for less than \$10,000 which do not require clearinghouse approval, an environmental impact statement, or the relocation of persons, businesses, or farms.

d. Federal Assistance Application for Construction Programs (Exhibit 4). The Federal Assistance Application for Construction Programs form shall be used for all grants where the major purpose of the program involves construction, land acquisition, and land development, except when the Application for Federal Assistance-Short Form (paragraph 2e) is used.

e. Application for Federal Assistance--Short Form (Exhibit 5). The Application for Federal Assistance-Short Form shall be used for all grants for single-purpose and one-time grant applications for less than \$10,000 not requiring clearinghouse approval, an environmental impact statement, or the relocation of persons, businesses, or farms. Federal grantor agencies may, at their discretion, authorize the use of this form for applications for larger amounts.

3. For all forms described herein, the following shall apply:

a. All requests by grantees for changes, continuations, and supplementals to approved grants shall be submitted on the same form as the original application. For these purposes, only the required pages of the forms should be submitted.

b. Grantor agencies may issue supplementary instructions to the standard forms to:

(1) Specify and describe the programs, functions, or activities which will be used to plan, budget, and evaluate the work under the grant programs.

(2) Provide amplification or specifics to the requirements for program narrative statements. These changes will require approval under the provisions of paragraph 7 of the basic circular of which this attachment is a part.

(3) Design report forms for additional information to meet legal and program management requirements. These forms shall be submitted for report form clearance in accordance with Office of Management and Budget Circular No. A-40, as revised.

September 13, 1974

FMC 74-7
Attachment M

c. Grantees shall submit the original and two copies of the application.

d. Federal grantor agencies are authorized to reproduce these forms. The forms for reproduction purposes can be obtained from the General Services Administration (AMF), Washington, DC 20405.

INSTRUCTIONS

This form shall be used for all Federal assistance projects for construction, land acquisition or land development in excess of \$100,000 Federal funding. It is not applicable to continuing grants after the initial grant has been awarded, or to requests for supplements or revisions to existing grants or loans. However, the applicant may submit the preapplication form for other assistance requests, and the Federal grantor agency may require the preapplication form for other assistance requests.

Submit the original and two copies of all required forms. If an item cannot be answered or does not appear to be related or relevant to the assistance requested, write "NA" for not applicable.

Item 1 — Enter the State clearinghouse identifier. This is the code or number assigned by the clearinghouse to applications requiring State clearinghouse coordination for programs listed in Attachment D, Office of Management and Budget Circular No. A-95.

Item 2 — Enter the applicant's preapplication number or other identifier.

Item 3 — Enter the name of the Federal grantor agency, the name of the primary organizational unit to which the application is addressed, the name of the administrative office having direct operational responsibility for managing the grant program, and the complete address of the grantor agency.

Item 4 — Enter the name of the applicant, the name of the primary organizational unit which will undertake the grant supported activity and the complete address of the applicant.

Item 5 — Enter the descriptive name of this project.

Item 6 — Enter the appropriate catalog number as shown in the Catalog of Federal Domestic Assistance. If the assistance request pertains to more than one catalog number, leave this space blank and list the catalog numbers in Part III.

Item 7 — Enter the approximate amount that is requested from the Federal government. This amount should include the total funds requested in this application and should agree with the total amounts shown in Part III, Line 6, Column (e).

Item 8 — Check one grantee type. If the grantee is other than a State, county, or city government, specify the type of grantee on the "Other" line. Examples of other types of grantees are council of governments, interstate organizations, or special units.

Item 9 — Check the type of assistance requested. If the assistance involves more than one type, check two or more blocks and explain in Part IV.

Item 10 — Enter the number of persons directly benefiting from this project. For example, if the project is a neighborhood health center, enter the estimated number of residents in the neighborhood that will use the center.

Item 11

a. Enter the congressional district in which the applicant is located.

b. Enter the congressional district(s) in which most of the actual work on the project will be accomplished. If the work will be accomplished city-wide or State-wide, covering several congressional districts, write "city-wide" or "State-wide".

Item 12 — Enter the number of months that will be needed to complete the project after Federal funds are made available.

Item 13 — Enter the approximate date the project is expected to begin.

Item 14 — Enter the date this application is submitted.

Item 15 — Complete the certification before submitting the report.

PREAPPLICATION FOR FEDERAL ASSISTANCE

PART II

1. Does this assistance request require State, local, regional or other priority rating? _____ Yes _____ No
2. Does this assistance require State or local advisory, educational or health clearance? _____ Yes _____ No
3. Does this assistance request require Clearinghouse review? _____ Yes _____ No
4. Does this assistance request require State, local, regional or other planning approval? _____ Yes _____ No
5. Is the proposed project covered by an approved comprehensive plan? _____ Yes _____ No
6. Will the assistance requested serve a Federal installation? _____ Yes _____ No
7. Will the assistance requested be on Federal land or installation? _____ Yes _____ No
8. Will the assistance requested have an effect on the environment? _____ Yes _____ No
9. Will the assistance requested cause the displacement of individuals, families, businesses, or farms? _____ Yes _____ No
10. Is there other related assistance for this project previous, pending, or anticipated? _____ Yes _____ No

PART III - PROJECT BUDGET

| FEDERAL CATALOG NUMBER (a) | TYPE OF ASSISTANCE LOAN, GRANT, ETC. (b) | FIRST BUDGET PERIOD (c) | BALANCE OF PROJECT (d) | TOTAL (e) |
|-------------------------------|--|----------------------------|---------------------------|--------------|
| 1. | | | | |
| 2. | | | | |
| 3. | | | | |
| 4. | | | | |
| 5. | | | | |
| 6. Total Federal Contribution | | \$ | \$ | \$ |
| 7. State Contribution | | | | |
| 8. Applicant Contribution | | | | |
| 9. Other Contributions | | | | |
| 10. Totals | | \$ | \$ | \$ |

PART IV - PROGRAM NARRATIVE STATEMENT
(Attach per instruction)

INSTRUCTIONS

PART II

Negative answers will not require an explanation unless the Federal agency requests more information at a later date. All "Yes" answers must be explained on a separate page in accordance with the instructions.

Item 1 - Provide the name of the governing body establishing the priority system and the priority rating assigned to this project. If the priority rating is not available, give the approximate date that it will be obtained.

Item 2 - Provide the name of the agency or board which issued the clearance and attach the documentation of status or approval. If the clearance is not available, give the date it will be obtained.

Item 3 - Attach the clearinghouse comments for the pre-application in accordance with the instructions contained in Office of Management and Budget Circular No. A-95.

Item 4 - Furnish the name of the approving agency and the approval date. If the approval has not been received, state approximately when it will be obtained.

Item 5 - Show whether the approved comprehensive plan is State, local or regional; or, if none of these, explain the scope of the plan. Give the location where the approved plan is available for examination, and state whether this project is in conformance with the plan. If the plan is not available, explain why.

Item 6 - Show the population residing or working on the Federal installation who will benefit from this project.

Item 7 - Show the percentage of the project work that will be conducted on federally-owned or leased land. Give the name of the Federal installation and its location.

Item 8 - Briefly describe the possible beneficial and/or harmful effect on the environment because of the proposed project. If an adverse environmental effect is anticipated, explain what action will be taken to minimize it. Federal agencies will provide separate instructions, if additional data is needed.

Item 9 - State the number of individuals, families, businesses, or farms this project will displace. Federal agencies

will provide separate instructions, if additional data is needed.

Item 10 - Show the Federal Domestic Assistance Catalog number, the program name, the type of assistance, the status, and amount of each project where there is related previous, pending, or anticipated assistance.

PART III

Complete: Lines 1-5 - Columns (a)-(e). Enter the catalog numbers shown in the Catalog of Federal Domestic Assistance in Column (a) and the type of assistance in Column (b). For each line entry in Columns (a) and (b), enter in Columns (c), (d), and (e), the estimated amounts of Federal funds needed to support the project. Columns (c) and (d) may be left blank, if not applicable.

Line 6 - Show the totals for Lines 1-5 for Columns (c), (d), and (e).

Line 7 - Enter the estimated amounts of State assistance, if any, including the value of in-kind contributions, in Columns (c), (d), and (e). Applicants which are States or State agencies should leave Line 7 blank.

Line 8 - Enter the estimated amounts of funds and value of in-kind contributions the applicant will provide to the program or project in Columns (c), (d), and (e).

Line 9 - Enter the amount of assistance including the value of in-kind contributions, expected from all other contributors in Columns (c), (d), and (e).

Line 10 - Enter the totals of Columns (c), (d), and (e).

PART IV

The program narrative statement should be brief and describe the need, objectives, method of accomplishment, the geographical location of the project, and the benefits expected to be obtained from the assistance. The statement should be typed on a separate sheet of paper and submitted with the preapplication. Also attach any data that may be needed by the grantor agency to establish the applicant's eligibility for receiving assistance under the Federal program(s).

September 13, 1974

NOTICE OF PREAPPLICATION REVIEW ACTION

From: _____
(Department, bureau, or establishment)

Agency Number

To:

Reference Your Preapplication
Number _____
Dated: _____

1. We have reviewed your preapplication for Federal assistance under _____ and have determined that your proposal is:
 _____ eligible for funding by this agency and can compete with similar applications from other grantees.
 _____ eligible but does not have the priority necessary for further consideration at this time.
 _____ not eligible for funding by this agency.
2. Therefore, we suggest that you:
 _____ file a formal application with us by (date) _____.
 _____ file an application with _____ (Suggested Federal agency).
 _____ find other means of funding this project.
3. Based upon the funds available for this program over the last two fiscal years and the number of applications reviewed, or pending, we anticipate that funds for which you are competing will be available after (month, year) _____.
4. You requested \$_____ Federal funding in your preapplication form, and we:
 _____ are agreeable to consideration of approximately this amount in the formal application.
 _____ will need to analyze the amount requested in more detail.
5. A preapplication conference will be _____ necessary _____ not necessary. We are recommending that it be held at _____, on _____, at _____ a.m./p.m. Please contact the undersigned for confirmation.
6. Enclosures: _____ Forms _____ Instructions _____ Other (Specify) _____
7. Other Remarks:

| | | |
|---------------------|-----------------------|------------------|
| Signature | Title | Date |
| Organizational Unit | Administrative Office | Telephone Number |
| Address | | |

NOTE: This form will be used by Federal agencies to inform applicants of the results of a review of their preapplication request for Federal assistance. When the review cannot be performed within 45 days, the applicant shall be informed by letter as to when the review will be completed. When Federal agencies determine that the proposal is not eligible for Federal assistance, specific reasons should be provided in Item 7 Other Remarks.

INSTRUCTIONS

PART I

This form shall be used for all Federal assistance except for (a) construction, land acquisition or land development projects and (b) single purpose one-time assistance requests of less than \$10,000 which do not require a clearinghouse review, an environmental impact statement, or relocation of persons, businesses or farms. This form shall be used also to request supplemental assistance, to propose changes or amendments, and to request continuation or refunding, for approved grants originally submitted on this form.

Submit the original and two copies of the forms. If an item cannot be answered or does not appear to be related or relevant to the assistance required, write "NA" for not applicable. When a request is made for supplemental assistance, amendments or changes to an approved grant, submit only those pages which are appropriate.

Item 1 - Enter the State clearinghouse identifier. This is the code or number assigned by the clearinghouse to applications requiring State clearinghouse coordination for programs listed in Attachment D, Office of Management and Budget Circular No. A-95.

Item 2 - Enter the applicant's application number or other identifier. If a preapplication was submitted, show also the number that appeared on the preapplication if different than the application number.

Item 3 - Enter the name of the Federal grantor agency, the name of the primary organizational unit to which the application is addressed, the name of the administrative office having direct operational responsibility for managing the grant program, and the complete address of the Federal grantor agency.

Item 4 - Enter the name of the applicant, the name of the primary organizational unit which will undertake the grant supported activity, and the complete address of the applicant.

Item 5 - Enter the descriptive name of this project.

Item 6 - Enter the appropriate catalog number as shown in the Catalog of Federal Domestic Assistance. If the assistance will pertain to more than one catalog number, leave this space blank and list the catalog numbers under Part III, Section A.

Item 7 - Enter the amount that is requested from the Federal Government in this application. This amount should agree with the total amount shown in Part III, Section A, Line 5 of Column (e). For revisions, changes, or amendments, show only the amount of the increase or decrease.

Item 8 - Check one grantee type. If the grantee is other than a State, county, or city government, specify the type

of grantee on the "Other" line. Examples of other types of grantees are council of governments, interstate organizations, or special units.

Item 9 - Check the type of application or request. If the "Other Changes" block is checked, specify the type of change. The definitions for terms used in Item 9 are as follows:

- a. New grant - an action which is being submitted by the applicant for the first time.
- b. Continuation grant - an action that pertains to the continuation of a multi-year grant (e.g., the second year award for a project which will extend over five years).
- c. Supplemental grant - an action which pertains to an increase in the amount of the Federal contribution for the same period.
- d. Changes in the existing grant - Specify one or more of the following:
 - (1) Increase in duration - a request to extend the grant period.
 - (2) Decrease in duration - a request to reduce the grant period.
 - (3) Decrease in amount - a request to decrease the amount of the Federal contribution.

Item 10 - Check the type of assistance requested. If the assistance involves more than one type, check two or more blocks and explain in Part IV - Program Narrative.

Item 11 - Enter the number of persons directly benefiting from this project. For example, if the project is for a neighborhood health center, enter the estimated number of residents in the neighborhood that will use the center.

Item 12

- a. Enter the congressional district in which the applicant is located.
- b. Enter the congressional district(s) in which most of the actual work on the project will be accomplished. If the work will be accomplished city-wide or State-wide, covering several congressional districts, write "city-wide" or "State-wide".

Item 13 - Enter the number of months that will be needed to complete the project after Federal funds are made available.

Item 14 - Enter the approximate date the project is expected to begin.

Item 15 - Enter the date this application is submitted.

Item 16 - Complete the certification before submitting the report.

PART II

PROJECT APPROVAL INFORMATION

OMB Approval No. 29-R0218

Item 1.
Does this assistance request require State, local, regional, or other priority rating? _____ Yes _____ No

Name of Governing Body _____
Priority Rating _____

Item 2.
Does this assistance request require State, or local advisory, educational or health clearances? _____ Yes _____ No

Name of Agency or Board _____
(Attach Documentation)

Item 3.
Does this assistance request require clearinghouse review in accordance with OMB Circular A-95? _____ Yes _____ No

(Attach Comments)

Item 4.
Does this assistance request require State, local, regional or other planning approval? _____ Yes _____ No

Name of Approving Agency _____
Date _____

Item 5.
Is the proposed project covered by an approved comprehensive plan? _____ Yes _____ No

Check one: State
Local
Regional
Location of Plan _____

Item 6.
Will the assistance requested serve a Federal installation? _____ Yes _____ No

Name of Federal Installation _____
Federal Population benefiting from Project _____

Item 7.
Will the assistance requested be on Federal land or installation? _____ Yes _____ No

Name of Federal Installation _____
Location of Federal Land _____
Percent of Project _____

Item 8.
Will the assistance requested have an impact or effect on the environment? _____ Yes _____ No

See instructions for additional information to be provided.

Item 9.
Will the assistance requested cause the displacement of individuals, families, businesses, or farms? _____ Yes _____ No

Number of:
Individuals _____
Families _____
Businesses _____
Farms _____

Item 10.
Is there other related assistance on this project previous, pending, or anticipated? _____ Yes _____ No

See instructions for additional information to be provided.

INSTRUCTIONS

PART II

Negative answers will not require an explanation unless the Federal agency requests more information at a later date. Provide supplementary data for all "Yes" answers in the space provided in accordance with the following instructions:

Item 1 - Provide the name of the governing body establishing the priority system and the priority rating assigned to this project.

Item 2 - Provide the name of the agency or board which issued the clearance and attach the documentation of status or approval.

Item 3 - Attach the clearinghouse comments for the application in accordance with the instructions contained in Office of Management and Budget Circular No. A-95. If comments were submitted previously with a preapplication, do not submit them again but any additional comments received from the clearinghouse should be submitted with this application.

Item 4 - Furnish the name of the approving agency and the approval date.

Item 5 - Show whether the approved comprehensive plan is State, local or regional, or if none of these, explain the

scope of the plan. Give the location where the approved plan is available for examination and state whether this project is in conformance with the plan.

Item 6 - Show the population residing or working on the Federal installation who will benefit from this project.

Item 7 - Show the percentage of the project work that will be conducted on federally-owned or leased land. Give the name of the Federal installation and its location.

Item 8 - Describe briefly the possible beneficial and harmful impact on the environment of the proposed project. If an adverse environmental impact is anticipated, explain what action will be taken to minimize the impact. Federal agencies will provide separate instructions if additional data is needed.

Item 9 - State the number of individuals, families, businesses, or farms this project will displace. Federal agencies will provide separate instructions if additional data is needed.

Item 10 - Show the Federal Domestic Assistance Catalog number, the program name, the type of assistance, the status and the amount of each project where there is related previous, pending or anticipated assistance. Use additional sheets, if needed.

PART III - BUDGET INFORMATION

SECTION A - BUDGET SUMMARY

| Grant Program, Function or Activity (a) | Federal Catalog No. (b) | Estimated Unobligated Funds | | New or Revised Budget | | |
|---|-------------------------------|-----------------------------|--------------------|-----------------------|--------------------|--------------|
| | | Federal (c) | Non-Federal (d) | Federal (e) | Non-Federal (f) | Total (g) |
| 1. | | \$ | \$ | \$ | \$ | \$ |
| 2. | | | | | | |
| 3. | | | | | | |
| 4. | | | | | | |
| 5. TOTALS | | \$ | \$ | \$ | \$ | \$ |

SECTION B - BUDGET CATEGORIES

| 6. Object Class Categories | - Grant Program, Function or Activity | | | | Total (5) |
|----------------------------|---------------------------------------|-----|-----|-----|--------------|
| | (1) | (2) | (3) | (4) | |
| a. Personnel | \$ | \$ | \$ | \$ | \$ |
| b. Fringe Benefits | | | | | |
| c. Travel | | | | | |
| d. Equipment | | | | | |
| e. Supplies | | | | | |
| f. Contractual | | | | | |
| g. Construction | | | | | |
| h. Other | | | | | |
| i. Total Direct Charges | | | | | |
| j. Indirect Charges | | | | | |
| k. TOTALS | \$ | \$ | \$ | \$ | \$ |
| 7. Program Income | \$ | \$ | \$ | \$ | \$ |

Exhibit M-3. Application for Federal Assistance (Nonconstruction Programs)

(Page 5 of 10)

13

INSTRUCTIONS

PART III

General Instructions

This form is designed so that application can be made for funds from one or more grant programs. In preparing the budget, adhere to any existing Federal grantor agency guidelines which prescribe how and whether budgeted amounts should be separately shown for different functions or activities within the program. For some programs, grantor agencies may require budgets to be separately shown by function or activity. For other programs, grantor agencies may not require a breakdown by function or activity. Sections A, B, C, and D should include budget estimates for the whole project except when applying for assistance which requires Federal authorization in annual or other funding period increments. In the latter case, Sections A, B, C, and D should provide the budget for the first budget period (usually a year) and Section E should present the need for Federal assistance in the subsequent budget periods. All applications should contain a breakdown by the object class categories shown in Lines a-k of Section B.

Section A. Budget Summary

Lines 1-4, Columns (a) and (b).

For applications pertaining to a *single* Federal grant program (Federal Domestic Assistance Catalog number) and *not requiring* a functional or activity breakdown, enter on Line 1 under Column (a) the catalog program title and the catalog number in Column (b).

For applications pertaining to a *single* program requiring budget amounts by multiple functions or activities, enter the name of each activity or function on each line in Column (a), and enter the catalog number in Column (b). For applications pertaining to *multiple* programs where *none* of the programs *require* a breakdown by function or activity, enter the catalog program title on each line in Column (a) and the respective catalog number on each line in Column (b).

For applications pertaining to *multiple* programs where one or more programs *require* a breakdown by function or activity, prepare a separate sheet for each program requiring the breakdown. Additional sheets should be used when one form does not provide adequate space for all breakdown of data required. However, when more than one sheet is used, the first page should provide the summary totals by programs.

Lines 1-4, Columns (c) through (g).

For *new* applications, leave Columns (c) and (d) blank. For each line entry in Columns (a) and (b), enter in Columns (e), (f), and (g) the appropriate amounts of funds needed to support the project for the first funding period (usually a year).

For *continuing* grant program applications, submit these forms before the end of each funding period as required by

the grantor agency. Enter in Columns (c) and (d) the estimated amounts of funds which will remain unobligated at the end of the grant funding period *only* if the Federal grantor agency instructions provide for this. Otherwise, leave these columns blank. Enter in columns (e) and (f) the amounts of funds needed for the upcoming period. The amount(s) in Column (g) should be the sum of amounts in Columns (e) and (f).

For *supplemental grants and changes to existing grants*, do not use Columns (c) and (d). Enter in Column (e) the amount of the increase or decrease of Federal funds and enter in Column (f) the amount of the increase or decrease of non-Federal funds. In Column (g) enter the new total budgeted amount (Federal and non-Federal) which includes the total previous authorized budgeted amounts plus or minus, as appropriate, the amounts shown in Columns (e) and (f). The amount(s) in Column (g) should *not* equal the sum of amounts in Columns (e) and (f).

Line 5 — Show the totals for all columns used.

Section B. Budget Categories

In the column headings (1) through (4), enter the titles of the same programs, functions, and activities shown on Lines 1-4, Column (a), Section A. When additional sheets were prepared for Section A, provide similar column headings on each sheet. For each program, function or activity, fill in the total requirements for funds (both Federal and non-Federal) by object class categories.

Lines 6a-h — Show the estimated amount for each direct cost budget (object class) category for each column with program, function or activity heading.

Line 6i — Show the totals of Lines 6a to 6h in each column.

Line 6j — Show the amount of indirect cost. Refer to FMC 74-4.

Line 6k — Enter the total of amounts on Lines 6i and 6j. For all applications for new grants and continuation grants the total amount in column (5), Line 6k, should be the same as the total amount shown in Section A, Column (g), Line 5. For supplemental grants and changes to grants, the total amount of the increase or decrease as shown in Columns (1)-(4), Line 6k should be the same as the sum of the amounts in Section A, Columns (e) and (f) on Line 5. When additional sheets were prepared, the last two sentences apply only to the first page with summary totals.

Line 7 — Enter the estimated amount of income, if any, expected to be generated from this project. Do not add or subtract this amount from the total project amount. Show under the program narrative statement the nature and source of income. The estimated amount of program income may be considered by the Federal grantor agency in determining the total amount of the grant.

September 13, 1974

| SECTION C – NON-FEDERAL RESOURCES | | | | | |
|--|--------------------------------|-------------|-------------------|-------------|-------------|
| (a) Grant Program | (b) APPLICANT | (c) STATE | (d) OTHER SOURCES | (e) TOTALS | |
| 8. | \$ | \$ | \$ | \$ | |
| 9. | | | | | |
| 10. | | | | | |
| 11. | | | | | |
| 12. TOTALS | \$ | \$ | \$ | \$ | |
| SECTION D – FORECASTED CASH NEEDS | | | | | |
| | Total for 1st Year | 1st Quarter | 2nd Quarter | 3rd Quarter | 4th Quarter |
| 13. Federal | \$ | \$ | \$ | \$ | \$ |
| 14. Non-Federal | | | | | |
| 15. TOTAL | \$ | \$ | \$ | \$ | \$ |
| SECTION E – BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT | | | | | |
| (a) Grant Program | FUTURE FUNDING PERIODS (YEARS) | | | | |
| | (b) FIRST | (c) SECOND | (d) THIRD | (e) FOURTH | |
| 16. | \$ | \$ | \$ | \$ | |
| 17. | | | | | |
| 18. | | | | | |
| 19. | | | | | |
| 20. TOTALS | \$ | \$ | \$ | \$ | |
| SECTION F – OTHER BUDGET INFORMATION <small>(Attach additional Sheets If Necessary)</small> | | | | | |
| 21. Direct Charges: | | | | | |
| 22. Indirect Charges: | | | | | |
| 23. Remarks: | | | | | |

15

FMC 74-7
Attachment M

INSTRUCTIONS

PART III
(continued)

Section C. Source of Non-Federal Resources

Line 8-11 - Enter amounts of non-Federal resources that will be used on the grant. If in-kind contributions are included, provide a brief explanation on a separate sheet. (See Attachment F, FMC 74-7.)

Column (a) - Enter the program titles identical to Column (a), Section A. A breakdown by function or activity is not necessary.

Column (b) - Enter the amount of cash and in-kind contributions to be made by the applicant as shown in Section A. (See also Attachment F, FMC 74-7.)

Column (c) - Enter the State contribution if the applicant is *not* a State or State agency. Applicants which are a State or State agencies should leave this column blank.

Column (d) - Enter the amount of cash and in-kind contributions to be made from all other sources.

Column (e) - Enter totals of Columns (b), (c), and (d).

Line 12 - Enter the total for each of Columns (b)-(e). The amount in Column (e) should be equal to the amount on Line 5, Column (f), Section A.

Section D. Forecasted Cash Needs

Line 13 - Enter the amount of cash needed by quarter from the grantor agency during the first year.

Line 14 - Enter the amount of cash from all other sources needed by quarter during the first year.

Line 15 - Enter the totals of amounts on Lines 13 and 14.

Section E. Budget Estimates of Federal Funds Needed for Balance of the Project

Lines 16-19 - Enter in Column (a) the same grant program titles shown in Column (a), Section A. A breakdown by function or activity is not necessary. For new applications and continuing grant applications, enter in the proper columns amounts of Federal funds which will be needed to complete the program or project over the succeeding funding periods (usually in years). This Section need not be completed for amendments, changes, or supplements to funds for the current year of existing grants.

If more than four lines are needed to list the program titles submit additional schedules as necessary.

Line 20 - Enter the total for each of the Columns (b)-(e). When additional schedules are prepared for this Section, annotate accordingly and show the overall totals on this line.

Section F - Other Budget Information.

Line 21 - Use this space to explain amounts for individual direct object cost categories that may appear to be out of the ordinary or to explain the details as required by the Federal grantor agency.

Line 22 - Enter the type of indirect rate (provisional, pre-determined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied, and the total indirect expense.

Line 23 - Provide any other explanations required herein or any other comments deemed necessary.

INSTRUCTIONS

PART IV
PROGRAM NARRATIVE

Prepare the program narrative statement in accordance with the following instructions for all new grant programs. Requests for continuation or refunding and changes on an approved project should respond to item 5b only. Requests for supplemental assistance should respond to question 5c only.

1. OBJECTIVES AND NEED FOR THIS ASSISTANCE.

Pinpoint any relevant physical, economic, social, financial, institutional, or other problems requiring a solution. Demonstrate the need for assistance and state the principal and subordinate objectives of the project. Supporting documentation or other testimonies from concerned interests other than the applicant may be used. Any relevant data based on planning studies should be included or footnoted.

2. RESULTS OR BENEFITS EXPECTED.

Identify results and benefits to be derived. For example, when applying for a grant to establish a neighborhood health center provide a description of who will occupy the facility, how the facility will be used, and how the facility will benefit the general public.

3. APPROACH.

- a. Outline a plan of action pertaining to the scope and detail of how the proposed work will be accomplished for each grant program, function or activity, provided in the budget. Cite factors which might accelerate or decelerate the work and your reason for taking this approach as opposed to others. Describe any unusual features of the project such as design or technological innovations, reductions in cost or time, or extraordinary social and community involvement.
- b. Provide for each grant program, function or activity, quantitative monthly or quarterly projections of the accomplishments to be achieved in such terms as the number of jobs created; the number of people served; and the number of patients treated. When accomplishments cannot be quantified by activity or function, list them in chronological order to show the schedule of accomplishments and their target dates.

- c. Identify the kinds of data to be collected and maintained and discuss the criteria to be used to evaluate the results and successes of the project. Explain the methodology that will be used to determine if the needs identified and discussed are being met and if the results and benefits identified in item 2 are being achieved.
- d. List organizations, cooperators, consultants, or other key individuals who will work on the project along with a short description of the nature of their effort or contribution.

4. GEOGRAPHIC LOCATION.

Give a precise location of the project or area to be served by the proposed project. Maps or other graphic aids may be attached.

5. IF APPLICABLE, PROVIDE THE FOLLOWING INFORMATION:

- a. For research or demonstration assistance requests, present a biographical sketch of the program director with the following information; name, address, phone number, background, and other qualifying experience for the project. Also, list the name, training and background for other key personnel engaged in the project.
- b. Discuss accomplishments to date and list in chronological order a schedule of accomplishments, progress or milestones anticipated with the new funding request. If there have been significant changes in the project objectives, location approach, or time delays, explain and justify. For other requests for changes or amendments, explain the reason for the change(s). If the scope or objectives have changed or an extension of time is necessary, explain the circumstances and justify. If the total budget has been exceeded, or if individual budget items have changed more than the prescribed limits contained in Attachment K to FMC 74-7, explain and justify the change and its effect on the project.
- c. For supplemental assistance requests, explain the reason for the request and justify the need for additional funding.

Exhibit M-3. Application for Federal Assistance (Nonconstruction Programs)

(Page 9 of 10)

PART V
ASSURANCES

The Applicant hereby assures and certifies that he will comply with the regulations, policies, guidelines, and requirements, including OMB Circular No. A-95 and FMCs 74-4 and 74-7, as they relate to the application, acceptance and use of Federal funds for this federally assisted project. Also the Applicant assures and certifies with respect to the grant that:

1. It possesses legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
2. It will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and in accordance with Title VI of that Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement.
3. It will comply with Title VI of the Civil Rights Act of 1964 (42 USC 2000d) prohibiting employment discrimination where (1) the primary purpose of a grant is to provide employment or (2) discriminatory employment practices will result in unequal treatment of persons who are or should be benefiting from the grant-aided activity.
4. It will comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and federally-assisted programs.
5. It will comply with the provisions of the Hatch Act which limit the political activity of employees.
6. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.
7. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
8. It will give the grantor agency or the Comptroller General through any authorized representative the access to and the right to examine all records, books, papers, or documents related to the grant.
9. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with FMC 74-7.

| | | | |
|--|--|--|--------|
| APPLICATION FOR FEDERAL ASSISTANCE (FOR CONSTRUCTION PROGRAMS) PART I | | 1. State Clearinghouse Identifier | |
| | | 2. Applicant's Application No. | |
| 3. Federal Grantor Agency | | 4. Applicant Name | |
| _____ Organizational Unit | | _____ Department Division | |
| _____ Administrative Office | | _____ Street Address - P.O. Box | |
| _____ Street Address - P.O. Box | | _____ City | |
| _____ City State Zip Code | | _____ State Zip Code | |
| 5. Descriptive Name of the Project | | | |
| 6. Federal Catalog No. | | 7. Federal Funding Requested | |
| | | \$ | |
| 8. Grantee Type | | | |
| _____ State, _____ County, _____ City, _____ Other (Specify) | | | |
| 9. Type of Application or Request | | | |
| _____ New Grant, _____ Continuation, _____ Supplement, _____ Other Changes (Specify) | | | |
| 10. Type of Assistance | | | |
| _____ Grant, _____ Loan, _____ Other (Specify) | | | |
| 11. Population Directly Benefiting from the Project | | 13. Length of Project | |
| | | | |
| 12. Congressional District | | 14. Beginning Date | |
| a. | | | |
| b. | | 15. Date of Application | |
| 16. The applicant certifies that to the best of his knowledge and belief the data in this application are true and correct, and that he will comply with the attached assurances if he receives the grant. | | | |
| | | | |
| Typed name | | Title | |
| | | | |
| Signature of Authorized Representative | | Telephone Number | |
| | | AREA CODE | NUMBER |
| | | EXT. | |
| For Federal Use Only | | | |

Exhibit M-4. Application for Federal Assistance (for Construction Programs) Part I

INSTRUCTIONS

PART I

This form shall be used to apply for Federal assistance for all construction, land acquisition or land development projects. Also, this form shall be used to request supplemental assistance, propose changes or amendments to approved grants, and request continuation or refunding for approved grants originally submitted on this form.

Submit the original and two copies of the forms. If an item cannot be answered or does not appear to be related or relevant to the assistance requested, write "NA" for not applicable. When a request is made for supplemental assistance, amendments or changes to an approved grant, submit only those pages which are appropriate.

Item 1 - Enter the State clearinghouse identifier. This is the code or number assigned by the clearinghouse to applications requiring State clearinghouse coordination for programs listed in Attachment D, Office of Management and Budget Circular No. A-95.

Item 2 - Enter the applicant's application number or other identifier. If a preapplication was submitted, show also the number that appeared on the preapplication, if different than the application number.

Item 3 - Enter the name of the Federal grantor agency, the name of the primary organizational unit to which the application is addressed, the name of the administrative office having direct operational responsibility for managing the grant program, and the complete address of the grantor agency.

Item 4 - Enter the name of the applicant, the name of the primary organizational unit which will undertake the grant-supported activity, and the complete address of the applicant.

Item 5 - Enter the descriptive name of this project.

Item 6 - Enter the appropriate catalog number as shown in the Catalog of Federal Domestic Assistance. If the assistance pertains to more than one catalog number, leave this space blank and prepare a separate set of Part III Forms for each catalog number.

Item 7 - Enter the amount that is requested from the Federal Government in this application. This amount should agree with the amounts shown in Part III, Section B, Line 22. For revisions, changes or amendments show only the amount of the increase or decrease.

Item 8 - Check one grantee type. If the grantee is other than a State, county, or city government, specify the type of grantee on the "Other" line. Examples of other types of grantees are council of governments, interstate organizations, or special units.

Item 9 - Check the type of application or request. If the "Other Changes" block is checked, specify the type of change. The definitions for terms used in Item 9 are as follows:

- a. New grant - a request which is being submitted by the applicant for the first time.
- b. Continuation grant - a request that pertains to the continuation of multi-year grant (e.g., the second year award for a project which will extend over five years.)
- c. Supplemental grant - a request which pertains to an increase in the amount of the Federal contribution for the same period.
- d. Other changes - specify one or more of the following:
 - (1) Increase in duration - a request to extend the grant period.
 - (2) Decrease in duration - a request to reduce the grant period.
 - (3) Decrease in amount - a request to decrease the amount of the Federal contribution.

Item 10 - Check the type of assistance requested. If the assistance involves more than one type, check two or more blocks and explain in Part IV - Program Narrative.

Item 11 - Enter the number of persons directly benefiting from this project. For example, if the project is for the construction of a neighborhood health center, enter the estimated number of residents in the neighborhood that will use the center.

Item 12

- a. Enter the congressional district in which the applicant is located.
- b. Enter the congressional district(s) in which most of the actual work on the project will be accomplished. If the work will be accomplished city-wide or State-wide, covering several congressional districts, write "city-wide" or "State-wide".

Item 13 - Enter the number of months that will be needed to complete the project after Federal funds are made available.

Item 14 - Enter the approximate date the project is expected to begin.

Item 15 - Enter the date this application is submitted.

Item 16 - Complete the certification before submitting the report.

PART II

PROJECT APPROVAL INFORMATION
SECTION A

Item 1.

Does this assistance request require State, local, regional, or other priority rating?
_____ Yes _____ No

Name of Governing Body _____
Priority Rating _____

Item 2.

Does this assistance request require State, or local advisory, educational or health clearances?

Name of Agency or Board _____

_____ Yes _____ No (Attach Documentation)

Item 3.

Does this assistance request require clearinghouse review in accordance with OMB Circular A-95? (Attach Comments)

_____ Yes _____ No

Item 4.

Does this assistance request require State, local, regional or other planning approval?
_____ Yes _____ No

Name of Approving Agency _____
Date _____

Item 5.

Is the proposed project covered by an approved comprehensive plan?

Check one: State
Local
Regional

_____ Yes _____ No Location of plan _____

Item 6.

Will the assistance requested serve a Federal installation?
_____ Yes _____ No

Name of Federal Installation _____
Federal Population benefiting from Project _____

Item 7.

Will the assistance requested be on Federal land or installation?
_____ Yes _____ No

Name of Federal Installation _____
Location of Federal Land _____
Percent of Project _____

Item 8.

Will the assistance requested have an impact or effect on the environment?
_____ Yes _____ No

See instruction for additional information to be provided.

Item 9.

Will the assistance requested cause the displacement of individuals families, businesses, or farms?
_____ Yes _____ No

Number of:
Individuals _____
Families _____
Businesses _____
Farms _____

Item 10.

Is there other related Federal assistance on this project previous, pending, or anticipated?
_____ Yes _____ No

See instructions for additional information to be provided.

Exhibit M-4. Application for Federal Assistance (for Construction Programs)

(Page 3 of 11)

PART II

PROJECT APPROVAL INFORMATION
SECTION A

Item 1.

Does this assistance request require State, local, regional, or other priority rating?

_____ Yes _____ No

Name of Governing Body _____

Priority Rating _____

Item 2.

Does this assistance request require State, or local advisory, educational or health clearances?

_____ Yes _____ No (Attach Documentation)

Name of Agency or Board _____

Item 3.

Does this assistance request require clearinghouse review in accordance with OMB Circular A-95? (Attach Comments)

_____ Yes _____ No

Item 4.

Does this assistance request require State, local, regional or other planning approval?

_____ Yes _____ No

Name of Approving Agency _____

Date _____

Item 5.

Is the proposed project covered by an approved comprehensive plan?

_____ Yes _____ No Location of plan _____

Check one: State

Local

Regional

Item 6.

Will the assistance requested serve a Federal installation?

_____ Yes _____ No

Name of Federal Installation _____

Federal Population benefiting from Project _____

Item 7.

Will the assistance requested be on Federal land or installation?

_____ Yes _____ No

Name of Federal Installation _____

Location of Federal Land _____

Percent of Project _____

Item 8.

Will the assistance requested have an impact or effect on the environment?

_____ Yes _____ No

See instruction for additional information to be provided.

Item 9.

Will the assistance requested cause the displacement of individuals families, businesses, or farms?

_____ Yes _____ No

Number of:

Individuals _____

Families _____

Businesses _____

Farms _____

Item 10.

Is there other related Federal assistance on this project previous, pending, or anticipated?

_____ Yes _____ No

See instructions for additional information to be provided.

Exhibit M-4. Application for Federal Assistance (for Construction Programs)

(Page 3 of 11)

September 13, 1974

INSTRUCTIONS

PART II - SECTION A

Negative answers will not require an explanation unless the Federal agency requests more information at a later date. Provide supplementary data for all "Yes" answers in the space provided in accordance with the following instructions.

Item 1 - Provide the name of the governing body establishing the priority system and the priority rating assigned to this project.

Item 2 - Provide the name of the agency or board which issued the clearance and attach the documentation of status or approval.

Item 3 - Attach the clearinghouse comments for the application in accordance with the instructions contained in Office of Management and Budget Circular No. A-95. If comments were submitted previously with a preapplication, do not submit them again but any additional comments received from the clearinghouse should be submitted with this application.

Item 4 - Furnish the name of the approving agency and the approval date.

Item 5 - Show whether the approved comprehensive plan is State, local or regional, or if none of these, explain the

scope of the plan. Give the location where the approved plan is available for examination and state whether this project is in conformance with the plan.

Item 6 - Show the Federal population residing or working on the federal installation who will benefit from this project.

Item 7 - Show the percentage of the project work that will be conducted on federally-owned or leased land. Give the name of the Federal installation and its location.

Item 8 - Briefly describe the possible beneficial and/or harmful impact on the environment because of the proposed project. If an adverse environmental impact is anticipated, explain what action will be taken to minimize the impact. Federal agencies will provide separate instructions if additional data is needed.

Item 9 - State the number of individuals, families, businesses, or farms this project will displace. Federal agencies will provide separate instructions if additional data is needed.

Item 10 - Show the Federal Domestic Assistance Catalog number, the program name, the type of assistance, the status and amount of each project where there is related previous, pending, or anticipated assistance. Use additional sheets, if needed.

INSTRUCTION

PART II - SECTION B

| |
|---|
| <p>11. SITES AND IMPROVEMENTS: _____ Not required, _____ Attached as exhibits Applicant intends to acquire the site through: _____ Eminent domain, _____ Negotiated purchase, _____ Other means (specify)</p> |
| <p>12. TITLE OR OTHER INTEREST IN THE SITE IS OR WILL BE VESTED IN: _____ Applicant, _____ Agency or institution operating the facility, _____ Other (specify)</p> |
| <p>13. INDICATE WHETHER APPLICANT/OPERATOR HAS: _____ Fee simple title, _____ Leasehold interest, _____ Other (specify)</p> |
| <p>14. IF APPLICANT/OPERATOR HAS LEASEHOLD INTEREST, GIVE THE FOLLOWING INFORMATION: a. Length of lease or other estate interest _____, and number of years to run _____ b. Is lease renewable? _____ Yes _____ No c. Current appraised value of land \$ _____ d. Annual rental rate \$ _____</p> |
| <p>15. ATTACH AN OPINION FROM ACCEPTABLE TITLE COUNSEL DESCRIBING THE INTEREST APPLICANT/OPERATOR HAS IN THE SITE AND CERTIFYING THAT THE ESTATE OR INTEREST IS LEGAL AND VALID.</p> |
| <p>16. WHERE APPLICABLE, ATTACH SITE SURVEY, SOIL INVESTIGATION REPORTS AND COPIES OF LAND APPRAISALS.</p> |
| <p>17. WHERE APPLICABLE, ATTACH CERTIFICATION FROM ARCHITECT ON THE FEASIBILITY OF IMPROVING EXISTING SITE TOPOGRAPHY.</p> |
| <p>18. ATTACH PLOT PLAN.</p> |
| <p>19. CONSTRUCTION SCHEDULE ESTIMATES: _____ Not required, _____ Being prepared, _____ Attached as exhibits Percentage of completion of drawings and specifications at application date: Schematics _____% Preliminary _____% Final _____%</p> |
| <p>20. TARGET DATES FOR: Bid Advertisement _____ Contract Award _____ Construction Completion _____ Occupancy _____</p> |
| <p>21. DESCRIPTION OF FACILITY: _____ Not required _____ Attached as exhibits Drawings - Attach any drawings which will assist in describing the project. Specifications - Attach copies of completed outline specifications. (If drawings and specifications have not been fully completed, please attach copies of working drawings that have been completed.)</p> |

NOTE: ITEMS ON THIS SHEET ARE SELF-EXPLANATORY; THEREFORE, NO INSTRUCTIONS ARE PROVIDED.

Exhibit M-4. Application for Federal Assistance (for Construction Programs)

(Page 5 of 11)

| PART III - BUDGET INFORMATION - CONSTRUCTION | | | |
|--|------------------------|------------------------|-----------------------|
| SECTION A - GENERAL | | | |
| 1. Federal Domestic Assistance Catalog No. _____ | | | |
| 2. Functional or Other Breakout _____ | | | |
| SECTION B - CALCULATION OF FEDERAL GRANT | | | |
| Cost Classification | Use only for revisions | | Total Amount Required |
| | Latest Approved Amount | Adjustment + or (-) | |
| 1. Administration expense | \$ | \$ | \$ |
| 2. Preliminary expense | | | |
| 3. Land, structures, right-of-way | | | |
| 4. Architectural engineering basic fees | | | |
| 5. Other architectural engineering fees | | | |
| 6. Project inspection fees | | | |
| 7. Land development | | | |
| 8. Relocation Expenses | | | |
| 9. Relocation payments to Individuals and Businesses | | | |
| 10. Demolition and removal | | | |
| 11. Construction and project improvement | | | |
| 12. Equipment | | | |
| 13. Miscellaneous | | | |
| 14. Total (Lines 1 through 13) | | | |
| 15. Estimated Income (if applicable) | | | |
| 16. Net Project Amount (Line 14 minus 15) | | | |
| 17. Less: Ineligible Exclusions | | | |
| 18. Add: Contingencies | | | |
| 19. Total Project Amt. (Excluding Rehabilitation Grants) | | | |
| 20. Federal Share requested of Line 19 | | | |
| 21. Add Rehabilitation Grants Requested (100 Percent) | | | |
| 22. Total Federal grant requested (Lines 20 & 21) | | | |
| 23. Grantee share | | | |
| 24. Other shares | | | |
| 25. Total project (Lines 22, 23 & 24) | \$ | \$ | \$ |

INSTRUCTIONS

PART III

Section A. General

1. Show the Federal Domestic Assistance Catalog Number from which the assistance is requested. When more than one program or Catalog Number is involved and the amount cannot be distributed to the Federal grant program or catalog number on an overall percentage basis, prepare a separate set of Part III forms for each program or Catalog Number. However, show the total amounts for all programs in Section B of the *basic* application form.
2. Show the functional or other categorical breakdowns, if required by the Federal grantor agency. Prepare a separate set of Part III forms for each category.

Section B. Calculation of Federal Grant

When applying for a new grant, use the Total Amount Column only. When requesting revisions of previously awarded amounts, use all columns.

Line 1 — Enter amounts needed for administration expenses including such items as travel, legal fees, rental of vehicles and any other expense items expected to be incurred to administer the grant. Include the amount of interest expense when authorized by program legislation and also show this amount under Section E Remarks.

Line 2 — Enter amounts pertaining to the work of locating and designing, making surveys and maps, sinking test holes, and all other work required prior to actual construction.

Line 3 — Enter amounts directly associated with the acquisition of land, existing structures, and related right-of-way.

Line 4 — Enter basic fees for architectural engineering services.

Line 5 — Enter amounts for other architectural engineering services, such as surveys, tests, and borings.

Line 6 — Enter fees for inspection and audit of construction and related programs.

Line 7 — Enter amounts associated with the development of land where the primary purpose of the grant is land improvement. Site work normally associated with major construction should be excluded from this category and shown on Line 11.

Line 8 — Enter the dollar amounts needed to provide relocation advisory assistance, and the net amounts for replacement (last resort) housing. Do not include relocation administration expenses on this Line; include them on Line 1.

Line 9 — Enter the estimated amount of relocation payments to be made to displaced persons, business concerns and non-profit organizations for moving expenses and replacement housing.

Line 10 — Enter the gross salaries and wages of employees of the grantee who will be directly engaged in performing demolition or removal of structures from developed land. This line should show also the cost of demolition or re-

moval of improvements on developed land under a third party contract. Reduce the costs on this line by the amount of expected proceeds from the sale of salvage, if so instructed by the Federal grantor agency. Otherwise, show the proceeds on Line 15.

Line 11 — Enter amounts for the actual construction of, addition to, or restoration of a facility. Also include in this category the amounts of project improvements such as sewers, streets, landscaping and lighting.

Line 12 — Enter amounts for equipment both fixed and movable exclusive of equipment used for construction. For example, include amounts for permanently attached laboratory tables, built-in audio visual systems, movable desks, chairs, and laboratory equipment.

Line 13 — Enter amounts for items not specifically mentioned above.

Line 14 — Enter the sum of Lines 1-13.

Line 15 — Enter the estimated amount of program income that will be earned during the grant period and applied to the program.

Line 16 — Enter the difference between the amount on Line 14 and the estimated income shown on Line 15.

Line 17 — Enter amounts for those items which are part of the project but not subject to Federal participation (See Section C, Line 26g, Column (1)).

Line 18 — Enter the estimated amount for contingencies. Compute this amount as follows. Subtract from the net project amount shown on Line 16 the ineligible project exclusions shown on Line 17 and the amount which is excluded from the contingency provisions shown in Section C, Line 26g, Column (2). Multiply the computed amount by the percentage factor allowed by the grantor agency in accordance with the Federal program guidance. For those grants which provide for a fixed dollar allowance in lieu of a percentage allowance, enter the dollar amount of this allowance.

Line 19 — Show the total amount of Lines 16, 17, and 18. (This is the amount to which the matching share ratio prescribed in program legislation is applied.)

Line 20 — Show the amount of Federal funds requested exclusive of funds for rehabilitation purposes.

Line 21 — Enter the estimated amounts needed for rehabilitation expense if rehabilitation grants to individuals are made for which grantees are reimbursed 100 percent by the Federal grantor agency in accordance with program legislation. If the grantee shares in part of this expense show the total amount on Line 13 instead of on Line 21 and explain in Section E.

Line 22 — Show the total amount of the Federal grant requested.

Line 23 — Show the amount from Section D, Line 27h.

Line 24 — Show the amount from Section D, Line 28c.

Line 25 — Self-explanatory.

Exhibit M-4. Application for Federal Assistance (for Construction Programs)

(page 7 of 11)

| SECTION C - EXCLUSIONS | | |
|--|----------------------------------|---|
| Classification | Ineligible for Participation (1) | Excluded from Contingency Provision (2) |
| 26. | | |
| a. | \$ | \$ |
| b. | | |
| c. | | |
| d. | | |
| e. | | |
| f. | | |
| g. Totals | \$ | \$ |
| SECTION D - PROPOSED METHOD OF FINANCING NON-FEDERAL SHARE | | |
| 27. Grantee Share | | \$ |
| a. Securities | | |
| b. Mortgages | | |
| c. Appropriations (By Applicant) | | |
| d. Bonds | | |
| e. Tax Levies | | |
| f. Non Cash | | |
| g. Other (Explain) | | |
| h. TOTAL - Grantee share | | |
| 28. Other Shares | | |
| a. State | | |
| b. Other | | |
| c. Total Other Shares | | |
| 29. TOTAL | | \$ |
| SECTION E - REMARKS | | |
| | | |

PART IV PROGRAM NARRATIVE (Attach - See Instructions)
 Exhibit M-4. Application for Federal Assistance (for Construction Programs)
 (Page 8 of 11)

INSTRUCTIONS

PART III

Section C. Exclusions

Line 26 a-g — Identify and list those costs in Column (1) which are part of the project cost but are not subject to Federal participation because of program legislation or Federal grantor agency instructions. The total amount on Line g should agree with the amount shown on Line 17 of Section B. Show in Column (2) those project costs that are subject to Federal participation but are not eligible for inclusion in the amount used to compute contingency amounts as provided in the Federal grantor agency instructions.

Section D. Proposed Method of Financing Non-Federal Share

Line 27 a-g — Show the source of the grantee's share. If cash is not immediately available, specify the actions completed to date and those actions remaining to make cash available under Section E Remarks. Indicate also the period of time that will be required after execution of the grant agreement to obtain the funds. If there is a noncash contribution, explain what this contribution will consist of.

Line 27 h — Show the total of Lines 27 a-g. This amount must equal the amount shown in Section B, Line 23.

Line 28 a — Show the amount that will be contributed by a State or state agency, *only* if the applicant is *not* a State or state agency. If there is a noncash contribution, explain what the contribution will consist of under Section E Remarks.

Line 28 b — Show the amount that will be contributed from other sources. If there is a noncash contribution, explain what this contribution will consist of under Section E Remarks.

Line 28 c — Show the total of Lines 28a and 28b. This amount must be the same as the amount shown in Section B, line 24.

Line 29 — Enter the totals of Line 27h and Line 28c.

Section E. Other Remarks

Make any remarks pertinent to the project and provide any other information required by these instructions or the grantor agency. Attach additional sheets, if necessary.

PART IV
PROGRAM NARRATIVE

Prepare the program narrative statement in accordance with the following instructions for all new grant programs. Requests for supplemental assistance should be responsive to Item 5b only. Requests for continuation or refunding or other changes of an approved project should be responsive to Item 5c only.

1. OBJECTIVES AND NEED FOR THIS ASSISTANCE.

Pinpoint any relevant physical, economic, social, financial, institutional, or other problems requiring a solution. Demonstrate the need for assistance and state the principal and subordinate objectives of the project. Supporting documentation or other testimonies from concerned interests other than the applicant may be used. Any relevant data based on planning studies should be included or footnoted.

2. RESULTS OR BENEFITS EXPECTED.

Identify results and benefits to be derived. For example, include a description of who will occupy the facility and show how the facility will be used. For land acquisition or development projects, explain how the project will benefit the public.

3. APPROACH.

- a. Outline a plan of action pertaining to the scope and detail of how the proposed work will be accomplished for each grant program. Cite factors which might accelerate or decelerate the work and your reason for taking this approach as opposed to others. Describe any unusual features of the project such as design or technological innovations, reductions in cost or time, or extraordinary social and community involvements.
- b. Provide for each grant program monthly or quarterly quantitative projections of the accomplishments to be achieved, if possible. When accomplishments cannot be quantified, list the activities in chronological order to show the schedule of accomplishments and their target dates.
- c. Identify the kinds of data to be collected and maintained, and discuss the criteria to be used to evaluate the results and success of the project. Explain the methodology that will be used to determine if the

needs identified and discussed are being met and if the results and benefits identified in Item 2 are being achieved.

- d. List each organization, cooperator, consultant, or other key individuals who will work on the project along with a short description of the nature of their effort or contribution.

4. GEOGRAPHIC LOCATION.

Give a precise location of the project and area to be served by the proposed project. Maps or other graphic aids may be attached.

5. IF APPLICABLE, PROVIDE THE FOLLOWING INFORMATION:

- a. Describe the relationship between this project and other work planned, anticipated, or underway under the Federal Assistance listed under Part II, Section A, Item 10.
- b. Explain the reason for all requests for supplemental assistance and justify the need for additional funding.
- c. Discuss accomplishments to date and list in chronological order a schedule of accomplishments, progress or milestones anticipated with the new funding request. If there have been significant changes in the project objectives, location, approach or time delays, explain and justify. For other requests for changes or amendments, explain the reason for the change(s). If the scope or objectives have changed or an extension of time is necessary, explain the circumstances and justify. If the total budget has been exceeded or if individual budget items have changed more than the prescribed limits contained in Attachment K, FMC 74-7, explain and justify the change and its effect on the project.

Exhibit M-3. Application for Federal Assistance (for Construction Programs)

(Page 10 of 11)

PART V
ASSURANCES

The Applicant hereby assures and certifies that he will comply with the regulations, policies, guidelines and requirements, including OMB Circular No. A-95 and FMCs 74-4 and 74-7, as they relate to the application, acceptance and use of Federal funds for this federally-assisted project. Also, the Applicant gives assurance and certifies with respect to the grant that:

1. It possesses legal authority to apply for the grant, and to finance and construct the proposed facilities; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
2. It will comply with the provisions of: Executive Order 11296, relating to evaluation of flood hazards, and Executive Order 11288, relating to the prevention, control, and abatement of water pollution.
3. It will have sufficient funds available to meet the non-Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purposes constructed.
4. It will obtain approval by the appropriate Federal agency of the final working drawings and specifications before the project is advertised or placed on the market for bidding; that it will construct the project, or cause it to be constructed, to final completion in accordance with the application and approved plans and specifications; that it will submit to the appropriate Federal agency for prior approval changes that alter the costs of the project, use of space, or functional layout; that it will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the construction grant program(s) have been met.
5. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications; that it will furnish progress reports and such other information as the Federal grantor agency may require.
6. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.
7. It will give the grantor agency and the Comptroller General through any authorized representative access to and the right to examine all records, books, papers, or documents related to the grant.
8. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A117.1-1961, as modified (41 CFR 101-17.703). The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.
9. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and that the project will be prosecuted to completion with reasonable diligence.
10. It will not dispose of or encumber its title or other interests in the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.
11. It will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and in accordance with Title VI of that Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.
12. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
13. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and federally-assisted programs.
14. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with FMC 74-7.
15. It will comply with the provisions of the Hatch Act which limit the political activity of employees.
16. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.

Exhibit M-4. Application for Federal Assistance (for Construction Programs)

(Page 11 of 11)

| APPLICATION FOR FEDERAL ASSISTANCE (SHORT FORM) PART I | | 1. Applicant's Application No. | |
|---|--|--------------------------------|-------------|
| 2. Federal Grantor Agency | | 3. Applicant Name | |
| Organizational Unit | | Department/Division | |
| Administrative Office | | Street Address - P.O. Box | |
| Street Address - P.O. Box | | City County | |
| City State Zip Code | | State Zip Code | |
| 4. Descriptive Name of the Project | | | |
| 5. Federal Catalog No. | | 6. Federal Funding Requested | |
| | | \$ | |
| 7. Grantee Type | | | |
| State, County, City, Other (Specify) | | | |
| 8. Type of Application or Request | | | |
| New Grant, Supplement, Other Charges (Specify) | | | |
| 9. Type of Assistance | | | |
| Grant, Loan, Other (Specify) | | | |
| 10. Population Directly Benefiting from the Project | | 12. Length of Project | |
| | | | |
| 11. Congressional District | | 13. Beginning Date | |
| a. | | | |
| b. | | 14. Date of Application | |
| | | | |
| 15. The applicant certifies that to the best of his knowledge and belief, the data in this application are true and correct, and that he will comply with the attached assurances if he receives the grant. | | | |
| Typed name | | Title | |
| | | | |
| Signature of authorized representative | | Telephone Number | |
| | | AREA CODE | NUMBER EXT. |
| | | | |
| For Federal Use Only | | | |

Exhibit M-5. Application for Federal Assistance (Short Form)
(Page 1 of 5)

INSTRUCTIONS

GENERAL

This form shall be used for all single-purpose and one-time Federal assistance requests of less than \$10,000 not requiring clearinghouse review, an environmental impact statement, or relocation of persons, businesses, or farms. This form shall be used also to request supplemental assistance and to propose changes or amendments for approved grants originally submitted on this form.

Submit the original and two copies of all required forms. If an item cannot be answered or does not appear to be related or relevant to the assistance requested, write "NA" for not applicable.

PART I

Item 1 — Enter the applicant's application number or other identifier.

Item 2 — Enter the name of the Federal grantor agency, the name of the primary organizational unit to which the application is addressed, the name of the administrative office having direct operational responsibility for managing the grant program, and the complete address of the grantor agency.

Item 3 — Enter the name of the applicant, the name of the primary organizational unit which will undertake the grant supported activity, and the complete address of the applicant.

Item 4 — Enter the descriptive name of this project.

Item 5 — Enter the appropriate catalog number as shown in the Catalog of Federal Domestic Assistance. If the assistance to be requested pertains to more than one catalog number, this application form should not be used.

Item 6 — Enter the amount that is requested from the Federal Government in this application. For new grants, this amount should be the same as the amount on Line 12, Column (c), Part II. For revisions, changes or amendments show only the amount of the increase or decrease, as shown on Line 12, Column (b), Part II.

Item 7 — Check one grantee type. If the grantee is other than a State, county, or city government, specify the type of grantee on the "Other" line. Examples of other types of grantees are council of governments, interstate organizations, or special units.

Item 8 — Check the type of application or request. If the "Other Changes" block is checked, specify the type of change.

The definitions for terms used in Item 8 are as follows:

- a. New grant — a request which is being submitted by the applicant for the first time.
- b. Supplemental grant — a request to increase the Federal contribution for the same period.
- c. Other changes — Specify one or more of the following:
 - (1) Increase in duration — a request to extend the grant period.
 - (2) Decrease in duration — a request to reduce the grant period.
 - (3) Decrease — a request to decrease the dollar value of the Federal contribution.

Item 9 — Check the type of assistance requested. If the assistance involves more than one type, check two or more blocks and explain in Part III — Program Narrative Statement.

Item 10 — Enter the number of persons directly benefiting from this project. For example, if the project is for a neighborhood health center, enter the estimated number of residents in the neighborhood that will use the center.

Item 11

- a. Enter the congressional district in which the applicant is located.
- b. Enter the congressional district(s) in which most of the actual work on the project will be accomplished. If the work will be accomplished city-wide or State-wide, covering several congressional districts, write "city-wide" or "State-wide" for this item.

Item 12 — Enter the number of months that will be needed to complete the project after Federal funds are made available.

Item 13 — Enter the approximate date the project is expected to begin.

Item 14 — Enter the date this application is submitted.

Item 15 — Complete the certification before submitting the report.

| APPLICATION FOR FEDERAL ASSISTANCE (Short Form) | | | |
|--|--------------------------------|-------------------------|------------------------------|
| PART II - BUDGET DATA | | | |
| Object Class Categories | Current Approved Budget (a) | Change Requested (b) | New or Revised Budget (c) |
| 1. Personnel | | | |
| 2. Fringe Benefits | | | |
| 3. Travel | | | |
| 4. Equipment | | | |
| 5. Supplies | | | |
| 6. Contractual | | | |
| 7. Construction | | | |
| 8. Other | | | |
| 9. Total Direct Charges | | | |
| 10. Indirect Charges | | | |
| 11. TOTAL | | | |
| 12. Federal Share | | | |
| 13. Non-Federal Share | | | |
| 14. Program Income | | | |
| 15. Detail on Indirect Costs: | | | |
| Type of Rate (Mark one box) | | | |
| <input type="checkbox"/> Provisional <input type="checkbox"/> Predetermined <input type="checkbox"/> Final <input type="checkbox"/> Fixed | | | |
| Rate _____ % Base \$ _____ Total Amount \$ _____ | | | |
| PART III Program Narrative Statement (Attach additional sheets, if necessary) | | | |

Exhibit M-5. Application for Federal Assistance (Short Form)
(Page 3 of 5)

INSTRUCTIONS

PART II

Items 1-11 - Enter on Lines 1-11 in Column (c) the total amounts needed for the project. If this is an application for *new grants*, leave Columns (a) and (b) blank. If this is an application for amendments, changes or supplements, show the current approved budget in Column (a); enter in Column (b) on the appropriate line(s) the amount of the change, amendment or supplement; add each line entry in Column (a) to the line entries in Column (b); and enter the total for each line in Column (c). The amounts shown in Column (c) represent the amount of the new or revised grant budget.

Item 12 - Enter the Federal share of the amount on Line 11.

Line 13 - Enter the non-Federal share of the amount on Line 11.

Item 14 - Enter the amount of estimated income, if any, which will be applied to the grant. Do not add or subtract

this amount from the total project amount. The estimated amount of program income may be considered by the Federal grantor agency in determining the total amount of the grant award.

Item 15 - Enter the type of indirect cost rate (provisional, predetermined, final or fixed), the rate that will be in effect during the funding period, and the amount of the base to which the rate is applied.

INSTRUCTIONS

PART III

The program narrative statement should be brief, preferably one or two paragraphs which show the need, objectives, approach, the geographical location of the project and the benefits expected to be obtained from the assistance. Also attach any data that may be needed to establish the applicant's eligibility for receiving assistance under the Federal program.

PART IV
ASSURANCES

The Applicant hereby assures and certifies that he will comply with the regulations, policies, guidelines, and requirements including OMB Circular No. A-95 and FMCs 74-4 and 74-7, as they relate to the application, acceptance and use of Federal funds for this Federally assisted project. Also the Applicant assures and certifies with respect to the grant that:

1. It possesses legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
2. It will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and in accordance with Title VI of that Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement.
3. It will comply with Title VI of the Civil Rights Act of 1964 (42 USC 2000d) prohibiting employment discrimination where (1) the primary purpose of a grant is to provide employment or (2) discriminatory employment practices will result in unequal treatment of persons who are or should be benefiting from the grant-aided activity.
4. It will comply with requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and federally assisted programs.
5. It will comply with the provisions of the Hatch Act which limit the political activity of employees.
6. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.
7. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
8. It will give the grantor agency or the Comptroller General through any authorized representative the access to and the right to examine all records, books, papers, or documents related to the grant.
9. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with FMC 74-7.

PROPERTY MANAGEMENT STANDARDS

1. This attachment prescribes uniform standards governing the utilization and disposition of property furnished by the Federal Government or acquired in whole or in part with Federal funds by State and local governments. Federal grantor agencies shall require State and local governments to observe these standards under grants from the Federal Government and shall not impose additional requirements unless specifically required by Federal law. The grantees shall be authorized to use their own property management standards and procedures as long as the provisions of this attachment are included.

2. The following definitions apply for the purpose of this attachment:

a. Real property. Real property means land, land improvements, structures and appurtenances thereto, excluding movable machinery and equipment.

b. Personal property. Personal property means property of any kind except real property. It may be tangible -- having physical existence, or intangible -- having no physical existence, such as patents, inventions, and copyrights.

c. Nonexpendable personal property. Nonexpendable personal property means tangible personal property having a useful life of more than one year and an acquisition cost of \$300 or more per unit. A grantee may use its own definition of nonexpendable personal property provided that such definition would at least include all tangible personal property as defined above.

d. Expendable personal property. Expendable personal property refers to all tangible personal property other than nonexpendable property.

e. Excess property. Excess property means property under the control of any Federal agency which, as determined by the head thereof, is no longer required for its needs.

September 13, 1974

3. Each Federal grantor agency shall prescribe requirements for grantees concerning the use of real property funded partly or wholly by the Federal Government. Unless otherwise provided by statute, such requirements, as a minimum, shall contain the following:

a. The grantee shall use the real property for the authorized purpose of the original grant as long as needed.

b. The grantee shall obtain approval by the grantor agency for the use of the real property in other projects when the grantee determines that the property is no longer needed for the original grant purposes. Use in other projects shall be limited to those under other Federal grant programs, or programs that have purposes consistent with those authorized for support by the grantor.

c. When the real property is no longer needed as provided in a. and b., above, the grantee shall return all real property furnished or purchased wholly with Federal grant funds to the control of the Federal grantor agency. In the case of property purchased in part with Federal grant funds, the grantee may be permitted to take title to the Federal interest therein upon compensating the Federal Government for its fair share of the property. The Federal share of the property shall be the amount computed by applying the percentage of the Federal participation in the total cost of the grant program for which the property was acquired to the current fair market value of the property.

4. Standards and procedures governing ownership, use, and disposition of nonexpendable personal property furnished by the Federal Government or acquired with Federal funds are set forth below:

a. Nonexpendable personal property acquired with Federal funds. When nonexpendable personal property is acquired by a grantee wholly or in part with Federal funds, title will not be taken by the Federal Government except as provided in paragraph 4a(4), but shall be vested in the grantee subject to the following restrictions on use and disposition of the property:

(1) The grantee shall retain the property acquired with Federal funds in the grant program as long as there is a need for the property to accomplish the purpose of the grant program whether or not the program continues to be supported by Federal funds. When there is no longer a need for the property to accomplish the purpose of the grant program, the grantee shall

use the property in connection with other Federal grants it has received in the following order of priority:

(a) Other grants of the same Federal grantor agency needing the property.

(b) Grants of other Federal agencies needing the property.

(2) When the grantee no longer has need for the property in any of its Federal grant programs, the property may be used for its own official activities in accordance with the following standards:

(a) Nonexpendable property with an acquisition cost of less than \$500 and used four years or more. The grantee may use the property for its own official activities without reimbursement to the Federal Government or sell the property and retain the proceeds.

(b) All other nonexpendable property. The grantee may retain the property for its own use provided that a fair compensation is made to the original grantor agency for the latter's share of the property. The amount of compensation shall be computed by applying the percentage of Federal participation in the grant program to the current fair market value of the property.

(3) If the grantee has no need for the property, disposition of the property shall be made as follows:

(a) Nonexpendable property with an acquisition cost of \$1,000 or less. Except for that property which meets the criteria of (2) (a) above, the grantee shall sell the property and reimburse the Federal grantor agency an amount which is computed in accordance with (iii) below.

(b) Nonexpendable property with an acquisition cost of over \$1,000. The grantee shall request disposition instructions from the grantor agency. The Federal agency shall determine whether the property can be used to meet the agency's requirement. If no requirement exists within that agency, the availability of the property shall be reported to the General Services Administration (GSA) by the Federal agency to determine whether a requirement for the property exists in other Federal agencies. The Federal grantor agency shall issue instructions to the grantee within 120 days and the following procedures shall govern:

September 13, 1974

(i) If the grantee is instructed to ship the property elsewhere, the grantee shall be reimbursed by the benefiting Federal agency with an amount which is computed by applying the percentage of the grantee's participation in the grant program to the current fair market value of the property, plus any shipping or interim storage costs incurred.

(ii) If the grantee is instructed to otherwise dispose of the property, he shall be reimbursed by the Federal grantor agency for such costs incurred in its disposition.

(iii) If disposition instructions are not issued within 120 days after reporting, the grantee shall sell the property and reimburse the Federal grantor agency an amount which is computed by applying the percentage of Federal participation in the grant program to the sales proceeds. Further, the grantee shall be permitted to retain \$100 or 10 percent of the proceeds, whichever is greater, for the grantee's selling and handling expenses.

(4) Where the grantor agency determines that property with an acquisition cost of \$1,000 or more and financed solely with Federal funds is unique, difficult, or costly to replace, it may reserve title to such property, subject to the following provisions:

(a) The property shall be appropriately identified in the grant agreement or otherwise made known to the grantee.

(b) The grantor agency shall issue disposition instructions within 120 days after the completion of the need for the property under the Federal grant for which it was acquired. If the grantor agency fails to issue disposition instructions within 120 days, the grantee shall apply the standards of 4a(1), 4a(2)(b), and 4a(3)(b).

b. Federally-owned nonexpendable personal property. Unless statutory authority to transfer title has been granted to an agency, title to Federally-owned property (property to which the Federal Government retains title including excess property made available by the Federal grantor agencies to grantees) remains vested by law in the Federal Government. Upon termination of the grant or need for the property, such property shall be reported to the grantor agency for further agency utilization or, if appropriate, for reporting to the General Services Administration for other Federal agency utilization. Appropriate disposition instructions will be issued to the grantee after completion of Federal agency review.

5. The grantees' property management standards for nonexpendable personal property shall also include the following procedural requirements:

a. Property records shall be maintained accurately and provide for: a description of the property; manufacturer's serial number or other identification number; acquisition date and cost; source of the property; percentage of Federal funds used in the purchase of property; location, use, and condition of the property; and ultimate disposition data including sales price or the method used to determine current fair market value if the grantee reimburses the grantor agency for its share.

b. A physical inventory of property shall be taken and the results reconciled with the property records at least once every two years to verify the existence, current utilization, and continued need for the property.

c. A control system shall be in effect to insure adequate safeguards to prevent loss, damage, or theft to the property. Any loss, damage, or theft of nonexpendable property shall be investigated and fully documented.

d. Adequate maintenance procedures shall be implemented to keep the property in good condition.

e. Proper sales procedures shall be established for unneeded property which would provide for competition to the extent practicable and result in the highest possible return.

6. When the total inventory value of any unused expendable personal property exceeds \$500 at the expiration of need for any Federal grant purposes, the grantee may retain the property or sell the property as long as he compensates the Federal Government for its share in the cost. The amount of compensation shall be computed in accordance with 4a(2)(b).

7. Specific standards for control of intangible property are provided as follows:

a. If any program produces patentable items, patent rights, processes, or inventions, in the course of work aided by a Federal grant, such fact shall be promptly and fully reported to the grantor agency. Unless there is prior agreement between the grantee and grantor on disposition of such items, the grantor agency shall determine whether protection on such invention or discovery shall be sought and how the rights in the invention or discovery--including rights under any patent issued thereon--shall be allocated and administered in order to protect the public interest consistent with

September 13, 1974

"Government Patent Policy" (President's Memorandum for Heads of Executive Departments and Agencies, August 23, 1971, and Statement of Government Patent Policy as printed in 36 F.R. 16889).

b. Where the grant results in a book or other copyrightable material, the author or grantee is free to copyright the work, but the Federal grantor agency reserves a royalty-free, nonexclusive and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use the work for Government purposes.

PROCUREMENT STANDARDS

1. This attachment provides standards for use by the State and local governments in establishing procedures for the procurement of supplies, equipment, construction, and other services with Federal grant funds. These standards are furnished to insure that such materials and services are obtained in an effective manner and in compliance with the provisions of applicable Federal law and Executive orders. No additional requirements shall be imposed by the Federal agencies upon the grantees unless specifically required by Federal law or Executive orders.

2. The standards contained in this attachment do not relieve the grantee of the contractual responsibilities arising under its contracts. The grantee is the responsible authority, without recourse to the grantor agency regarding the settlement and satisfaction of all contractual and administrative issues arising out of procurements entered into, in support of a grant. This includes but is not limited to: disputes, claims, protests of award, source evaluation or other matters of a contractual nature. Matters concerning violation of law are to be referred to such local, State, or Federal authority as may have proper jurisdiction.

3. Grantees may use their own procurement regulations which reflect applicable State and local law, rules and regulations provided that procurements made with Federal grant funds adhere to the standards set forth as follows:

a. The grantee shall maintain a code or standards of conduct which shall govern the performance of its officers, employees, or agents in contracting with and expending Federal grant funds. Grantee's officers, employees or agents, shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or potential contractors. To the extent permissible by State or local law, rules or regulations, such standards shall provide for penalties, sanctions, or other disciplinary actions to be applied for violations of such standards by either the grantee officers, employees, or agents, or by contractors or their agents.

September 13, 1974

b. All procurement transactions regardless of whether negotiated or advertised and without regard to dollar value shall be conducted in a manner so as to provide maximum open and free competition. The grantee should be alert to organizational conflicts of interest or noncompetitive practices among contractors which may restrict or eliminate competition or otherwise restrain trade.

c. The grantee shall establish procurement procedures which provide for, as a minimum, the following procedural requirements:

(1) Proposed procurement actions shall be reviewed by grantee officials to avoid purchasing unnecessary or duplicative items. Where appropriate, an analysis shall be made of lease and purchase alternatives to determine which would be the most economical, practical procurement.

(2) Invitations for bids or requests for proposals shall be based upon a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. "Brand name or equal" description may be used as a means to define the performance or other salient requirements of a procurement, and when so used the specific features of the named brand which must be met by offerors should be clearly specified.

(3) Positive efforts shall be made by the grantees to utilize small business and minority-owned business sources of supplies and services. Such efforts should allow these sources the maximum feasible opportunity to compete for contracts to be performed utilizing Federal grant funds.

(4) The type of procuring instruments used (i.e., fixed price contracts, cost reimbursable contracts, purchase orders, incentive contracts, etc.), shall be appropriate for the particular procurement and for promoting the best interest of the grant program involved. The "cost-plus-a-percentage-of-cost" method of contracting shall not be used.

(5) Formal advertising, with adequate purchase description, sealed bids, and public openings shall be the required method of procurement unless negotiation pursuant to paragraph (6) below is necessary to accomplish sound procurement. However, procurements of \$2,500 or less need not be so advertised unless otherwise required by State or local law or regulations. Where such advertised bids are obtained the awards shall be made to the responsible bidder whose bid is responsive to the invitation and

is most advantageous to the grantee, price and other factors considered. (Factors such as discounts, transportation costs, taxes may be considered in determining the lowest bid.) Invitations for bids shall clearly set forth all requirements which the bidder must fulfill in order for his bid to be evaluated by the grantee. Any or all bids may be rejected when it is in the grantee's interest to do so, and such rejections are in accordance with applicable State and local law, rules, and regulations.

(6) Procurements may be negotiated if it is impracticable and unfeasible to use formal advertising. Generally, procurements may be negotiated by the grantee if:

(a) The public exigency will not permit the delay incident to advertising;

(b) The material or service to be procured is available from only one person or firm; (All contemplated sole source procurements where the aggregate expenditure is expected to exceed \$5,000 shall be referred to the grantor agency for prior approval.)

(c) The aggregate amount involved does not exceed \$2,500;

(d) The contract is for personal or professional services, or for any service to be rendered by a university, college, or other educational institutions;

(e) The material or services are to be procured and used outside the limits of the United States and its possessions;

(f) No acceptable bids have been received after formal advertising;

(g) The purchases are for highly perishable materials or medical supplies, for material or services where the prices are established by law, for technical items or equipment requiring standardization and interchangeability of parts with existing equipment, for experimental, developmental or research work, for supplies purchased for authorized resale, and for technical or specialized supplies requiring substantial initial investment for manufacture;

(h) Otherwise authorized by law, rules, or regulations.

September 13, 1974

Notwithstanding the existence of circumstances justifying negotiation, competition shall be obtained to the maximum extent practicable.

(7) Contracts shall be made only with responsible contractors who possess the potential ability to perform successfully under the terms and conditions of a proposed procurement. Consideration shall be given to such matters as contractor integrity, record of past performance, financial and technical resources, or accessibility to other necessary resources.

(8) Procurement records or files for purchases in amounts in excess of \$2,500 shall provide at least the following pertinent information: justification for the use of negotiation in lieu of advertising, contractor selection, and the basis for the cost or price negotiated.

(9) A system for contract administration shall be maintained to assure contractor conformance with terms, conditions, and specifications of the contract or order, and to assure adequate and timely followup of all purchases.

4. The grantee shall include, in addition to provisions to define a sound and complete agreement, the following provisions in all contracts and subgrants:

a. Contracts shall contain such contractual provisions or conditions which will allow for administrative, contractual, or legal remedies in instances where contractors violate or breach contracts terms, and provide for such sanctions and penalties as may be appropriate.

b. All contracts, amounts for which are in excess of \$2,500, shall contain suitable provisions for termination by the grantee including the manner by which it will be effected and the basis for settlement. In addition, such contracts shall describe conditions under which the contract may be terminated for default as well as conditions where the contract may be terminated because of circumstances beyond the control of the contractor.

c. In all contracts for construction or facility improvement awarded in excess of \$100,000, grantees shall observe the bonding requirements provided in Attachment B to this circular.

d. All construction contracts awarded by recipients and their contractors or subgrantees having a value of more than \$10,000, shall contain a provision requiring compliance with Executive Order No. 11246, entitled "Equal Employment Opportunity," as amended by Executive Order No. 11375, and as supplemented in Department of Labor Regulations (41 CFR, Part 60).

e. All contracts and subgrants for construction or repair shall include a provision for compliance with the Copeland "Anti-Kick Back" Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR, Part 3). This act provides that each contractor or subgrantee shall be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he is otherwise entitled. The grantee shall report all suspected or reported violations to the grantor agency.

f. When required by the Federal grant program legislation, all construction contracts awarded by grantees and subgrantees in excess of \$2,000 shall include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 276a to a-7) and as supplemented by Department of Labor regulations (29 CFR, Part 5). Under this act contractors shall be required to pay wages to laborers and mechanics at a rate not less than the minimum wages specified in a wage determination made by the Secretary of Labor. In addition, contractors shall be required to pay wages not less often than once a week. The grantee shall place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation and the award of a contract shall be conditioned upon the acceptance of the wage determination. The grantee shall report all suspected or reported violations to the grantor agency.

g. Where applicable, all contracts awarded by grantees and subgrantees in excess of \$2,000 for construction contracts and in excess of \$2,500 for other contracts which involve the employment of mechanics or laborers shall include a provision for compliance with sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330) as supplemented by Department of Labor regulations (29 CFR, Part 5). Under section 103 of the act, each contractor shall be required to compute the wages of every mechanic and laborer on the basis of a standard work day of 8 hours and a standard work week of 40 hours. Work in excess of the standard workday or workweek is permissible provided that the worker is compensated at a rate of not less than 1-1/2 times the basic rate of pay for all hours worked in excess of 8 hours in any calendar day or 40 hours in the work week. Section 107 of the act is applicable to construction work and provides that no laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous, or

September 13, 1974

dangerous to his health and safety as determined under construction, safety, and health standards promulgated by the Secretary of Labor. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

h. Contracts or agreements, the principal purpose of which is to create, develop, or improve products, processes or methods; or for exploration into fields which directly concern public health, safety, or welfare; or contracts in the field of science or technology in which there has been little significant experience outside of work funded by Federal assistance, shall contain a notice to the effect that matters regarding rights to inventions, and materials generated under the contract or agreement are subject to the regulations issued by the Federal grantor agency. The contractor shall be advised as to the source of additional information regarding these matters.

i. All negotiated contracts (except those of \$2,500 or less) awarded by grantees shall include a provision to the effect that the grantee, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the contractor which are directly pertinent to a specific grant program for the purpose of making audit, examination, excerpts, and transcriptions.

j. Contracts and subgrants of amounts in excess of \$100,000 shall contain a provision which requires the recipient to agree to comply with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act of 1970 (42 U.S.C. 1857 et seq.) and the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) as amended. Violations shall be reported to the grantor agency and the Regional Office of the Environmental Protection Agency.