

DRAFT EXHIBIT A PROCEDURES AND REQUIREMENTS

The Environmental Justice (EJ) Small Grants is administered by the California Environmental Protection Agency (CalEPA). These Procedures and Requirements describe project and reporting requirements, report due dates, report contents, grant payment conditions, eligible and ineligible project costs, project completion and close-out procedures, records and audit requirements.

The following terms used in this Grant Agreement (Agreement) have the meanings given to them below, unless the context clearly indicates otherwise:

- **“Applicant”** means the entity applying for a grant.
- **“Application”** means the information an applicant must provide CalEPA when applying for a grant.
- **“BDOs”** means CalEPA’s Boards, Departments, and Office.
- **“CalEPA”** means California Environmental Protection Agency.
- **“Environmental Justice”** means “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies,” as defined by Government Code section 65040.12.
- **“Grant”** means a sum of money to assist an enterprise deemed advantageous to the public.
- **“Grant Manager”** means the CalEPA Environmental Justice (EJ) Grant Program staff person responsible for monitoring the grant.
- **“Grant Administrator”** means the person of the grant project who is responsible for the day-to-day management of the project.
- **“Grantee”** means the eligible organization or tribal government that receives the funding from the grant.
- **“Notice to Proceed”** means the letter sent by CalEPA EJ Small Grants staff to the Grantee authorizing the Grantee to implement and make expenditures for the approved project.
- **“Signature Authority”** means the person duly authorized and empowered to execute in the name of the applicant all grant-related documents.
- **“Secretary”** means the Secretary for California Environmental Protection Agency or his or her designee(s).

I. TERM DATES AND REPORTING MILESTONES

Date	Activity
May 15, 2019	Grant Term Begins after receiving Notice to Proceed
October 1, 2019	Progress Report 1 due (covering months 1-4 of the grant term)
February 5, 2020	Progress Report 2 due (covering month 4-8 of the grant term)
May 15, 2020	Grant Term Ends
July 19, 2020	Reminders: Final Report and Final Payment Request Due August 19, 2020
August 19, 2020	Final Report (summarizes months 1-8, reports on months 9-12, overall project evaluation) and Final Payment Request Due – Grant Close Out Date
<u>Important Notices:</u>	If 80% or more of the grant funding is expended before the October 1, 2019 or February 5, 2020 Progress Report is due, in lieu of these progress reports, a Progress Report or Final Report (whatever is deemed more appropriate by the Grant Manager) is also due and must be submitted with the Payment Request for the reimbursement of the 80% or more of the grant funding.
	Advances: An advance of up to 10 percent of the grant funds awarded may be requested to start work on your grant project. A grant advance must be made in writing and approved by the Grant Manager. The grant request must include a written detailed description of how the advanced funds will be expended.
	Budget: Any costs not included in your approved budget, and not directly related to the approved grant project, are ineligible for reimbursement. If you have any questions regarding ineligible costs, contact the CalEPA Grant Manager. If you any changes need to be made to the budget, contact your CalEPA Grant Manager.
	Failure to submit the Final Report and final Grant Payment Request, with appropriate supporting documentation, by August 19, 2020, may result in rejection of the Grant Payment Request and/or forfeiture by the Grantee of claims for costs incurred that might otherwise have been eligible for grant funding.

II. PROGRESS REPORTS (not including Final Report)

The Progress Report must include the following:

- A. The Grant number, Grantee’s name, Grantee’s contact information, progress report number, and reporting period.

- B. A description of work completed, arranged according to tasks and activities shown in your Work Plan. Include as an overall summary, or in each section, responses to the following questions as applicable:
- i. What were the successes (so far) in relation to goals and objectives?
 - ii. What problems/challenges were discovered during implementation?
 - iii. How were problems/challenges (if any) resolved during this reporting period?
 - iv. What “best practices” might be shared with other areas?
- C. A brief discussion of work to be conducted during the remainder of the grant term. If necessary, discuss any adjustments to the Work Plan resulting from your process evaluation.

The Grant Manager must give written pre-approval for any changes to the Work Plan or Budget.

III. INELIGIBLE COSTS

Any costs not included in your approved budget, and not directly related to the approved grant project, are ineligible for reimbursement. If you have any questions regarding ineligible costs, contact the Grant Manager.

Examples of ineligible costs for funding include the following, but not limited to:

- a) Lobbying or advocacy activities relating to any federal, state, regional, or local legislative, quasi-legislative, adjudicatory, or quasi-judicial proceeding involving development or adoption of statutes, guidelines, rules, regulations, plans or any other governmental proposal, or involving decisions concerning siting, permitting, licensing, or any other governmental action.
- b) Litigation, administrative challenges, enforcement action, or any type of adjudicatory proceeding.
- c) Funding of a lawsuit against any governmental entity.
- d) Funding of a lawsuit against a business or a project owned by a business.
- e) Matching state or federal funding.
- f) Other state grant programs.
- g) Performance of any technical assessment for purposes of opposing or contradicting a technical assessment prepared by a public agency.

- h) Food, paper/Styrofoam food products (e.g., plates, napkins, cutlery), refreshments, drinks, any alcoholic beverages.
- i) Indirect or overhead costs that exceed 20% of the grant funds reimbursed.
- j) Profit or mark-up by the Grantee.
- k) Out-of-State travel.
- l) Overtime costs/compensated time off (except for when law or labor contract requires overtime compensation).
- m) Purchase of the following equipment: cell phones, pagers, cameras, personal digital assistants, computers, laptops and other similar electronic devices.
- n) Travel expenditures that exceed the State rate (for hotel and meal rates, see <http://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx>). On the page link, see under "More Information", bullet – [short-term lodging reimbursement rates](#). No travel reimbursement will be paid without a legible receipt.
- o) Any pre-paid expenditures for future goods or services delivered beyond the end of the grant term.
- p) Prepaid credit/cash cards, gift cards or gift certificates.
- q) Fines or penalties due to violation of federal, state or local laws, ordinances, or regulations.
- r) Expenses for audits of the Grantee's entire organization, or portions thereof that include a review of one of the CalEPA Environmental Justice Small Grants cycles.
- s) Expenses for writing reports for progress reporting.
- t) Promotional giveaway items. Ineligible giveaways items include but are not limited to key chains, letter openers, squeeze toys, coffee mugs, Frisbees, hats, t-shirts, chip clips, pens, pencils, Beanie Babies, screwdrivers, calendars, pencil holders, magnets, dried sponges, flash drives, reusable bags, etc. If there are questions regarding these items, contact your CalEPA Grant Manager.
- u) Costs deemed by the CalEPA Grant Manager to be unreasonable, excessive, inappropriate or not related to the purpose of the grant.
- v) Other work deemed ineligible by CalEPA, consistent with state law.

IV. GRANT PAYMENT REQUESTS

The Grant Manager shall authorize payment upon approval of a complete and accurate Grant Payment Request and, where applicable, approval of all required reports.

A. Forms for a Grant Payment Request

- i. All forms can be downloaded from the CalEPA's EJ Small Grants Program website (<http://www.calepa.ca.gov/EnvJustice/Funding/>) or contact the Grant Manager.
- ii. The Grant Payment Request is also attached as Exhibit D.

B. Required Grant Documents and Format for Grant Payment Request

A complete Grant Payment Request must include the following items in the order listed.

- i. **Grant Payment Request Form (CalEPA Form 220).** **A completed and signed Grant Payment Request form must be submitted in the payment request.** This form must be signed by the individual authorized by the Agreement (e.g., the Signature Authority designated and authorized in the original application or verified by a Payee Data Record (Standard form 204). Please remember to type or print the individual's name and title below the signature.
- ii. **Expenditure Itemization Summary.** All expenditures must be itemized in an Expenditure Itemization Summary. **An expenditure itemization summary must be submitted in the payment request.** (An expenditure itemization summary looks much like a detailed budget. All expenses that the Grantee would like to have reimbursed with Grant funding must be included on the expenditure itemization summary submitted as part of the grant payment request.) Make sure everything adds up correctly and coincides with supporting documentation receipts and invoices. Refer to your Grant Manager for an example of the Expenditure Itemization Summary.
- iii. **Supporting Documentation.** **Appropriate documentation must be submitted with the payment request.** All documentation must be legible. Illegible documentation will not be accepted. Types of acceptable documentation include:
 - a) **Invoices.** Invoices must include the name of the vendor, vendor's telephone number and address, description of goods or services purchased, amount due, and date of invoice. (Note: remember food

and beverages relating to meetings, events, and gathering are ineligible costs.)

- b) Receipts.** Receipts should include the same information as invoices. (See above.) Emailed airline or Amazon receipts must include vendor information and detailed trip/purchase information.
- c) Purchase orders with proof of payment.** Purchase orders should include the same information as invoices and receipts, and must be accompanied by proof of payment (e.g., copies of cancelled checks).
- d) Personnel Expenditure Summary.** Document personnel expenditures based on actual time spent on grant related activities. Refer to your Grant Manager for an example of the Personnel Summary). The Personnel Expenditure Summary must include the following:
- The staff name (first and last names), title, hourly rate, date(s) and number of hours worked per Workplan Task totals being paid under the grant, and
 - The Personnel Supervisor or Grant Authorized Signature (identified in the Grant Agreement Contract)'s printed name, title, and original signature approving the staff time submitted for reimbursement.
- e) Travel Expense Summary.** Document costs related to travel and include supporting documentation. (Remember food and beverages relating to meetings, events, gatherings are ineligible costs.) Travel costs should align with the State guidelines <http://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx>) for travel. Maximum rates for per diem, travel requirements for receipts, and maximum limits for lodging set by the State will apply to all travel reimbursements.
- f) Basic Travel Policies**
1. Limit attendance at conferences and meetings to those directly concerned with the topic.
 2. Use the most economical method of transportation. Consider the time you will be away from the office and the direct cost of the methods that may be used.
 3. Avoid back-tracking and duplicate travel whenever possible.
 4. Out of state travel expenses are not allowed.

C. Indirect Costs

Indirect costs can be claimed by the Grantee. The following guidelines must be used when claiming these costs:

The total amount of indirect costs charged to the grant shall not exceed 20 percent of the grant funds reimbursed. These costs are expenditures not capable of being assigned or not readily itemized to a particular project or activity, but considered necessary for the operation of the organization and the performance of the program.

Examples of indirect costs include costs of operating and maintaining facilities, accounting services, and administrative salaries.

All indirect costs charged to the grant must be associated with grant activities as shown in the approved Budget.

The Grantee must maintain organized and accurate records that follow generally accepted accounting principles and leave an audit trail. The Grantee must provide access to all documents related to the grant program and fiscal operation of the grant program as deemed necessary by CalEPA.

If there are questions whether a given cost is considered an overhead/indirect cost, contact the CalEPA Grant Manager.

- V. **ACKNOWLEDGEMENTS** – Grantees must ensure prior approval of public education/outreach materials or signage used in the project. Failure to comply may result in non-payment of work materials and/or time used to develop materials and/or signage.

PUBLIC EDUCATION MATERIALS

The Grantee shall acknowledge CalEPA's support each time projects funded in whole or in part by this Agreement are publicized in any medium, including news media, brochures, newsletters, pamphlets, signage or other types of promotional materials. **The Grantee shall submit copies of all draft public education/outreach or advertising materials to the Grant Manager for review and approval prior to the Grantee's use of materials.** The acknowledgement of CalEPA's support must incorporate the CalEPA logo. Initials or abbreviations for CalEPA shall not be used. The Grant Manager may approve deviation from this requirement on a case by-case basis.

SIGNAGE

Any signage funded in whole or in part by this Agreement must acknowledge that the project was funded by a grant from CalEPA and includes the CalEPA Logo.

The acknowledgement must specify the following: “Funded by a grant from the California Environmental Protection Agency.” Prior to incurring the expense and before the end of the Grant Term, the Grantee must obtain written pre-approval on acknowledgement on the signage from the CalEPA Grant Manager.

VI. FINAL REPORT

The final report includes a summary of the remaining unreported activities and a summary of the entire project’s activities. **The final report must follow the following format.** Ensure the final report includes the following:

- A. The Grant number, Grantee’s name, Grantee’s contact information, and Grant Term.
- B. The Final Report summarizes the entire grant term (from May 15, 2019, through May 15, 2020)
- C. The following disclaimer statement:

“The statements and conclusions of this report are those of the Grantee and not necessarily those of the California Environmental Protection Agency, its employees, or the State of California. The State makes no warranty, express or implied, and assumes no liability for the information contained in the succeeding text.”

- D. Description of activities that were undertaken, continued, and completed during the reporting period. Activities must be arranged by the categories shown in your approved Work Plan.
- E. Summary of results and evaluation of program, as applicable to your Work Plan, which includes responding to the following questions.
 - i. What are the methods used to evaluate project effectiveness to address EJ?
 - ii. What were the successes in relation to goals and objectives?
 - iii. Did this project build upon “best practices” or previous projects from other areas? If yes, which ones and what changed in the design of your project?
 - iv. What problems/challenges emerged during implementation? How did you resolve them?

v. What would you do differently if you had the project to design all over again?

vi. What “best practices” might be shared with other areas?

VII. EXCEPTIONS

Exceptions to the provisions of the Agreement may be considered on a case-by-case basis.

Requests must be submitted in writing, and pre-approved in writing, by the Grant Manager. The Grantee is responsible for retaining documentation of any exceptions to the Agreement for audit purposes.

VIII. AUDIT CONSIDERATIONS

The Grantee agrees to maintain records and supporting documentation pertaining to the performance of this grant subject to possible audit for a minimum of three (3) years after final payment date or grant term end date, whichever is later. A longer period of records retention may be stipulated in order to complete any action and/or resolution of all issues which may arise as a result of any litigation, dispute, or audit, whichever is later. Examples of audit documentation include, but are not limited to, expenditure ledger, payroll register entries, time sheets, personnel expenditure summary form, travel expense log, paid warrants, contracts and change orders, samples of items and materials developed with grant funds, educational materials, invoices and/or cancelled checks. Please refer to the Terms and Conditions (Exhibit B) for more information.

IX. GRANT MANAGER

The Grant Manager during the term of this Agreement is Malinda Dumisani. All reports, Grant Payment Requests, and all other written correspondence and inquiries regarding this project shall be directed to:

Mail: Malinda Dumisani, Grants Program Manager
Environmental Justice Small Grants Program
CalEPA (25th Flr)
P.O. Box 2815
Sacramento, California 95812

Contact: Malinda Dumisani
Phone: (916) 445-9480
Email: Malinda.Dumisani@calepa.ca.gov