

2023



GRANT ADMINISTRATION & COMPLIANCE MANUAL

WWW.NBRC.GOV



Catamount, VT Film & Arts Festival, 2019

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Northern Border Regional Commission

Overview

Northern Border Regional Commission (NBRC) is one of six Federal-State partnerships created to improve the economic vitality of a region sharing common attributes. Authorized by Congress in 2008 (PUB.L. 110–246, Sec. 14217) and first appropriated funds by Congress in 2010, NBRC was reauthorized in the 2014 Farm Bill and again in 2018.

The NBRC is a partnership between the federal government and the states of **New York, Vermont, New Hampshire, and Maine**. NBRC targets resources to promote economic growth strategies and projects within its member states. The Commission is composed of a Federal Co-Chair appointed by the President and confirmed by the United States Senate, and the Governors of each state. The Governors are represented on the NBRC by their chosen alternate. The decision-making process of the Commission is comprised of these five voting members. Each State also has a State Program Manager, who serves as the primary points of contact for entities interested in NBRC funding.

By investing in projects that address shared regional challenges and common opportunities, the NBRC plays a critical role in helping rural communities retool their economies for the future. The Northern Border region is poised for economic revitalization if it can modernize its infrastructure, invest in business and workforce development, and build its capacity for community economic development. The NBRC is uniquely positioned to make these pivotal improvements possible.

By statute ([40 U.S.C. §15702](#)), the NBRC is required to annually assess the level of economic and demographic distress in its service area. The resulting designations reflect whether the NBRC can provide grants within a county.

Benefit Waiver must be requested, and approved by the voting body of the Commission, for the project to be considered eligible to seek funding.

Additional information can be found in the *NBRC annual Economic & Demographic Research* report found on our website at www.nbrc.gov.

2023 NBRC Service Area

Only projects within the NBRC’s service area are eligible for funding under 40 U.S.C. §15733.

Counties are designated per the categories below:

Distressed: Eligible for **80%** funding and require a 20% match

Transitional: Eligible for **50%** funding and require a 50% match

Attainment: Ineligible for funding, unless it is determined that a specific municipality within the county is distressed (Isolated Area of Distress), or the project has a greater effect on distressed and transitional counties. For a project not located in an Isolated Area of Distress, a Significant Benefit Waiver is required. The waiver must be approved by the governing body of NBRC for the project to be eligible to apply for funding.

New York

Cayuga, Clinton, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Montgomery, Niagara, Oneida, Orleans, Oswego, Rensselaer, St. Lawrence, Saratoga, Schenectady, Seneca, Sullivan, Warren, Washington, Wayne, and Yates counties.

Vermont

All counties within the State

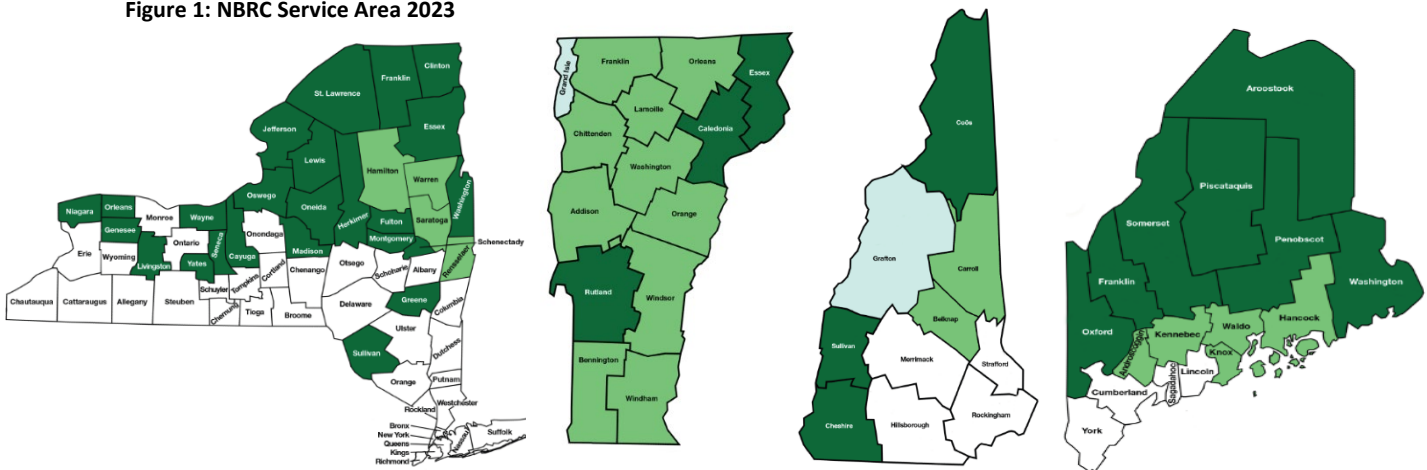
New Hampshire

Belknap, Carroll, Cheshire, Coös, Grafton, and Sullivan counties

Maine

Androscoggin, Aroostook, Franklin, Hancock, Kennebec, Knox, Oxford, Penobscot, Piscataquis, Somerset, Waldo, and Washington counties.

Figure 1: NBRC Service Area 2023



2023 NBRC Grant Programs

This manual is applicable to the following Northern Border Regional Commission programs. Where there are discrepancies or differences, those will be noted or specifically called out for the various programs.

Catalyst

The Catalyst Program is designed to stimulate economic growth and inspire partnerships that improve rural economic vitality across the four-state NBRC region. Catalyst Program investments support a wide variety of economic development projects that include but are not limited to infrastructure, workforce development, outdoor recreation, and childcare. Funding for this program comes from the Commission's core appropriations and the Bipartisan Infrastructure Law.

- **Economic Development Administration (EDA) Collaboration Grant:**
Funded under the Catalyst program, beginning in 2019, Congress directed the EDA to collaborate with the NBRC to fund projects aligned with the economic development objectives of both Agencies. The unique partnership between the NBRC and EDA has extended the ability of both Agencies to fund economic development projects in the NBRC region.
- **United States Department of Agriculture (USDA) Collaboration Grant:**
Funded under the Catalyst program, beginning in 2019, Congress directed the USDA to collaborate with NBRC to fund projects aligned with the economic development objectives of both Agencies. The unique partnership between the NBRC and USDA has extended the ability of both Agencies to fund economic development projects in the NBRC region.

Forest Economy Program (FEP)

The Forest Economy Program supports the forest-based economy, and the industry's evolution to include new technologies and viable business models across the four-state NBRC region.

Local Development District

Overview of LDDs

The NBRC Federal-State partnership is aided by a group of regional organizations called Local Development Districts (LDDs) that assist the NBRC in its outreach activities and administer

NBRC investments for grantees. LDDs provide feedback to the Commission on its current programs and assist in identifying future areas of focus for the Commission. LDDs are either an already existing federally designated Economic Development District, as certified by the US Economic Development Administration, or an organization similar in nature to a regional planning commission or regional development commission.

LDDs are knowledgeable about other Federal and State programs that help fund economic and community development projects. They are also aware of local concerns, as most engage in regional economic development planning of varying degrees. All are certified by the NBRC as being proficient in administering Commission funds for grantees.

LDDs are compensated for their administrative work, through a reimbursement process, based on the formula of 2% of the NBRC award. LDD grant administration costs are an eligible NBRC cost for an amount not to exceed the formula. LDD grant administration costs must be reflected as a line item within the budget (SF424cbw) submitted for the project.

If grant administration assistance is needed, beyond the total available under the formula, those must be paid for with matching funds. If a grantee wants to utilize their LDD for project management, that is an allowable project cost, but one that is outside the scope of the LDD contract. Project management costs are not eligible to be sole sourced, so the entity must follow their normal procurement process and those costs would also need to be reflected in the project budget as a line item separate from grant administration.

Benefits of a Local Development District

- Regional collaboration and partnership with other LDDs and a Federal Agency.
- Opportunity to assist NBRC in developing future programs that benefit the region.
- LDDs will be the designated grant administrators for the NBRC Catalyst investments awarded within their region.

Federal legislation states that the Northern Border Regional Commission, “shall enhance the capacity of, and provide support for, local development districts (LDD) in its region.” It outlines obligations that LDDs have once they are designated.:

- “Operate as a lead organization serving multi-county areas in the region at the local level”; and,
- “Assist the Commission in outreach activities for local governments, community development groups, the business community, and the public”; and,
- “Serve as a liaison between State and local governments, nonprofit organizations, educational institutions, the business community, and citizens”; and,
- “Assist those described above to identify, assess, and facilitate projects and programs to promote economic development of the region.”
- LDDs shall attend quarterly and annual training sessions provided by NBRC staff.

LDD Contracts with Grantee

All **Catalyst** grantees are required to contract with a Local Development District (LDD) unless they are a state agency **or have requested and been granted an LDD waiver from the Northern Border Regional Commission prior to the submission of the Catalyst application.**

Documentation of the grant administration contract must be provided to NBRC as part of the documentation required to receive a Notice to Proceed.

FEP funded projects do not require an LDD be utilized for grant administration. If a grantee needs grant administration assistance, they will be required to utilize an LDD and provide NBRC with a grant administration contract prior to the issuance of a Notice to Proceed.

LDDs will be reimbursed based on the amount of work that they perform. Like any other part of the grantee's project the LDD will invoice the grantee for their services to be included in the Request for Reimbursement. No lump sum will be used. Payments will be made based on the hours worked. The LDD's indirect cost rate (as determined by their Federal Cognizant Agency) may be added to salary and fringe.

Scope of LDD Contract

LDDs shall have the following scope of services pertaining to the Grant Administration:

- **Quarterly & Yearly Reporting:** Ensure that the grantee files all quarterly and annual reports on time, and with enough information to provide a meaningful outline of the project's status.
- **Reimbursement Requests:** Provide guidance to grantees on submitting reimbursement requests, while ensuring that reimbursement requests are accurate, within approved budget, and contain all the necessary documentation to provide evidence of NBRC requested funds as well as expended match.
- **Final Reporting:** Ensure that the grantee submits all required close-out materials once the project is complete.
- **General Assistance:** Be available to provide guidance to the grantee with other issues such as their responsibilities regarding procurement of goods and services, and contractors. Have a general knowledge base about federal grant programs, specifically NBRC.

NOTE: LDDs are not expected to conduct bid processes and assess bid documents for completion, interview potential consultants, or undertake other procurement processes. LDDs are not expected to revise programmatic budgets or perform additional services beyond those reflected in the grant administration contract.

If a grantee wishes to engage the LDD in processes outside the scope of the LDD grant administration contract, they may do so, but will need to utilize their match/cost share funds to cover those costs. If the grantee wishes to use NBRC funds for project management, they will

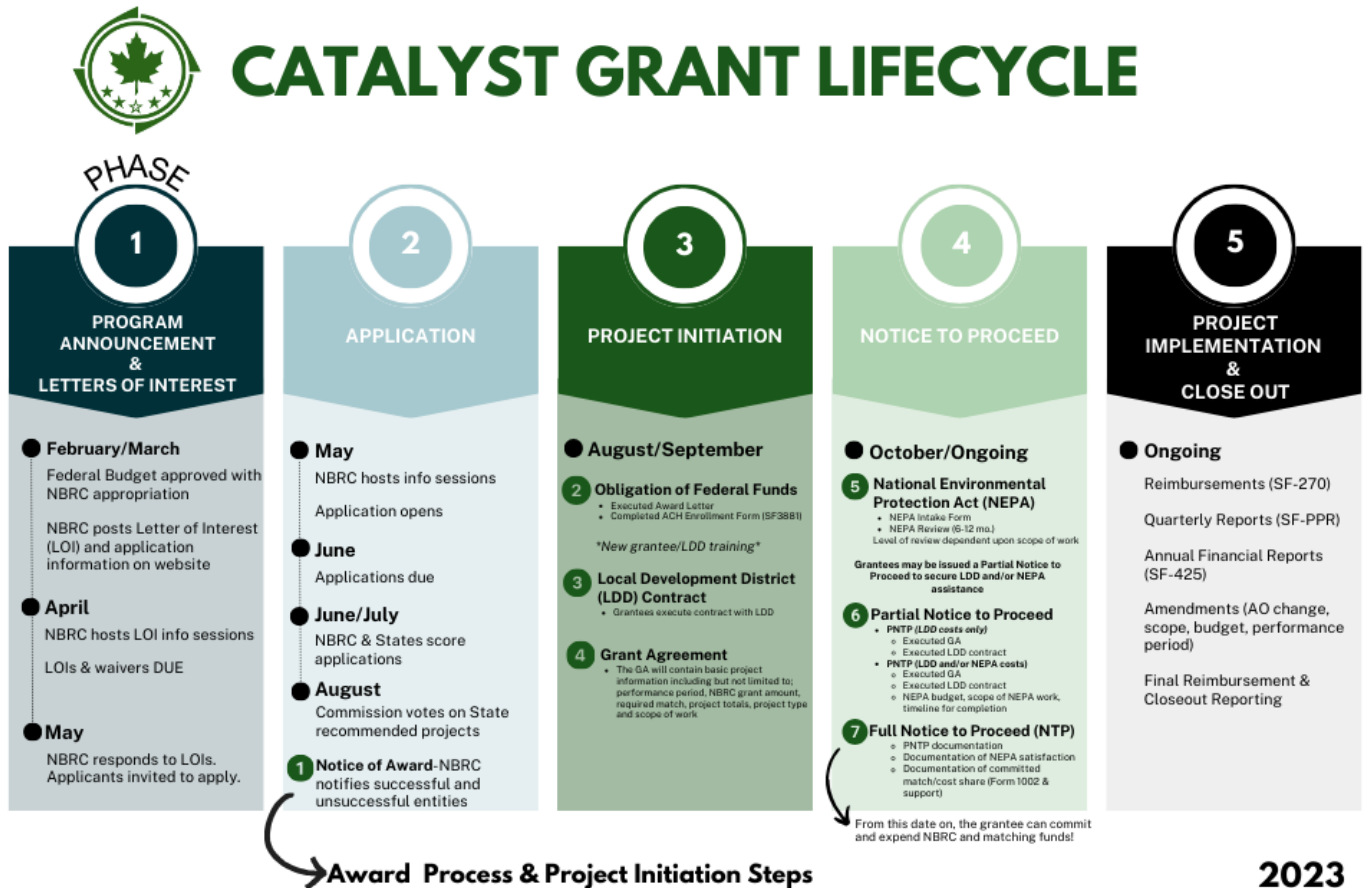
PRO TIP!

Engage with your LDD early in the process!

need to follow their normal procurement processes as project management is not allowed to be sole sourced. Project management costs should also be reflected as a separate line item and cost within the project budget.

Award Process and Project Initiation

Figure 2: Catalyst Grant Lifecycle



1

Notice of Award

NBRC notifies all successful entities of their award, including the amount of the award by the end of August, with EDA and USDA projects typically announced in September.

Once awards are made, NBRC works with grantees to submit any missing application support documents or documents that need to be corrected (i.e., revised project budget to reflect reduced award)

Notice of award is not approval to expend funds. A Notice to Proceed must be issued to commit or expend both NBRC funds and match/cost share funds.

2

Obligation of Federal Funds

As with any federal program, ‘obligating’ funds is important. Why? Because without specifically allocating the funds to a project/entity, those funds are not dedicated to any source and are available for use, potentially in other areas of the government.

To obligate funds to a specific project the items below are needed. These forms were e-mailed to your Authorized Official with your award letter and must be returned to NBRC. Once returned, NBRC takes the steps necessary to obligate funds for your project.

- Executed Award Letter
- Completed SF3881 Automated Clearing House (ACH) Enrollment Form

After funds have been obligated you may begin discussions with your LDD on the terms of your LDD contract for grant administration, however you **may not** incur any expenses related to this contract until you receive either a Partial Notice to Proceed or a Full Notice to Proceed. Please see the Role of the Local Development Districts (LDD) and Notice to Proceed section of this manual for more information.

3

Local Development District (LDD) Contract

An executed LDD contract (if applicable) is part of the documentation required to be submitted to receive a Notice to Proceed. All Catalyst grantees are required to contract with an LDD unless they applied for and were approved for a waiver in advance of the submission of their application for funding, are a regional planning/development agency or are an agency of State Government.

There will be no third-party grant administration for NBRC grants. NBRC is directed by Congress to build the capacity of its Local Development Districts. These entities are available to grantees for administrative assistance. It is NBRC's policy to sole source work to the LDDs to meet its legislative mandate to, "enhance the capacity of, and provide support for, local development districts in its region." State agencies and entities who have received an LDD waiver for their project, from NBRC, are exempt from this administration requirement.

If a grantee requires LDD assistance early in the project, a Partial Notice to Proceed (up to 1% of LDD formula) can be requested. The authorization date of the PNTP for LDD assistance will be the date of the obligation of funds. A PNTP can be requested by contacting NBRC via our admin@nbrc.gov.

The following documents must be on file to request a PNTP for LDD assistance:

- Executed Grant Agreement
- Executed LDD Contract

Reminder: The obligation of federal funds does not allow a grantee to begin to commit or expend NBRC funds or match/cost share funds. A grantee must have a Notice to Proceed to expend funds.

4 Grant Agreement

Once all required application support documents have been obtained, NBRC issues Grant Agreements for projects. The grant agreement will contain basic project information as outlined in Figure 3. below and all applicable grant provisions.

Figure 3: Annotated Grant Agreement

Northern Border Regional Commission

Grant Agreement Between Northern Border Regional Commission (NBRC) And Grantee Name August 15, 2023

NBRC Grant Agreement Number: NBRC23G This # must be included in all documentation and emails to NBRC and the State Program Team

Grantee/Recipient: Contact Information for grantees Authorized Official (AO)* *The AO signs binding documents and any changes must be reported to admin@nbrc.gov along with a contract amendment form, key contact form, and authorizing resolution	Grantor: Northern Border Regional Commission Contact: Andrea K. Smith, Program Director 53 Pleasant Street, Suite 1501, Concord, NH 03301 603-369-3001 admin@nbrc.gov www.nbrc.gov
Co-Applicant: If Applicable	
Contact:	
State Program Manager contact information State Contact: Charlotte Mace, Director of Business Development, DECD	207-624-7448 charlotte.mace@maine.gov

Figure 3: Annotated Grant Agreement Continued

Grantee's Employer Identification Number (EIN):	
Grantee's UEI Number:	ID # required for reimbursement
Date of Award:	August 15, 2023
Date of Amendment:	N/A Any changes to scope, budget, timeline, or AO must be reported to admin@nbrc.gov
Amendment Description:	N/A
Total Project Amount:	\$ NBRC award amount + required match
Amount of Federal NBRC Funds Awarded:	\$ Total NBRC award amount. This amount cannot be increased for any reason.
Match/Cost Share:	\$ Amount of other funds that must be documented during the project period
Reimbursement Rate:	% Ratio of NBRC funds to matching funds as determined by project location and annual distress criteria
CFDA Number and Name:	#90.601 /Catalyst Grant Program
Project Description:	Project summary of grantee application and workplan
Approved Indirect Cost Rate:	N/A This is the approved rate agreed upon by the grantee and their Federal Cognizant agency
Period of Performance:	October 1, 2023 – September 30, 2026 3-year performance period
Project Scope:	As provided in the 2023 Catalyst Program application submitted on or before June 2, 2023.

→ The performance period is not the date from which grantees can begin to expend funds. The commitment and expenditure of project funds (both NBRC and match/cost share) funds is not allowed until the project is issued a **Notice to Proceed**. It is the date of the Notice to Proceed from which NBRC and match/cost share can be committed and/or expended.

Other items covered in the Grant Agreement:

- Budget: Line items of expenditures. These line items may not be changed by the recipient without prior written approval by NBRC (2 CFR 200.308). Please refer to “Project Changes” section for more information on budget changes.
- Construction: The contract will state if the project is Construction or non-Construction. This is important because there are additional reporting requirements for construction projects.

- Real Estate and/or Equipment: The contract will state if the project consists of real estate or equipment purchases. This will include the purchase of easements on property. This is important to know as there are additional reporting requirements.
- Sub-recipients: This will include an outline of those funds that will be sub-awarded to organizations or entities that are not the recipient. Unless sub-recipient agreements are part of the project, all other contractual relationships (other than Local Development District (LDD) administration) must be obtained through federal procurement procedures.

5 National Environmental Protection Act (NEPA)

What is NEPA?

Enacted in 1970, the National Environmental Policy Act (NEPA) is a law that requires federal agencies to consider the environmental impacts of their actions and decisions before they act. NEPA does not require that the action with the least environmental impact is taken, but that the consideration of potential environmental impacts be part of agency decision-making prior to the issuance of a Notice to Proceed.

In order to analyze potential environmental impacts and expedite the NEPA process, NBRC will:

- Work with our environmental consultant to review the NEPA intake form you, which will allow us to determine what level of NEPA review is needed;
- Notify you, the grantee, of what NEPA documentation needs to be completed and submitted to NBRC;
- In instances where you are completing NEPA requirements for another federal funder, NBRC will analyze that funder's findings and determine whether we are able to adopt their findings.

Depending on the level of NEPA analysis required (see below), the NEPA process may take longer than the other required approvals needed to receive a Notice to Proceed. Contact NBRC if a determination is made that your project requires a higher level of environmental review than was initially anticipated, so we can work with you to adjust your project budget and/or timeline to cover NEPA related activity. NBRC can also issue a Partial Notice to Proceed to cover costs related to completing NEPA. See the Partial Notice to Proceed section of this manual for additional guidance.

Levels of NEPA Analysis

Categorical Exclusion (CATEX): A category of actions that is predetermined to not individually or cumulatively have a significant effect on the human environment (i.e., planning only, workforce training programs)

- Typically for maintenance, repair or renovation and non-construction activities

- Brief review, no public comment period unless another federal requirement is triggered
- Typically completed in < 6 months.

Environmental Assessment (EA): Prepared when an action may or may not cause significant impacts

- Typically for new construction activities
- More robust review, typically ranging from 6 – 12+ months, includes a 30-day public comment period.

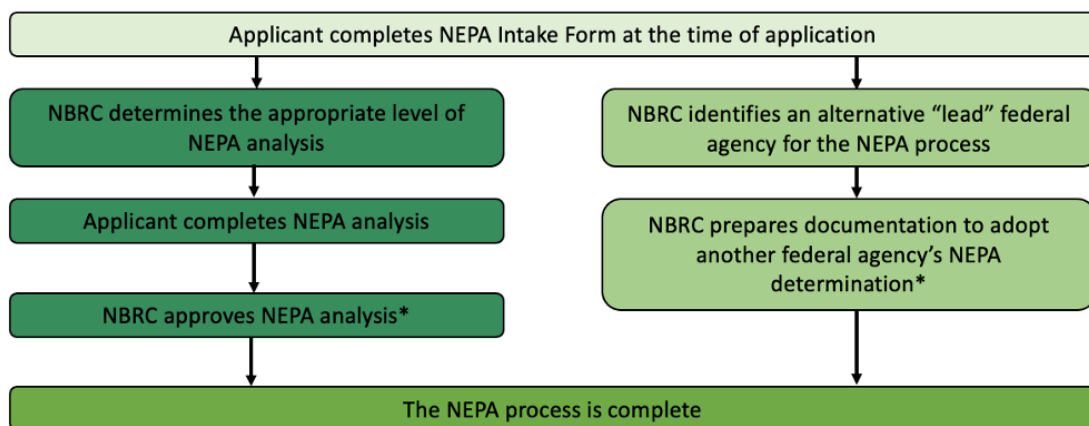
Environmental Impact Statement (EIS): Prepared when an action is expected to cause a significant impact on the human environment

PRO TIP!

Plan for a 6–12-month review period!

Figure 4: NBRC NEPA Process

NBRC’s NEPA Processes



*A public comment period may be required after this step

NEPA Resources

- NBRC Website, NBRC Staff and Contractors, The Clark Group
- Local Development Districts
- Some LDD partners are familiar with completing NEPA (whether or a prior NBRC award or through other federal funders). If an LDD can assist a grantee with completion of NEPA, this is an eligible NBRC cost and is separate from the 2% grant administration allowance. If a grantee needs assistance with completing NEPA and access to NBRC grant funds to complete NEPA, they should consider requesting a Partial Notice to Proceed (PNTTP) to cover NEPA related costs as well as LDD grant administration assistance.
- Contractors
- In some instances, it may make sense for an applicant to work with a contractor with NEPA experience to support the development of NEPA documents.

- State Historic Preservation Offices
- Contact information for these offices is provided within the Appendix of this manual.

6

Partial Notice to Proceed

The date of a Partial or Full Notice to Proceed is very important! All grantees must receive a Partial or Full Notice to Proceed before they can commit or expend any NBRC funds or match and cost share funds that are part of the NBRC funded project.

A Partial Notice to Proceed (PNTP) can be utilized to cover LDD assistance (up to 1% of formula) and/or tasks necessary to complete NEPA. The PNTP will provide clear authorization language of the activities and funds covered by the PNTP.

No reimbursements will be processed for work conducted prior to receiving a Partial or Full Notice to Proceed. In addition, any match/cost share funds committed or expended prior to the issuance of a Partial or Full Notice to Proceed will not be eligible.

The first three items listed above in **Step #3** are required to obligate federal funds and do not need to be resubmitted as part of the Partial or Full Notice to Proceed documentation.

A Partial Notice to Proceed may be issued to cover NEPA or LDD costs. Up to 1% of LDD costs may be used to assist the grantee in preparing documentation to obtain a Full Notice to Proceed. Funds also may be used to secure a consultant to complete the required NEPA environmental analysis.

The following items **MUST** be in place before a ***Partial Notice to Proceed for LDD assistance only*** will be issued.

- Fully Executed Grant Agreement
- Executed Local Development District grant administration contract

The following items **MUST** be in place before a ***Partial Notice to Proceed for LDD assistance and NEPA only*** will be issued.

- Fully Executed Grant Agreement
- Executed Local Development District grant administration contract
- NEPA budget, scope of NEPA work to be completed, timeline for completion

If a grantee requires a Partial Notice to Proceed for some project activity other than LDD assistance and/or completion of NEPA, such as to cover a down payment on property acquisition, please contact NBRC for guidance via admin@nbrc.gov.

7

Full Notice to Proceed

A Full Notice to Proceed (NTP) authorizes the grantee to commit and expend funds for all project related activities.

The following items MUST be in place before a *Full* Notice to Proceed will be issued.

- Fully Executed Grant Agreement
- SF3881 Automated Clearing House (ACH) Enrollment Form
- Acknowledgement page of the NBRC Grant Administration and Compliance Manual
- Executed Local Development District (LDD) grant administration contract (This item does not apply if the grantee is an agency of state government, a regional planning entity, or an entity that requested and was approved for an LDD waiver)
- Documentation of satisfactory completion of National Environmental Policy Act (NEPA). NEPA requires federal agencies to assess the environmental effects of their proposed projects. All applicants are required to complete a NEPA intake form and must complete NEPA to NBRC's satisfaction prior to the issuance of a Notice to Proceed. Projects who require access to NBRC funds to complete NEPA, are strongly encouraged to contact NBRC staff for additional guidance.
- Documentation of committed match/cost share. The amount of match and cost share listed in the grant agreement must be committed (using NBRC Form 1002) listing the sources and amount of funding from each source. Committed match/cost share documentation may include the following:

There may be required items specific to the award that are listed within the Grant Agreement. (Check the Grant Agreement, all requirements are listed there).

A project must be issued a Full Notice to Proceed to have authorization to commit and/or expend both NBRC funds and match/cost share funds for all project-related costs.

Securing Match/Cost Share

Documentation of committed match and cost share (NBRC Form 1002) together with letters of commitment from match and cost share sources must be submitted to NBRC.

The amount of match and cost share is identified within the executed grant agreement for the project in alignment with the SF424cbw (project budget) on file.

- Grantee is providing match: Letter from the appropriate authority stating that the entity will provide the match. Letter is required to have the following elements: 1. states the amount of the commitment, 2. contains the dates that the commitment will cover, consistent with the period of performance in the grant agreement. **Please note**: If the funds will be used for paying staff within the grantee's organization, the letter should also state the following: 1. the # of hours staff are anticipated to work on the project, 2. the pay of those staff, and 3. the indirect cost rate that will be used, consistent with the grant agreement (if applicable).
- Municipal lending: Requires proof of authorization to spend. This may be different for different states, but may take the form of city council approval, a Town or City manager who has been authorized for all these transactions, or demonstration of town meeting approval. It is the grantee's obligation to ensure that they have the appropriate authority to loan funds for the project, but there must be some sort of authorization documented. In the case of town meeting, this may mean that a Notice to Proceed is not issued until after that time - meaning that no part of the scope can be completed until such time.
- Letter of cash commitment from another source other than the grantee: A letter is required to have the following elements: 1. states the amount of the commitment, and 2. contains a date that the award was made. A letter of submission (or 'application received' or 'pending') is NOT a letter of commitment.
- In-Kind Services: Provide a written plan of how the volunteer in-kind donation will be calculated. The volunteer rate may be used as match and should be consistent with the national average <https://independentsector.org/value-of-volunteer-time-2023/>. Volunteers may not be: (a) counted for the same activity in a different project (counted twice), or (b) be federal employees. Additionally, their time must be recorded and be submitted for reimbursements. You may not include any Indirect Cost Rate in addition to the rate calculated at the time of the grant agreement. The indirect cost rate identified in the grant agreement will be the rate for the performance period of the project. While the national rates may fluctuate, it is not feasible to renegotiate these rates during the project period.
- Municipal Force Accounts: These types of accounts may be used. Recipients must document that they have the staff and experience. Force account work is limited to work that the municipality can demonstrate is within the technical skill and managerial ability of the recipient and its forces. The recipient must provide an accounting of time and costs and provide appropriate documentation of indirect costs. Both staff salaries, and cost of mobilization and fees for vehicles may be counted as match when those costs are appropriately documented.
- Land or other donated real property or equipment: **NOTE: land transfers may not take place until after the Notice to Proceed had been issued.** A Letter of Intent from the current property owner will suffice and should include: (1) commitment to provide the land to the project; (2) the sale and 'appraised' value of the land; (3) anticipated date of transaction; and (4) identification of the property. Even if the property is being donated, a professional appraisal is required. NOTE: A municipal assessment is NOT an appraisal. An appraisal of the property must have been completed within the past 18 months, or an appraisal must be

made prior to issuing a Notice to Proceed if the project is being donated. RE: equipment. The entity that is donating equipment must provide a letter with the following elements: (1) date that the equipment will be transferred to the grantee; (2) market value of the equipment; (3) description of the equipment.

Cost sharing or matching requirements may be met by other Federal grants where authorized for up to 80% of the total project cost, so as not to exceed the maximum federal contribution allowed as outlined in *40 U.S.C. Subtitle V §15506: Supplements to Federal grant programs* 40 USC 15506.

Neither costs, nor the value of third-party in-kind contributions, may count towards satisfying a cost sharing or matching requirement of a grant agreement if they have been, or will be, counted towards satisfying a cost sharing or matching requirement of *another* Federal grant agreement, a federal procurement contract, *or* any other award of Federal funds.

Cost financed by 'program income' shall not count towards satisfying a cost sharing or matching requirement unless they are expressly permitted in the terms of the grant agreement. NBRC has opted to regard program income through the deductive method as outlined in 2 CFR 200.307(e)(1).

Costs and third-party in-kind contributions counting towards satisfying a cost sharing or matching requirement must be verifiable from the records of the recipients and sub recipients. These records must show how the value placed on third party in-kind contributions was derived. To the extent feasible, volunteer services will be supported by the same methods that the organization uses to support the allocability or regular personnel costs.

All match/cost share must be *committed* by September 30th of the year following the award year. For example, if you received a 2023 Catalyst award, match must be secured by September 30, 2024. **This date allows for extraordinary situations that may occur. Grantee should be communicating with all entities, the LDD, State Program Managers and NBRC staff so that this deadline is met. If this date cannot be met, the grantee must contact NBRC and the State Program Manager to discuss the challenges and determine a path forward.** If the project is not able to move forward, these funds can be transferred to alternate projects that are ready to move forward toward completion.

Procurement

Procurement actions involve the purchase of goods and services needed to support the grant award. Government-wide regulations contained in 2 CFR 200 317-326 govern procurement actions. These regulations allow grantees to follow their own procurement procedures so long as they meet the minimum standards identified within 2 CFR 200.

Made in America laws are applicable to federal financial assistance (such as grants). In accordance with the policy of the United States Government, consistent with applicable law, use, terms and conditions of Federal financial assistance awards and federal procurements, recipients must maximize the use of goods, products, and materials produced in, and services offered, in the United States. Whenever possible, the recipient shall procure goods, products, materials, and services from sources that will help American businesses compete in strategic industries and help America's workers thrive. See the January 25, 2021 Executive Order on Ensuring the Future is Made in All of America by All of America's Workers and 2 CFR 184 for more information.

PRO TIP!

Use this language in your RFP/RFQ to ensure compliance

"Made in America Laws" means all statutes, regulations, rules, and Executive Orders relating to Federal financial assistance awards or Federal procurement, including those that refer to "Buy America" or "Buy American," that require, or provide a preference for, the purchase or acquisition of goods, products, or materials produced in the United States, including iron, steel, and manufactured goods offered in the United States. Made in America Laws include laws requiring domestic preference for maritime transport, including the Merchant Marine Act of 1920 (Public Law 66-261), also known as the Jones Act, and domestic content preference for infrastructure programs including the **Build America, Buy America Act (BABAA)** enacted on November 15, 2021 (E.O. 14005 "Ensuring the Future Is Made in All of America by All of America's Workers").

BABAA sets forth a domestic content procurement preference for infrastructure programs funded with Federal dollars. "Infrastructure" in the context of BABAA includes the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. The Buy America preference only applies to the iron and steel, manufactured products, and construction materials used for the infrastructure project under an award. This means manufacturing occurred in the United

States. If a project is funded by multiple Federal entities, the entity representing the largest investment in the project is considered the “Cognizant Agency for Made in America” and should take responsibility for the coordination of any waivers produced. For additional details, updates and FAQs please click [here: Made in America Office \(MIAO\)](#).

NBRC can provide BABAA waivers to specific projects on a case-by-case basis with approval from the Made In America Office (MIAO) when:

- Applying the domestic content procurement preference would be inconsistent with the public interest (“public interest waiver”);
- The iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality (“nonavailability waiver”);
- Inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent (“unreasonable cost waiver”)

Please see the Appendix of this manual and NBRC’s website for additional guidance on BABAA requirements and the waiver process.

NBRC reserves the right to review the procurement procedures of the grantee at any time during the application review process or during performance of the grant in accordance with 2 CFR 200.324. Recipients must keep all procurement documents in their project file in the event the project is monitored and/or audited for programmatic compliance. Grantees funded with USDA dollars will be required to provide copies of procurement procedures during the performance of the grant.

It is the responsibility of the grantee to review and understand these applicable procurement requirements. While Local Development Districts are available to assist with procurement; the grantee is responsible for ensuring that the process is conducted properly.

Code of Conduct

Grantees must have a written code of conduct that governs the behavior of their officers, employees, and agents who are involved in the selection, award, and administration of contracts. This code must, at a minimum, provide that these individuals refrain from participating in such actions if they have a real or apparent conflict of interest. Such a conflict of interest would arise if the individual or any member of his or her immediate family has a financial or other interest in any firm considered for a contract. Further, these individuals must neither solicit nor accept anything of value from a prospective or incumbent contractor. Additional information about the code of conduct is contained in 2 CFR 200.318 (c).

Solicitation

Grantees must ensure that all solicitations (invitations for bids/quotes and requests for proposals) contain a clear and accurate description of the product or service being procured, identify all requirements that the offeror must fulfill, and all factors that will be used in evaluating bids or proposals.

Competition

All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of 2 CFR 200.319. To ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

- Placing unreasonable requirements on firms for them to qualify to do business.
- Requiring unnecessary experience.
- Noncompetitive pricing practices between firms or between affiliated companies.
- Noncompetitive contracts to consultants that are on retainer contracts.
- Organizational conflicts of interest.
- Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and
- Any arbitrary action in the procurement process.

The grantee must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, *although this does not preempt state licensing laws* and does not prohibit requirements that contractors must be able to perform in particular locations.

The grantee must ensure that all prequalified lists of persons, firms, or products used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition.

Minority/Women Businesses

The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps must include:

1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists.

2. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources.
3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises.
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises.
5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
6. Requiring the prime contractor, if subcontracts are to be allowed, to take the affirmative steps listed in numbers (1) through (5) of this section.

Bonding

Northern Border Regional Commission has the minimum requirements as follows:

- A bid guarantee from each bidder equivalent to five percent of the bid price. The “bid guarantee” must 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 the bid, execute such contractual documents as may be required within the time specified.
- 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.
- 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 under the contract.

It is the responsibility of the Grantee to understand government procurement procedures. The LDD’s role is to assist with knowing the process, but they are not hired to conduct the process for the Grantee. All records of how solicitations were made, and the process and criteria used to obtain services and contracts shall be part of the records of the project and kept in accordance with other Record Retention rules.

Methods of Purchasing

In accordance with 2 CFR 200.320, there are five methods that are permitted to be used in purchasing goods and services under a grant. If any policy or procedure applicable to the grantee under state or local law, or enforceable procedure, precludes, limits, or restricts the use of one or more of these methods, the grantee must follow the more stringent requirement.

Micro-purchases

Purchases by micro-purchase is the acquisition of supplies or services when the aggregate dollar value of the transaction does not exceed \$10,000 (pursuant to OMB Memorandum 18-18, 6/20/2018). If the grantee's own purchasing procedures establish a lower dollar limit than that established by the federal government, the lower limit must be followed. Micro-purchases may be awarded without soliciting competitive quotations if the grantee considers the price to be reasonable. Soliciting quotations from multiple sources should be considered best practice.

Small Purchase Procedures

Purchases under this procedure involve solicitation of an adequate number of qualified sources when the size of the transaction is not expected to exceed the federal government's "simplified acquisitions threshold" (currently \$250,000). Once again, if the grantee's own procurement procedures establish a lower threshold, the lower threshold must be followed. As noted above, the solicitation is expected to identify the features of the good or service being procured so that offers can be assessed based on their comparability. This method is almost exclusively used when there is a specific item, like equipment, that needs to be purchased.

Competitive Sealed Bids

Through this procedure, bids publicly solicited through formal advertising and a firm fixed price contract is awarded to the lowest responsive and responsible bidder. This is the preferred method for construction, generally referred to as a Request for Proposal. For sealed bidding to be feasible, the following conditions should be present:

- A complete, adequate, and realistic specification or purchase description is available.
- Two or more responsible bidders are willing and able to compete effectively for the business; and
- The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally based on price.
- If sealed bids are used, the following requirements apply:
- Bids must be solicited from an adequate number of known suppliers, providing them enough response time prior to the date set for opening the bids. For local, and tribal governments, the invitation for bids must be publicly advertised.
- The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services for the bidder to properly respond.
- All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly.
- A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is

lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and

- Any or all bids may be rejected if there is a sound documented reason.

What happens when there are limited or no bidders on a project?

The grantee should consider re-bidding the project and expand the advertising area to capture a wider audience. If this still produces limited responsive bidders, the grantee may request authority from NBRC to award a contract on a sole source basis. If there were still no bidders, the grantee should consider breaking down the project into segments that would attract specific trades and contractors. In any case, the grantee should fully document their attempts to provide open competition. However, this procedure can present management and oversight challenges for the grantee and should only be used if no other solution is present.

Competitive Proposals

Procurement by competitive qualifications, typically referred to as a Request for Qualifications (RFQ). The technique of competitive qualifications is normally conducted with more than one source submitting an offer, and either a fixed price or cost-payment type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids, such as consultants, that could produce different results. Examples include teachers or training experts for job development, engineers, architects, website development, meeting facilitation, or research experts. If this method is used, the following requirements apply:

- Requests for qualifications must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical.
- Proposals must be solicited from an adequate number of qualified sources.
- The non-Federal entity must have a written method for conducting technical evaluations of the proposals received and for selecting recipients.
- Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
- The grantee may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated, and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E or other professional services. It cannot be used to purchase other types of services though A/E firms that should instead be using another form of procurement.

Noncompetitive Proposals/Sole Source

Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

- The item is available only from a single source. This is rare and must be documented.
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation. This would be an extreme case such as a natural disaster and highly unlikely to be used by NBRC.
- The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or
- After solicitation of several sources, competition is determined inadequate.

If procurement is obtained through sole source without the express written authorization from NBRC, the grantee risks termination of its award.

Contracts for administration of grants using Local Development Districts are the only authorized sole source procurement that NBRC has currently authorized.

Contract Award

In addition to inclusion of clauses that define a sound complete and enforceable agreement, the grantee will ensure that the contract contains in text or adopts by reference the clauses contained in 2 CFR 200, Appendix II, which are expressly laid out in the recipient's grant agreement.

Contract Administration

The grantee is responsible for exercising oversight to ensure that the contractor complies with the terms and conditions of the contract and delivers in accordance with the established schedule. Grantee oversight can include, but not be limited to, review of invoices and back-up documentation, conduct of site visits, and withholding of payment corrective action.

Project Signage

NBRC does not require grantees who receive our funding to post a project sign, but it is strongly encouraged. If a sign is posted, it should be in a highly visible area identifying participation of NBRC and include NBRC's logo. A high-resolution logo can be requested from NBRC via admin@nbrc.gov.

Property

Title to supplies, equipment, and real property acquired under a grant vest with the grantee that purchased it. However, NBRC retains a residual financial interest in grant acquired property under certain circumstances.

Types of Property

Federal regulations contained in 2 CFR 200 address the treatment of real property, equipment, supplies, and intangible property (such as copyrights and patents) purchased with grant funds. However, because of the activities financed by NBRC grants, most of its grantees will deal primarily with equipment and real property.

Equipment

For grant budgeting purposes, equipment is defined as items of tangible property having a useful life of more than one year and a unit acquisition cost exceeding \$5,000. In accordance with federal cost principles at 2 CFR 200.439, purchase of such items requires NBRC prior approval, which will generally be provided as part of the approval of the grant award budget. All other equipment is considered *supplies* and should be listed as such in the grantee's budget. Personal computers are now generally accepted as *supplies*. Requirements of equipment management are contained in 2 CFR 200.313 (d) and include property records containing specific data elements; a periodic inventory every two years; control procedures to prevent loss, damage, or theft; maintenance procedures to keep the equipment in good working condition; and disposition procedures that provide for competition and will result in the highest possible return. These disposition procedures are outlined in 2 CFR 200.313 and involve seeking NBRC instructions.

The procedures include the need to determine the fair market value of any equipment that will be disposed. One method of such a calculation is the construction of a depreciation schedule that reduces the value on a straight-line basis over the useful life of the equipment. Other reasonable methods of determining fair market value may also be used, such as reliance of catalog prices or classified advertising. Items of equipment with a per unit fair market value of \$5,000 or less may be retained, sold, or otherwise disposed of with no further obligation to NBRC.

NBRC shall issue an inventory tag to be placed on the equipment (when it has the capacity to do so). The grantee in some situations may provide NBRC with their inventory number if appropriate.

At project close-out, the grantee shall create a depreciation schedule for the equipment that has been purchased if its fair market value exceeds \$5,000. The grantee shall also provide NBRC with a list of the equipment and identifiable info (pictures are also appreciated).

Equipment shall contain a 'conditional title' when appropriate and the grantee must not encumber the equipment without written permission from NBRC. Equipment must be used for the purpose and scope of the grant outlined in the grant agreement until the equipment is fully depreciated, or funds will be required to be returned to NBRC.

E.g., A commercial grade lathe is purchased to conduct job training in a technical environment. The lathe cost (three quotes required, see simplified acquisition in Procurement above) \$20,000, and a depreciation schedule has been outlined for the 5-year life of the equipment. At the end of year two, the training program is terminated because of unforeseen new business opportunities that provided work for those being trained. The depreciation schedule indicates that there is still \$12,000 value in the equipment. NBRC participated in 80% of the purchase. It would be anticipated that NBRC would be repaid 80% of the \$12,000 or \$9,600 unless the grant agreement is otherwise revised to continue use of the equipment with a change of scope.

Insurance is required for the equipment, as would customarily be warranted, to protect the interest of the grantee.

Equipment is required to be inventoried every two years. NBRC tracks this through grantee-provided documentation: Standard Form 428-S. see Appendix E.

Real Property

Real property may be acquired only when authorized by NBRC and when outlined in the budget of the grant agreement. Real property means land, including land improvements, structures, and appurtenances thereto, but excludes movable machinery and equipment. Like equipment, real property must be used for its original intent. NBRC has established 20 years as the timeline during which a federal interest remains on the property. During this period, the grantee may not encumber or otherwise dispose of the property. In addition, such real property is subject to the requirements of 2 CFR 200.311 with respect to use and disposition. It may not be conveyed, transferred, assigned, mortgaged, leased or in any other manner encumbered by the grantee except as authorized in writing by NBRC.

To protect the Federal interest in real property that has been constructed or has undergone major renovation with NBRC funds, the grantee must record a Notice of Federal Interest (NFI) in the appropriate official records of the jurisdiction in which the property is located. Recordation must occur when construction or renovation begin. Fees charged for recording or modifying the NFI may be charged to the grant. A copy of the notarized NFI and proof of recordation must be

provided to NBRC, **prior to the first request for reimbursement**. Appendix J provides an example of language for the NFI.

A grantee is required to report as required under 2 CFR200.330. NBRC reserves the right to conduct an annual inventory of real property.

Upon completion of the construction or renovation, the grantee must, at a minimum, provide for the same level of insurance coverage as it maintains for other property it owns; or, if it does not own property, adequate to cover the dollar amount of the Federal investment, as required by 2 CFR 200.310.

Reporting

Quarterly Reports

Every recipient is required to provide quarterly reports, regardless of whether any project activity has occurred or any requests for reimbursement have been made.

Reports must be sent to admin@nbc.gov with the Grant Agreement number in the subject line of the email. Please do not include any other forms when submitting your quarterly reports. ***These are not an optional task for grantees.*** If a grantee has not submitted their required reports, reimbursements will not be processed until the outstanding reports have been filed and the grant is back in programmatic compliance.

The **Performance Progress Report Standard Form-PPR(SF-PR)** must be used for quarterly report submissions. The performance narrative must include but is not limited to the following:

1. Project Status:

Planned: defined as projects that have NOT yet received a Notice to Proceed. All activities prior to receiving a NTP should be reported on, including NEPA review process, design and permitting. Projects that have received a Partial Notice to Proceed should classify the project as Planned and report on activities permitted as part of the Notice to Proceed.

In-progress: defined as projects that have received a Notice to Proceed and are actively implementing the project work plan.

Completed: defined as projects that have finished the implementation of a project work plan and are in the final stages of completing reporting, reimbursement requests, and

PRO TIP!

Forms, templates, and tutorials are available on NBRC's website!

closeout activities. All activities after the closeout process will be defined as completed and may include filing of applicable Notice of Federal Interest or 3-year post award reporting.

2. Description of Project Activities:

The description should include a summary of progress on tasks in the work plan including the status of tasks (not started, in progress/on schedule, not on schedule, completed).

If a task is complete, include a description of the outcomes and explain any differences between expected and achieved outcomes.

If there has not been any activity this quarter, explain why no progress has been made and any expected impacts to the project timeline.

3. Challenges and/or Successes:

This reporting element should include a description of current or potential roadblocks to future progress if applicable. Include any expected impacts to the project schedule.

Similarly, if applicable, this reporting element should include a description of strategies (e.g. techniques, partnerships, community engagement) used to achieve successful project milestones or overcome challenges experienced in the project.

4. Press or media links: Please share links to any articles or public announcements about the project during this reporting period.

Please see Appendix C of this manual for a sample SFPPR. Additional PPR guidance, including a video tutorial can be found on the Resources tab of NBRC’s website.

For Catalyst & FEP awards, including those funded through NBRC’s partnership with EDA, reports are due along the following schedule, from October 1st of the award year through project closeout. Reports are required to be submitted even if there has been no project activity:

Quarter	Reporting Period	Report Due
Q1	October 1 - December 31	January 30
Q2	January 1 - March 31	April 30
Q3	April 1 – June 30	July 30
Q4	July 1 - September 30	October 30*

***SF-425 Annual Federal Financial Report due**

Report due dates for USDA grantees are on an adjusted schedule. USDA awardees should refer to Appendix A for reporting requirements.

NOTE: Requests for amendments, including project extensions, should not be made utilizing the quarterly report. Project amendments must be made as outlined in the Changes to a

Project section of this manual, and Appendix G of this manual for the amendment checklist. **Requests for reimbursement should be submitted to NBRC separate from the submission of a quarterly report.**

Financial Reports

Financial reports *are NOT* requests for reimbursement. They are reports on the financial status of the project using Standard Form 425. Please do not include any other forms when submitting your SF425. **These reports are due annually and again at project close-out, regardless of the amount of work that has been completed.** For all NBRC grantees, the financial report is due on October 30th for each federal fiscal year (October 1 to September 30) and 45 days after the close of the project - even if the close-out of the project takes place only a month or two after the October 30th date. Please see Appendix D for a sample SF425.

Close Out Reporting

Close out documents are required to be emailed to admin@nbrc.gov within 90 days after completion of the project or the end of the performance period, whichever is sooner. There are five items that are required for project close-out:

Form	Description	Details
SF-270	Final Reimbursement Request	<ul style="list-style-type: none"> • Ensure Total program outlay and federal share are consistent with grant agreement and budget • Check FINAL in box 1.b • Any remaining funds may be de-obligated from the project
SF-PPR	Final Performance Report	<ul style="list-style-type: none"> • Ensure all quarterly reports have been submitted to date • Provide a summary of the ENTIRE project from notice to proceed to completion
SF-425	Final Federal Financial Report	<ul style="list-style-type: none"> • Provide a financial summary of the ENTIRE project from notice to proceed to completion • Project total should include last reimbursement request amount
GPRA	Performance Measures	<ul style="list-style-type: none"> • Final report on performance measures and outcomes at the close of the project and again 3 years after project close-out. • Reference your original workplan
SF-428S (if applicable)	Equipment Inventory	<ul style="list-style-type: none"> • Only required if equipment purchased over \$5k. • Depreciation schedule(spreadsheet) required for EACH item.
SF-429A (if applicable)	Real Property	<ul style="list-style-type: none"> • Document real property purchased with Notice of Federal Interest. • Provide leases if applicable.

Deliverables	Project Photos, Reports, Final Products	<ul style="list-style-type: none"> • 3-5 photos of final project OR; • Reports/Blogs/Final products • A photo release should also be filed with NBRC, a sample of which is found in Appendix L.
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Reimbursements

Timing of Reimbursements

Grantees (except for those funded through partnership with USDA*) may submit requests for reimbursement on their own schedule following these basic rules:

- **Period Covered by the Request (Box 8 of the SF270):** All time periods from the start of the project to close-out must be accounted for and not overlap. If this is your first request, the start date should match your Notice to Proceed date. No expenses incurred, or invoices submitted that reflect dates prior to the Notice to Proceed date are eligible to be reimbursed by NBRC.
- **No Overlapping Time Periods:** For example, do not submit a request for reimbursement from February 1 - March 31 for one amount, and another request for reimbursement from March 1 - April 30. It is the grantee’s responsibility to ensure that their records are kept in a manner that they can appropriately document their costs when funds are needed for the month.
- **No Skipped Time Periods:** For example, if a previous request period ended March 31, your next reimbursement request should begin on April 1.
- **Monthly Dates for Request Period:** Requests for reimbursements should reflect complete months in Box 8 of the SF270. Do not submit a request for reimbursement for April 5 to April 28 and then another for April 29 to May 15. An appropriate request period for this example would be April 1-May 31.

Projects receiving USDA funds are encouraged to review Appendix A for additional information on timing of requests for reimbursements and other USDA specific compliance.

Documentation for Requests for Reimbursements

Grantee must provide supporting documentation for **both** NBRC requested funds as well as expended match and cost share. Documentation includes anything that is necessary to demonstrate that the funds were spent; costs were incurred, and work was completed.

Reimbursement requests submitted with supporting documentation (invoices, receipts, payroll records, etc.) of 40 pages or less are highly encouraged to submit a reimbursement request

PRO TIP!

Forms, templates, and tutorials are available on NBRC’s website!

Reimbursement Support Document Summary Sheet. Grantees may use NBRC's template or submit their own. Including a summary sheet with your reimbursement request enables our team to process your request more efficiently. A summary sheet is required when reimbursement request supporting documentation exceeds 40 pages in length. NBRC reserves the right to request a supporting document summary sheet for any amount of supporting documentation.

There may be a wide variety of ways to demonstrate costs for NBRC requested funds and match funds, but some examples include:

- Application and Certification for Payment (AIA Document G702) or other equivalent.
- Receipts for purchase of goods and supplies.
- Payroll records for staff salaries and/or benefits.
- Sign in sheet for volunteers with attached math demonstrating hours volunteered and the process used to arrive at match amount.
- Invoices from selected contractors and/or purchases. **An estimate is not an invoice.*

Each supporting document should demonstrate the following:

- Dates of the expense fall within the request period (Box 8 of the SF270)
- The cost is an eligible expense in alignment with the project's most up-to-date budget (SF424cbw)

NOTE: None of the documentation to demonstrate work completed should be created for the express purpose of meeting any NBRC requirements. All documentation should be standard record-keeping that the grantee conducts on a regular basis following best practices and accounting of their work.

NOTE: NBRC will **only** cover the cost of food and beverages when being purchased for the express purpose of a conference or forum held in support of the project and is clearly outlined in the project budget. NBRC will not cover the costs of alcoholic beverages, or tips associated with the purchase of food or beverages as outlined.

Completing the SF270

Requests for reimbursement are required to be made using the SF270 Request for Reimbursement form. Please refer to Appendix B and the below example for assistance in completing the SF270 accurately:

Step by Step SF270 Instructions by Box Number (example below):

- 1a. Always check "Reimbursement" as NBRC does not advance funds.
- 1b. Always check "Partial", unless it is your final request, in which you would check "Final".

2. Leave blank.
3. This should read Northern Border Regional Commission or NBRC.
4. This is your NBRC project number e.g., NBRC22GVT13.
5. This is your request number. For the first request, put 1, the second request, 2, and so on.
8. FROM box: This should be the next date after the end date of your last request (no gaps of time between request). E.g., If your last request period ended on 5/31/2023, then this box should read 6/1/2023. It should always be the first of a month, unless it is your first request then the date will reflect the date of your executed Notice to Proceed date.
8. TO box: This date should reflect the end of a month.
9. Grantee information as per the ACH on file.
10. Payee information if different than the grantee information.
11. Use columns (a), (b), and (c) to separate out types of costs, if it's helpful, but it is not necessary. Final amounts should be reflected in "TOTAL" column.

In "TOTAL" column with examples using Project X:

- 11a. Total project costs thus far (columns a + b + c). E.g., \$150,000
- 11b. You should never have program income unless it is documented in your grant agreement. E.g., \$0
- 11c. Equal to line 11a. E.g., \$150,000
- 11d. This should always be \$0, as NBRC does not advance funds. E.g., \$0
- 11e. This is the total project costs thus far, equal to line c. E.g., \$150,000
- 11f. This is the **cumulative** amount of expended match funds. E.g., \$75,000
- 11g. This is the **cumulative** amount of NBRC funds requested (line e – line f). E.g., \$75,000
- 11h. Total amount of NBRC funds **requested previously**. E.g., \$25,000
- 11i. This is the amount of NBRC funds you are seeking for this reimbursement request. E.g., \$50,000

Check your math! Work from the bottom up in the TOTAL column in box 11:

Line I + Line H = Line G

Line G + Line F = Line E, Line C, Line A

Line G / Line A should be equal to or less than your reimbursement rate noted in your grant agreement

13. Form must be signed and dated by the project's designated Authorized Official.

Figure 5: Reimbursement Request Example

Project X was awarded \$350,000 of NBRC funds with a reimbursement rate of 50/50 or 50%.

They've committed \$350,000 of matching funds to the project.

Their first request for reimbursement was for \$25,000 of NBRC funds, with \$25,000 of expended match documented.

For their second reimbursement request, the grantee has incurred \$100,000 in expenses. They are requesting \$50,000 of NBRC funds for reimbursement. This also means that \$50,000 of matching funds must be expended (see: reimbursement rate of 50%). The grantee has submitted supporting documentation for both NBRC requested funds as well as expended match.

Figure 5: SF-270 Example

PRO TIP!
Use Figure 5 as a reference tool!

11. COMPUTATION OF AMOUNT OF REIMBURSEMENTS/ADVANCES REQUESTED				
PROGRAMS/FUNCTIONS/ACTIVITIES	(a) e.g. Engineering	(b) e.g. Payroll	(c) e.g. Construction	TOTAL
a. Total program outlays to date (As of date)	\$	\$	\$	\$150,000
b. Less: Cumulative program income				\$0
c. Net program outlays (Line a minus line b)				\$150,000
d. Estimated net cash outlays for advance period				\$0
e. Total (Sum of lines c & d)				\$150,000
f. Non-Federal share of amount on line e				\$75,000
g. Federal share of amount on line e				\$75,000
h. Federal payments previously requested				\$25,000
i. Federal share now requested (Line g minus line h)				\$50,000
j. Advances required by month, when requested by Federal grantor agency for use in making prescheduled advances				
1st month				
2nd month				
3rd month				
12. ALTERNATE COMPUTATION FOR ADVANCES ONLY				
a. Estimated Federal cash outlays that will be made during period covered by the advance				\$ Should be left blank
b. Less: Estimated balance of Federal cash on hand as of beginning of advance period				
c. Amount requested (Line a minus line b)				\$ Should be left blank

AUTHORIZED FOR LOCAL REPRODUCTION (Continued on Reverse) STANDARD FORM 270 (Rev. 7-87) Prescribed by OMB Circulars A-102 and A-110

13. CERTIFICATION		
I certify that to the best of my knowledge and belief the data on the reverse are correct and that all outlays were made in accordance with the grant conditions or other agreement and that payment is due and has not been previously requested.	SIGNATURE OR AUTHORIZED CERTIFYING OFFICIAL Form must be signed by the authorized official to be processed by NBRC	DATE REQUEST SUBMITTED Date signed
	TYPED OR PRINTED NAME AND TITLE Name of signer/authorized official	TELEPHONE (AREA CODE, NUMBER, EXTENSION)

This space for agency use

Requests for Reimbursement should be emailed to admin@nbro.gov. Once NBRC receives the request it will be processed, and a staff member will follow up with the grantee if necessary. If there are no issues, the request will be forwarded for the reimbursement to be electronically transferred to the grantee's

bank account using the ACH information provided. When the request is processed, the recipient will receive an email acknowledging the request has been processed. A grantee can expect to receive payment within 10 business days*.

**Please note processing times may vary based on volume and capacity*

How long does it take to receive funds?

All projects should be able to pay their bills within a month of receiving them without anticipating that NBRC will cover costs immediately. Assume for planning purposes that NBRC funds may be received a month after submitting a request for reimbursement.

As a reminder, 5% of the total NBRC award will be held until all project close-out documents are received by NBRC. A grantee's final reimbursement request will not be processed until all required close-out documentation is received, including documentation of all required match.

Changes in a Project

The approved grant agreement and budget establishes the planned parameters of award performance. However, the award provisions are often based upon estimates and projects that may need to be modified once performance begins. Such modifications may involve the time for performances, the scope of the project, and the funding provided. Grantees should not move forward with any project changes without first receiving NBRC review and approval.

All project changes require the completion and submission of NBRC's Contract Amendment Checklist (see Appendix G or download a fillable PDF of the form from the Resources tab of NBRC's website www.nbrc.gov, together with the required documentation to support the amendment request. Additional details on types of amendments appear below. Grantees should not move forward with any project changes without first receiving NBRC review and approval as such actions may trigger enforcement measures authorized by 2 CFR 200.207 or 2 CFR 200.208.

Change in Authorized Official

The NBRC requires a resolution by the applicant's legal authority providing authorization to the executive to whom they are granting permission to sign all NBRC investment documents that bind the applicant. NBRC refers to this person as the "**Authorized Official**". At time of application for funding, applicants are required to provide a resolution from the entities legal authority indicating the name and title of the person they are authorizing.

PRO TIP!

Templates can be found on the Resources tab of NBRC's website!

If the Authorized Official changes during the performance period of an award, grantees are required to provide NBRC with an executed Key Contacts Form together with an updated Authorized Official Resolution to document the change. While NBRC does not mandate the form for the Authorized Official Resolution, recognizing many entities have their own template, **the resolution must indicate the executive's name and title as well as state their permission to sign all NBRC investment documents that bind the applicant.** Only one individual can be the Authorized Official for a project. Examples of legal authorities include select boards and councils for municipalities; commissions for counties; state authorized officials or boards for states; boards of directors, or trustees for nonprofits.

If a grantee wishes for other key grant personnel to be included in project-related correspondence, a Key Contacts Form would also need to be provided for those individuals but does not need to be supported by any type of resolution or other support documentation. As a reminder, only authorized officials may sign NBRC documents that bind the applicant (i.e., grant agreement, SF-270, SF425).

Performance Period

If a project cannot be completed within the approved period of performance, an extension of time may be requested. Requests should be made prior to the end of Period of Performance listed in the grant agreement and be sent to email to admin@nbrc.gov. If the grant agreement is expired no funds can be reimbursed.

Requests for extension should include:

- The reason for the extension and the proposed revision to Period of Performance.
- A revised project timeline.
- Grantees should confirm the scope, budget and match for the project remain unchanged.
- If the scope, budget, or match will be changing, documentation to support those changes must also be provided.

If an extension is not approved, or if more than one extension is granted, and the grantee is unable to complete the project within the timeframe outlined, the grantee risks being excluded from applying for future investment grant rounds.

Budget Modifications

No increases to the NBRC award will be made. Any cost overruns are the responsibility of the grantee. In accordance with 2 CFR 200.308, when the federal share of the project costs exceeds \$250,000, NBRC exercises its option to limit cumulative transfers between existing direct cost categories (line items) or grant programs, functions, or activities to ten (10) percent or less of the budget

as last approved by NBRC. In accordance with 2 CFR 200.207, NBRC may exercise this option in cases where the federal share of the project is less than \$250,000. As noted above and consistent with 2 CFR 200.308, budget changes that involve revision of the scope of work or objectives of the project (regardless of the grant amount) require NBRC prior approval.

To request a budget modification greater than 10%, submit the revised budget (SF424cbw) and a budget narrative justification to admin@nbc.gov and a copy of the e-mail to the local development district providing grant administration assistance on the project. Grantees are cautioned against moving forward without prior approval of changes from NBRC. Such action may trigger enforcement steps by NBRC, such as those permitted under 2 CFR 200.208 (imposition of special conditions), and 2 CFR 200.340 (suspension or termination of award).

Change in Scope

The grant agreement establishes the scope of the project. NBRC has a high degree of flexibility in operating the grant program. To maintain that flexibility, it is imperative that projects are implemented in a timely manner and within the approved budget, scope of work, and intended outcomes that the funds were intended to support, as provided within the application for funding.

When circumstances arise that interfere with the grantee fulfilling the approved scope, a change in scope may be requested. This is a formal process under which the grantee must submit a narrative detailing the proposed scope change and any associated budget modifications, together with confirmation the identified match on the project remains in place. If the timeline of the project will be changing as result of the scope change, a revised timeline must also be provided.

Changes in scope or objective of the award, whether as a result of the applicant, co-applicant, or subrecipient, require NBRC's written approval in accordance with 2 CFR 200.308. NBRC is a competitive and often over-subscribed program, with applications reviewed, scored, and selected for funding based on their alignment with NBRC and State funding priorities. Change in Scope requires prior written approval of any change in scope/objective of the grant-funded activity after the application for funding is submitted or award is issued. Scope/objective changes will be considered on a case-by-case basis, provided the change does not negatively impact the competitive process used to recommend NBRC awards. NBRC and/or the State(s) where the project was funded may reject change requests where they believe approval of same changes the scope, outcomes, or impacts of the project and what is being proposed significantly differs from the project that was initially put forth and selected for funding.

The narrative must explain the rationale for adding, modifying, or deleting an activity and explain how such revisions will affect the expected outcomes of the project. The request and documentation supporting the request must be sent to admin@nbc.gov with a copy to the

state program manager and the local development district providing grant administration assistance on the project. Please see 2 CFR 200 and Appendix G of this manual for additional guidance on requesting and document project changes.

Other Project Changes

All organization name changes, or non-profit status changes must be reported to NBRC. The reported change and documentation supporting the request must be sent to admin@nbrc.gov with a copy to the state program manager and the local development district providing grant administration assistance on the project. Please see 2 CFR 200 and Appendix G of this manual for additional guidance on requesting and documenting project changes.

Project Oversight

Northern Border Regional Commission (NBRC) exercises responsible stewardship of Federal Funds in a manner that is transparent and accountable to the public. This approach builds trust in future appropriations and demonstrates the success of the collaborative effort of the Federal Government and the States of Maine, New Hampshire, New York, and Vermont. Oversight of programs and projects is important to ensure that grant agreements are carried out in the manner anticipated, to deter fraud and abuse, and to recommend future policies to promote efficiency with limited dollars. Equally important is the need to tell the successful stories of communities throughout the region and how funds have leveraged investment, public support, and innovation.

NBRC staff will respond to all indications of fraud, waste and/or abuse and will rely on applicable laws and regulations and, if necessary legal counsel, to determine appropriate response actions and remedies.

Grantees are responsible for managing federal funds in compliance with applicable laws, regulations and the terms and conditions of their NBRC grant agreement. It is the grantee's responsibility to become familiar with the requisite obligations that they assume by seeking and accepting public dollars. Nevertheless, mistakes may occur as a result of misunderstandings. These may frequently be resolved without the need for formal corrective actions. NBRC staff will work with grantees to ensure that instances of noncompliance are isolated and unintentional. However, there may be instances where, in the judgement of the NBRC, a formal corrective action plan is warranted. The objective is to bring the grantee into compliance and to minimize disruption to the federally funded project, if possible.

Grantees should be alert to conditions that may represent noncompliance. These include but are not limited to:

Level I - Failure to follow required administrative procedures

Level-I compliance issues include, but are not limited to the following:

- Lack of documentation necessary to justify expenses for reimbursement
- Improperly completing forms and grant agreements
- Incomplete or late quarterly reports
- Incomplete project files
- Consistently missing signatures and dates on documents, or other lack of attention to detail that demonstrates capacity and/or professional limitations
- Failure to notify NBRC when there is a change in key contact information

Level 1 noncompliance will result in project being unable to request NBRC funds until the noncompliance(s) are satisfactorily corrected.

See Enforcement of Compliance below for additional guidance.

Level-II Failure to follow federal statutes, rules, policies and/or the NBRC Grant agreement

Level-II compliance issues include, but are not limited to the following:

- Lack of communication with NBRC and/or the contracted LDD
- Use of funds outside the scope of services outlined within the NBRC grant agreement
- Failure to meet the match outlined within the NBRC grant agreement
- Use of funds, equipment or other resources purchased with NBRC funds to obtain income when not expressly written into the NBRC grant agreement
- Not completing the project within the project timeline as described in the NBRC grant agreement unless a formal written extension has been granted
- Purchase of equipment and/or real property when not explicitly outlined within the NBRC grant agreement
- Incomplete, or failure to attain, the deliverables outlined in the Grantee's application and/or NBRC grant agreement
- Use of funds that are inconsistent with all federal and state laws
- Improper procurement
- Use of funds that in any way influences activities associated with obtaining grants, contracts, competitive agreements, or loans as laid out in 2 CFR 200.450.
- Repeated instances of Level-I noncompliance
- Not following a corrective action plan outlined in response to Enforcement of Level-I noncompliance.

Level 2 noncompliance will result in project being flagged with a Hold, not eligible to seek reimbursement, and may result in project costs being deemed ineligible for NBRC reimbursement or counted as match/cost share. Level 2 noncompliance may also result in the payback of NBRC funds.

Consistent and/or egregious acts of noncompliance, in addition to what is noted above, may also result in the project being ineligible to seek NBRC funding for a specific period of time.

See Enforcement of Compliance below for additional guidance.

Enforcement of Compliance

If NBRC determines a Level I or Level II failure as outlined above and the noncompliance is material in its nature or degree, or that work performed under the grant is substandard or performed in any way that violates federal, state, or local law, NBRC may undertake enforcement actions consistent with the requirements of 2 CFR 200.207 and 2 CFR 200.339.

Written notice of any enforcement action will be sent by documented means to the responsible official of the grantee noted in the grant agreement. Enforcement action may include, in progressive order of discipline:

- Impose special conditions in accordance with 2 CFR 200.207.
- Disallow all or part of the cost of the activity or action found to be in noncompliance; disallowed costs will be collected in accordance with the Federal Claims Collection Standards (31 CFR 900).
- Temporarily withhold cash payments pending correction of the deficiency by the grantee.
- Wholly or partly suspend or terminate the Federal award. NBRC is required to report terminations for material failure to comply with award terms and conditions to the Federal Awardee Performance and Integrity System (FAPIS), which may affect future Federal funding for the grantee.
- Determine, based on the risk assessment procedures in 2 CFR 200.206, not to fund a grant application submitted by the grantee.
- Initiate suspension and/or debarment proceedings as authorized under 2 CFR 200.214. This requires NBRC to notify the System of Award Management (SAM) of the issues, which may prohibit other Federal funding to the Grantee in the future for a period of 5 years.

Monitoring

Monitoring by NBRC involves the continuous collection of relevant information about the performance and administration of grantees. Monitoring can be conducted using a variety of techniques including routine communication with grantees, desk review of submitted information and required reports, and site visits. Please see Appendix H of this manual for information on NBRC's monitoring protocols.

Site Visits

NBRC may conduct site visits as needed but is not required to do so. The purposes of the site visits may involve enhancing communications with the grantee, reviewing project progress and administrative activities, gathering information that has not been obtained through other means, and providing support and technical assistance.

Prior to the site visit, NBRC staff will contact the grantee and, if needed, provide the checklist that may be used during the visit. When an inquiry is made, all files shall be made available to NBRC or the State where the project was funded. Appendix H provides NBRC's protocol for monitoring and site visits.

Records Retention and Access

Financial records, supporting documentation, statistical records, and all other grantee records pertinent to the NBRC grant award must be retained for a period of three years following submission of the final expenditure report on that award. These records are accessible to NBRC, the Comptroller General of the United States, independent auditors and the States of Maine, New Hampshire, New York and Vermont, independent auditors engaged by the grantee, and any of the duly authorized representatives for the purpose of making audits, examinations, excerpts, and transcripts. In accordance with Executive Order 13642, electronic and machine-readable formats are the preferred method for collecting and storing such records. The rights of access include timely and reasonable access to the grantee's personnel and contractors for the purpose of interview and discussion related to the records. Additional instructions about exceptions to these general rules and possible extension of the retention period are contained in 2 CFR200.334.

Dispute and Appeals

A Grantee may appeal any finding of noncompliance and resulting enforcement action. The appeal shall be in writing and contain supporting evidence. It must be sent to NBRC within 30 calendar days of receipt of the notice identified above. All appeals shall be reviewed by the Federal Co-Chair. The Federal Co-Chair shall render a decision to dismiss, amend or uphold the recommendation of NBRC staff. If the Grantee disagrees with the Federal Co-Chair's decision,

the same appeal may be submitted to the State Governor's Alternates and a determination to dismiss, amend, or uphold shall be issued by this body. All determinations by the Governor's Alternates shall be considered final decisions of NBRC.

NBRC Contact Information

Place of Record

Northern Border Regional Commission business of record is located at 53 Pleasant Street, Suite 1501, Concord, NH 03301 or admin@nbrc.gov. Any records held at locations other than this will not be considered as part of the record or be received for purposes of processing applications, invoices, communications, requests for reimbursement or other transactions.

Website

www.nbrc.gov

Contacts

Representing the Federal Government

Christopher M. Saunders, Federal Co-Chair (603) 369-3001, ext. 1 | fedcochair@nbrc.gov

Representing the State of Maine

The Honorable Janet Mills, Governor

Governor's Alternate to the NBRC: Heather Johnson, Commissioner, Maine Department of Economic Community Development

State Program Manager: Charlotte Mace (207) 624-7448 | charlotte.mace@maine.gov

Representing the State of New Hampshire

The Honorable Chris Sununu, Governor

Governor's Alternate to the NBRC: Taylor Caswell, Commissioner, New Hampshire Department of Business & Economic Affairs

State Program Managers: Steve Fortier(603) 688-5918) | steven.j.fortier@livefree.nh.gov

Representing the State of Vermont

The Honorable Phil Scott, Governor

Governor's Alternate to the NBRC: Tayt Brooks, Deputy Secretary, Vermont Agency of Commerce & Community Development

State Program Manager: Kristie Farnham (802) 398-5268 | kristie.farnham@vermont.gov

Representing the State of New York

The Honorable Kathy Hochul, Governor

Governor's Alternate to the NBRC: Mark Pattison, Deputy Secretary of State

State Program Manager: Kyle Wilber (518) 473-3694 | kyle.wilber@dos.ny.gov

Northern Border Regional Commission Staff

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Rebecca Dourmashkin, Grant Attorney (603) 369-3001 rdourmashkin@nbrc.gov

Rebecca Olechowski, Budget Analyst (603) 369-3001 rolechowski@nbrc.gov

Program Managers 603-369-3001 ext. 4

Adrienne Harrison, Catalyst Program Manager, aharrison@nbrc.gov

Marina Bowie, FEP/USDA Program Manager, mbowie@nbrc.gov

Program Specialists 603-369-3001 ext. 7

Jon O'Rourke, Senior Program Specialist, jorourke@nbrc.gov

Georgia Cassimatis, Program Specialist, gcassimatis@nbrc.gov

Sarah Lang, Program Specialist, slang@nbrc.gov

Casey Haynes, Program Specialist, chaynes@nbrc.gov

Malana Tamer, Program Specialist, mtamer@nbrc.gov

admin@nbrc.gov

James Cleveland Federal Building, 53 Pleasant Street, Suite 1501, Concord, New Hampshire 03301

Appendix A – Projects Funded Through NBRC-USDA Partnership

In addition to observing NBRC Administration, Compliance and Monitoring, projects funded through NBRC's partnership with USDA Rural Development must also meet USDA RD compliance. This Appendix is meant as a guide for these projects, to show which portions of the NBRC Compliance Manual grantees must adhere to, and which are amended according to the specific regulations required by USDA Rural Development. Grantees are welcome and encouraged to submit compliance-related questions to NBRC via admin@nbrc.gov.

Award Process and Project Initiation

Projects will follow the same Award Process and Project Initiation steps outlined in the "Award Process & Project Initiation" section of the NBRC Compliance Manual, with the following caveat:

Before an obligation of funds (step 2) can be made, grantees must complete and send the following three USDA-required documents to NBRC (as stated in the Grant Agreement).

1. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion (AD-1048)
2. Environmental Checklist
3. Assurance Agreement (USDA RD 400-4)

Payments

Projects will follow the same process for reimbursements as described in the "Reimbursement" section of the NBRC Compliance Manual, with the following caveats:

- Projects will be provided a separate SF270 form to complete. Sections 1,3,4 of the form will be filled in. The grantee will be asked to leave those sections as they are, and to ignore the dollar amounts listed in boxes 11 (a) and 11 (b), as those refer to the larger grant between NBRC and USDA Rural Development. The grantee will be responsible for completing the rest of the form.
- Under "Timing of Reimbursements", the following amendment applies: Projects planning to submit a request for reimbursement on a given month will be asked to submit their SF270 and backup documentation on or before the third Monday of the month, unless otherwise instructed.
- Under "Documentation for Reimbursements", the following amendments apply: The Reimbursement Rate is 100% because USDA does not require grantees to demonstrate they have expended match upon each reimbursement. NBRC is required to document project match for all of the federal funds it receives including funds from USDA, however USDA does not require match for all of its awards. For this reason, Grant Agreements will not list match. In accordance with 40 U.S.C. Subtitle V §15506 (c), prior to issuance of a Notice-to-Proceed and at grant close-out, the recipient must identify the total project costs including any NBRC-required matching share. Failure to satisfy

any match requirement by the conclusion of the project may lead to disallowance of federal funds already drawn and spent.

Procurement

Projects should follow the procurement procedures outlined in the “Procurement” section of the compliance manual, and projects may be required to submit copies of their procurement documents to NBRC.

Property

All portions of this section apply.

Changes in a Project

USDA does not allow budget re-allocations within categories of any size or percentage without pre-approval. Any changes must be approved as part of a budget re-scope with USDA. Please contact admin@nbrc.gov if you seek a budget re-allocation or other project change.

Reporting

Quarterly reports for Projects will be due to NBRC along the following schedule, from Oct 1 of the award year through to the close out of the project:

Reporting Period: (Quarter 1)	October 1 - December 31:	Report Due January 15
Reporting Period: (Quarter 2)	January 1 - March 31:	Report Due April 15
Reporting Period: (Quarter 3)	April 1 - June 30:	Report Due July 15
Reporting Period: (Quarter 4)	July 1 - September 30:	Report Due October 15

Reports are due after awards have been announced, regardless of the amount of work that has been completed. These are not an optional task for grantees. Reports must be sent to admin@nbrc.gov with the Grant Agreement number in the subject line of the email.

The Performance Progress Report Standard Form-PPR(SF-PPR) must be used for all reports. Find and example SF-PPR in **Appendix C** of this Compliance Manual.

Projects must submit financial reports via **Standard Form 425 (SF-425)**, due on October 20 for each federal fiscal year (October 1 to September 20) and 45 days after the close of the project – even if the close out of the project takes place only a month or two after the October 30th date. Find additional information on financial reporting in the “Reporting” section of the Compliance Manual.

Project Oversight

All portions of this section apply.

Appendix B – Request for Reimbursement (SF270) with Instructions

REQUEST FOR ADVANCE OR REIMBURSEMENT <i>(See instructions on back)</i>		OMB APPROVAL NO <p style="text-align: center; font-weight: bold;">0348-0004</p>		PAGE _____ OF _____ PAGES
1. TYPE OF PAYMENT REQUESTED a. "X" one or both boxes <input type="checkbox"/> ADVANCE <input checked="" type="checkbox"/> REIMBURSEMENT <small>Always check reimbursement as we do not advance funds</small> b. "X" the applicable box. Always check partial unless it is your final request <input type="checkbox"/> FINAL <input checked="" type="checkbox"/> PARTIAL		2. BASIS OF REQUEST <input type="checkbox"/> CASH <input type="checkbox"/> ACCRUAL		
3. FEDERAL SPONSORING AGENCY AND ORGANIZATIONAL ELEMENT TO WHICH THIS REPORT IS SUBMITTED <p style="color: red; font-weight: bold;">Northern Border Regional Commission</p>		4. FEDERAL GRANT OR OTHER IDENTIFYING NUMBER ASSIGNED BY FEDERAL AGENCY <p style="color: red; font-weight: bold;">This is your NBRC project number For example: NBRC21GVT13</p>		5. PARTIAL PAYMENT REQUEST NUMBER FOR THIS REQUEST <p style="color: red; font-weight: bold;">This is your reimbursement request number, which goes in order as you submit requests: 1, 2, 3...</p>
6. EMPLOYER IDENTIFICATION NUMBER	7. RECIPIENT'S ACCOUNT NUMBER OR IDENTIFYING NUMBER	8. PERIOD COVERED BY THIS REQUEST <small>(All dates on backup documentation should fall within the period covered by this request)</small> FROM (month, day, year) <small>This should be the next date after the end date of your last request (no gaps of time between requests). E.g. if your last request ended on 5/31/2022, this box should reflect 6/1/2022.</small>		
9. RECIPIENT ORGANIZATION Name: Grantee information as per the ACH on file Number and Street: City, State and ZIP Code:		10. PAYEE <i>(Where check is to be sent if different than item 9)</i> Name: Payee information if different than the grantee information in BOX 9 Number and Street: City, State and ZIP Code:		

11. COMPUTATION OF AMOUNT OF REIMBURSEMENTS/ADVANCES REQUESTED				
PROGRAMS/FUNCTIONS/ACTIVITIES <small>Use columns (a), (b), and (c) to separate out types of cost, if it's helpful, but it is not necessary.</small>	(a) e.g. Engineering	(b) e.g. Payroll	(c) e.g. Construction	TOTAL
a. Total program outlays to date <small>(As of date)</small>	\$	\$	\$	Total project costs thus far (columns a + b + c)
b. Less: Cumulative program income				You should never have program income unless it is documented in your grant agreement
c. Net program outlays <small>(Line a minus line b)</small>				Equal to line a
d. Estimated net cash outlays for advance period				Should always be \$0, NBRC does not advance funds
e. Total <small>(Sum of lines c & d)</small>				Total project costs thus far. Equal to line c
f. Non-Federal share of amount on line e				Cumulative amount of expended match funds
g. Federal share of amount on line e				Cumulative amount of NBRC funds requested (line e - line f)
h. Federal payments previously requested				Total amount of NBRC funds requested previously
i. Federal share now requested <small>(Line g minus line h)</small>				Amount of NBRC funds you are seeking for reimbursement this request
j. Advances required by month, when requested by Federal grantor agency for use in making prescheduled advances	1st month			
	2nd month			
	3rd month			

12. ALTERNATE COMPUTATION FOR ADVANCES ONLY	
a. Estimated Federal cash outlays that will be made during period covered by the advance	\$ Should be left blank
b. Less: Estimated balance of Federal cash on hand as of beginning of advance period	
c. Amount requested <small>(Line a minus line b)</small>	\$ Should be left blank

13. CERTIFICATION		
I certify that to the best of my knowledge and belief the data on the reverse are correct and that all outlays were made in accordance with the grant conditions or other agreement and that payment is due and has not been previously requested. This space for agency use	SIGNATURE OR AUTHORIZED CERTIFYING OFFICIAL <p style="color: red; font-weight: bold;">Form must be signed by the authorized official to be processed by NBRC</p>	DATE REQUEST SUBMITTED <p style="color: red; font-weight: bold;">Date signed</p>
	TYPED OR PRINTED NAME AND TITLE <p style="color: red; font-weight: bold;">Name of signer/authorized official</p>	TELEPHONE (AREA CODE, NUMBER, EXTENSION)



Appendix C – Quarterly Report (SFPPR)

PERFORMANCE PROGRESS REPORT SF-PPR

		Page	of Pages
1. Federal Agency and Organization Element to Which Report is Submitted Northern Border Regional Commission	2. Federal Grant or Other Identifying Number Assigned by Federal Agency NBRC Grant #, ie. NBRC23G	3a. DUNS Number N/A	
		3b. EIN	
4. Recipient Organization (Name and complete address including zip code)		5. Recipient Identifying Number or Account Number N/A	
6. Project/Grant Period Start Date: (Month, Day, Year) End Date: (Month, Day, Year) Performance Period Start Date from your Grant Agreement Performance Period End Date		7. Reporting Period End Date (Month, Day, Year) Refer to reporting schedule: 12/31, 3/30, 6/30, 9/30	8. Final Report? <input type="checkbox"/> Yes <input type="checkbox"/> No
		9. Report Frequency <input type="checkbox"/> annual <input type="checkbox"/> semi-annual <input type="checkbox"/> quarterly <input type="checkbox"/> other (If other, describe: _____)	
10. Performance Narrative <i>(attach performance narrative as instructed by the awarding Federal Agency)</i> Provide a project status narrative for the reporting period to include, but not limited to: 1. Project Status <i>(Planned, In-Progress, Completed)*</i> 2. Description of Project Activities* 3. Challenges and/or Successes* 4. Press or Media Links* <i>*See Reporting section of Compliance Manual for additional guidance</i>			
11. Other Attachments <i>(attach other documents as needed or as instructed by the awarding Federal Agency)</i>			
12. Certification: I certify to the best of my knowledge and belief that this report is correct and complete for performance of activities for the purposes set forth in the award documents.			
12a. Typed or Printed Name and Title of Authorized Certifying Official		12c. Telephone (area code, number and extension)	
		12d. Email Address	
12b. Signature of Authorized Certifying Official		12e. Date Report Submitted (Month, Day, Year)	
		13. Agency use only	

Appendix D - Federal Financial Report (SF425)



Federal Financial Report
(Follow form Instructions)

OMB Control Number: 4040-0014
Expiration Date: 2/28/2022

1. Institutional Element to Which Report is Submitted Northern Regional Commissions		2. Federal Grant or Other Identifying Number Assigned by Federal Agency (To report multiple grants, use FFR Attachment) NBRC ID# ex: NBRC17GVT14	
3. Recipient Organization (Name and complete address including Zip code) Recipient Organization Name: Your Grant Name Street1: Your Address as listed in the GA Street2: City: County: State: Province: Country: USA: UNITED STATES ZIP / Postal Code:			
4a. DUNS Number Your Org. DUNS	4b. EIN Your Org. EIN	5. Recipient Account Number or Identifying Number (To report multiple grants, use FFR Attachment)	
6. Report Type <input type="checkbox"/> Quarterly <input type="checkbox"/> Semi-Annual <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final	7. Basis of Accounting <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual	8. Project/Grant Period From: 10/01/2019 To: 09/30/2022 *Enter Entire Grant Period	9. Reporting Period End Date 09/30/2021
10. Transactions (Use lines a-c for single or multiple grant reporting)			Cumulative
Federal Cash (To report multiple grants, also use FFR attachment):			
a. Cash Receipts Total cumulative amount of reimbursements received from NBRC as of reporting period end date			0.00
b. Cash Disbursements Equal to line 10a			0.00
c. Cash on Hand (line a minus b) Equal to line 10a minus 10b			0.00
<i>(Use lines d-o for single grant reporting)</i>			
Federal Expenditures and Unobligated Balance:			
d. Total Federal funds authorized Total NBRC Funds Awarded as listed in Grant Agreement			0.00
e. Federal share of expenditures Equal to line 10b			0.00
f. Federal share of unliquidated obligations Equal to line 10d minus 10e			0.00
g. Total Federal share (sum of lines e and f) Equal to line 10d			0.00
h. Unobligated balance of Federal Funds (line d minus g) Should always be \$0, unless NBRC money was de-obligated at project close-out			0.00
Recipient Share:			
i. Total recipient share required Total match as listed in Grant Agreement			0.00
j. Recipient share of expenditures Expended/documentated match as of reporting period end date.			0.00
k. Remaining recipient share to be provided (line i minus j) Equal to line 10i minus line 10j			0.00
Program Income:			
l. Total Federal program income earned Program income should always be \$0 unless otherwise stated in Grant Agreement			0.00
m. Program Income expended in accordance with the deduction alternative			0.00
n. Program Income expended in accordance with the addition alternative			0.00
o. Unexpended program income (line l minus line m or line n)			0.00

Appendix E – Personal Property Report (SF428-S)

**TANGIBLE PERSONAL PROPERTY REPORT
Supplemental Sheet SF-428-S**

OMB Number: 4040-0018
Expiration Date: 6/30/2020

Federal Grant or Other Identifying Number Assigned by Federal Awarding Agency (Block 2 of SF-428) <div style="border: 1px solid black; width: 150px; height: 20px; margin-top: 5px;"></div>				Attachment Type <input type="checkbox"/> Annual Report (SF-428-A) <input type="checkbox"/> Final (Award Closeout) Report (SF-428-B) <input type="checkbox"/> Disposition Report/Request (SF-428-C)			
Complete one row for each item:							
Award Number (a)	GP or ACQ (b)	Description of Item (c)	Identification Number (d)	Acquired Date (e)	Condition Code (f)	Acquisition Cost <i>(In Dollars)</i> (g)	Disposition Request (h)

Appendix F – Real Property Status Report (SF429-A)

**Real Property Status Report
ATTACHMENT A (General Reporting) SF-429-A**

OMB Number: 4040-0016
Expiration Date: 01/31/2019

Federal Grant or Other Identifying Number Assigned by Federal Agency (#2 on cover page) 	
Complete the applicable blocks below for each parcel of real property being reported (duplicate this page to provide information for each parcel of real property being reported under the Federal financial assistance award identified in section 2):	
13. Period and type of Federal Interest (MM/DD/YYYY): From: <input type="text"/> To: <input type="text"/> <input type="checkbox"/> Acquisition <input type="checkbox"/> Renovation <input type="checkbox"/> Construction <input type="checkbox"/> Government Furnished Property	
14a. Description of Real Property: <input style="width: 100%; height: 20px;" type="text"/>	
14b. Address of Real Property (legal description and complete address including zoning information): Street1: <input style="width: 100%;" type="text"/> Street2: <input style="width: 100%;" type="text"/> City: <input style="width: 30%;" type="text"/> County: <input style="width: 30%;" type="text"/> State: <input style="width: 30%;" type="text"/> Province: <input style="width: 30%;" type="text"/> Country: <input style="width: 30%;" type="text"/> ZIP / Postal Code: <input style="width: 30%;" type="text"/> Zoning Information: <input style="width: 100%;" type="text"/> GPS Location Longitude: <input style="width: 30%;" type="text"/> GPS Location Latitude: <input style="width: 30%;" type="text"/>	
14c. Land Acreage or Square Units: Enter Amount: <input style="width: 100%;" type="text"/> Select units: <input type="checkbox"/> Acres <input type="checkbox"/> Square Feet <input type="checkbox"/> Square Kilometers <input type="checkbox"/> Square Meters	14d. Gross and Usable Square Footage/Meters (i.e., of building, house, etc.): Enter Amounts: Gross <input style="width: 30%;" type="text"/> Usable <input style="width: 30%;" type="text"/> Select units: <input type="checkbox"/> Square Feet <input type="checkbox"/> Square Meters
14e. Real Property Ownership Type(s): <input type="checkbox"/> A. Owned <input type="checkbox"/> B. Co-Owned <input type="checkbox"/> C. Fee Simple <input type="checkbox"/> D. Corporate <input type="checkbox"/> E. Joint Tenancy <input type="checkbox"/> F. Partnership <input type="checkbox"/> G. Limited Liability Partnership <input type="checkbox"/> H. Co-Operative <input type="checkbox"/> I. Government Furnished Property <input type="checkbox"/> J. Other (Describe): <input style="width: 100%;" type="text"/>	
14f. Real Property Cost: \$ Share Percentage %: Federal Share: \$ <input style="width: 100%;" type="text"/> (<input style="width: 100%;" type="text"/> %) Non-Federal Share: \$ <input style="width: 100%;" type="text"/> (<input style="width: 100%;" type="text"/> %) Total (sum of Federal and Non-Federal Share): \$ <input style="width: 100%;" type="text"/> (<input style="width: 100%;" type="text"/> %)	
14g. Has a deed, lien, covenant, or other related documentation been recorded to establish Federal interest in this real property? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If yes (unless previously reported), describe the instrument used and enter the date and jurisdiction in which it was recorded: <input style="width: 100%; height: 20px;" type="text"/> Date: <input style="width: 30%;" type="text"/> Jurisdiction: <input style="width: 30%;" type="text"/>	
14h. Has Federally required insurance coverage been secured for this real property? <input type="checkbox"/> Yes <input type="checkbox"/> No See instructions for more details.	
14i. Are there any Uniform Relocation Act (URA) requirements applicable to this real property? <input type="checkbox"/> Yes <input type="checkbox"/> No	
14j. Are there any environmental compliance requirements related to the real property? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe them: <input style="width: 100%; height: 20px;" type="text"/>	

Appendix G—Contract Amendment Request Form



Northern Border Regional Commission

APPENDIX G CONTRACT AMENDMENT REQUEST FORM

GRANT #:	NBRC
GRANTEE NAME:	
DATE:	

TYPE OF AMENDMENT REQUEST:

Select the appropriate amendment category and submit one PDF of all required documentation by e-mail with your grant # referenced in the subject line to admin@nbrc.gov.

- Change in Authorized Official**
 Submit the following documents to NBRC as one PDF:
- Completed and Executed Contract Amendment Request Form
 - Key Contacts Form
 - Authorized Official Resolution

- Budget and/or Scope Adjustment >10% (Changes to Scope, Budget, and Match)***
**Budget or scope adjustment <10% must still be reported to NBRC and will require a Memorandum of Record*
 Submit the following documents to NBRC as one PDF:
- Completed and Executed Contract Amendment Request Form
 - Description of Project re-scope (include what has been completed to date, reason for change, etc.)
 - Revised project budget (SF-424cbw) AND budget adjustment summary (see pg. 2 of form)
 - Revised project timeline
 - Revised work plan
 - Revised match commitment form (if applicable)
 - Environmental Review(NEPA) update required? If yes, provide updated environmental review documentation
 - Any impacts to historic preservation? If yes, attach applicable documentation.

- Contract Extension Only (NO Scope, Budget, or Match changes)**
 Submit the following documents to NBRC as one PDF:
- Completed and Executed Contract Amendment Request Form
 - Justification of need for contract extension
 - Revised project timeline
 - Description of project progress to date
 - Confirmation budget and scope are not changing
 - Confirmation committed match remains in place

- Change in Organization Name**
 Submit the following documents to NBRC as one PDF:
- Completed and Executed Contract Amendment Request Form
 - Updated SF424
 - Updated SF-3881 (ACH)
 - Updated UEI Form
 - Certificate of Good Standing (if grantee is a non-profit)
 - IRS Determination Letter (if grantee is a non-profit)
 - Key Contacts Form (if name change also results in change to Authorized Official)
 - Updated Authorized Official Resolution (if name changes results in change to Authorized Official)

Period of Performance: _____
See most recent Grant Agreement

NEW Requested End Date*: _____

* NBRC allows extensions for projects in one (1) year increments. If additional time is being requested, please provide justification, and note that NBRC coordination with the State Program Manager is required.

Signature of Authorized Official

Date

Appendix H - Monitoring/Site Visit Protocols

Overview

The Northern Border Regional Commission (NBRC) conducts programmatic reviews relevant to the performance and administration of its grantees. This process allows input from NBRC grantees to both improve communications and enhance programming efforts. This programmatic review will be conducted through a variety of techniques, including routine communications with grantees, desk reviews to determine project status, grant activities and programmatic support, as well as virtual meetings (ZOOM, Microsoft Teams, etc.) site review and, when allowed and appropriate, in-person meetings*. Please see NBRC's Grant Administration, Compliance and Monitoring Manual for additional information.

Purpose

NBRC's programmatic review is designed to accomplish the following objectives:

- Demonstrate the effectiveness of the funding
- Provide an opportunity for NBRC to highlight projects
- Programmatic support
- Grant compliance
- Timely and successful project completion

How will it work?

NBRC staff will randomly select a sample of projects, some will be in process, some will have been closed out, as well as some projects that have been closed out for at least three years. The three-year lag time allows time for the Grantee's performance measures to evolve, which will allow NBRC to measure project outcomes more accurately.

NBRC will determine, on a case-by-case basis, how the review will be conducted: Options include, via phone, virtual meeting or as a site visit*, and convey this information to the Grantee. NBRC staff will contact the Grantee and explain the project that has been selected for review, providing details, and sharing a copy of NBRC's Programmatic Review packet. NBRC will work with the Grantee to establish a convenient meeting date and time.

If the review requires follow-up, NBRC staff will work with the Grantee to complete those activities. If those activities require additional technical assistance or a project re-scope, NBRC staff will coordinate efforts to provide needed resources with our local, regional, and State partners.

For more information on NBRC's Programmatic Review process, please contact NBRC Staff members Jon O'Rourke, Senior Program Specialist, at jorourke@nbrc.gov or Andrea Smith, Program Director, at asmith@nbrc.gov.

****In-person site visits will only occur when necessary and appropriate.***

Appendix I – Close-out Certificate



**Northern Border
Regional Commission**

**NORTHERN BORDER REGIONAL COMMISSION
STATE ECONOMIC & INFRASTRUCTURE DEVELOPMENT PROGRAM**

CLOSE-OUT CERTIFICATE

Grant Award #:
Name of Grantee:
Date of Close Out:

It is important to note that you are responsible for the following going forward:

- NBRC may conduct a site visit in the future at which invoices, procurement process, records and final products may be reviewed.
- All records pertaining to this grant are required to be maintained and available for inspection for three years following the date of close-out (2 C.F.R. §200.333).
- Record of equipment or real property must be retained for three years after disposition of equipment and/or real property. (2 C.F.R. §200.333(c)).
- The GPRA form will be required to be filed again three years from the close-out date.



The Government Performance & Results Act Data Collection Form (GPRA) has been received and properly completed	✓
Date of required GPRA follow-up (3 years from 1 st reporting): <u>9/13/26</u>	-
The Final Report (SFPPR) summarizing the entire project has been received	✓
The Financial Report (SF425) has been received and is consistent with reimbursements	✓
Project video or 3-5 project photos have been received	✓
All reimbursements have been processed and/or any funds remaining have been de-obligated	✓
Equipment is accounted for and inventoried	N/A
Real Property is appropriately recorded, and copies have been received by NBRC	N/A



Andrea Smith: _____ Date: _____
Program Director | Northern Border Regional Commission

Appendix J – Notice of Federal Interest

On (insert date), the Northern Border Regional Commission (NBRC) awarded Grant No. _____ to (insert name of recipient). The grant provides Federal funds for (describe purpose of grant, e.g., construction, major alteration and renovation, mortgage, or acquisition of a building*), which is located on the property described below in _____ County, State of _____:

(GRANTEE INSERT LEGAL DESCRIPTION OF PROPERTY)

The Notice of Award for this grant includes conditions on use of the aforementioned property and provides for a continuing Federal interest in the property. Specifically, the property may not be (1) used for any purpose inconsistent with the statute and any program regulations governing the award under which the property was acquired; (2) mortgaged or otherwise used as collateral without the written permission of the Program Director at NBRC, or designee; or (3) sold or transferred to another party without the written permission of Program Director at NBRC, or designee. These conditions are in accordance with the statutory provisions set forth in 2 CFR 200.311, and in the Statement, and other terms and conditions of award.

These grant conditions and requirements cannot be nullified or voided through a transfer of ownership. Therefore, advance notice of any proposed change in usage or ownership must be provided to the NBRC.

Signature: _____

Typed Name: _____

Title: _____

Date: _____

PRO TIP!

File with your local registry of deeds.

The property description should be specific!

Appendix K – State Historic Preservation Commission Offices

Maine Historic Preservation Commission

www.maine.gov/mhpc/home

55 Capitol Street

65 State House Station

Augusta, Maine, 04333-0065

For general inquiries contact (207) 287-2132

New Hampshire Division of Historical Resources

www.nh.gov/nhdhr/index.html

NH Division of Historical Resources

Attention: Review & Compliance

172 Pembroke Rd. Concord, NH 03301

For general inquiries contact 603-271-3483

Voice/TDD RELAY ACCESS: 1-800-735-2964

New York State Historic Preservation Office

www.parks.ny.gov/shpo

OPRHP

PO Box 189

Waterford, NY 12188

For general information contact 518.474.045

Vermont State Historic Preservation Office

www.accd.vermont.gov/historic-preservation

One National Life Drive

Deane C. Davis Building, 6th Floor

Montpelier VT 05620-0501

For general information contact: 802.838.3222

Appendix L – Grantee Release Authorization Form

NBRC Project # _____

I (please print your name) _____, give the Northern Border Regional Commission the absolute right and permission to use my photograph/video footage and information I share with them for any and all marketing and communications purposes, including its promotional materials and publicity efforts. I understand that the photographs and information about myself may be used in a publication, (e.g. newspaper or magazine), brochure, electronic media (e.g. social media, website, video, radio), or other form of promotion. I therefore release the Northern Border Regional Commission, the photographer/videographer, and all associated employees, agents and designees from any and all claims arising out of the use of any such photograph, video sound, likeness, image or information including but not limited to violations of any personal or proprietary rights, defamation and/or invasion of privacy. I give permission to use my first and last name, unless a selection is checked below:

- Please use my first name only
- Please use a pseudonym instead of my real name
- Please do not identify me by name

I also verify that I am 18 years of age or older. If not, then a signature of a parent or guardian is required below:

Signature (parent or guardian) _____

Address _____

City _____ State

Zip _____

Phone _____ Date

Appendix M – Glossary of Terms

Administrative Requirements: The general practices that are common to the administration of grants, such as financial accountability, reporting, equipment management, and retention of records.

Allocable Cost: A cost that is allocable to a particular cost objective (i.e., a specific function, grant project, service, department, or other activity) in accordance with the relative benefits received. A cost is allocable to a federal award where it is treated consistently with other costs incurred for the same purpose in like circumstances and (1) is incurred specifically for the award, (2) benefits both the award and other work and can be distributed in reasonable proportion to the benefits received, or (3) is necessary for the overall operation of the organization.

Allowable Cost: A cost incurred by a recipient that is: (1) reasonable for the performance of the award; (2) allocable; (3) in conformance with any limitations or exclusions set forth in the Federal cost principles applicable to the organization incurring the cost as to the type or amount of cost; (4) consistent with regulations, policies, and procedures of the recipient that are applied uniformly to both federally supported and other activities of the organization; (5) accorded consistent treatment as a direct or indirect cost; (6) determined in accordance with generally accepted accounting principles; and (7) not included as a cost in any other federally supported award (unless specifically authorized by statute).

Approved Budget: The financial expenditure plan for a grant-supported project, program, or activity, including revisions approved by the NBRC and permissible revisions made by the recipient. The approved budget (SF424cbw, SF424A-D) consists of Federal (grant) funds. An approved budget is a contractual obligation that can only be changed by NBRC in writing through a Grant Agreement Amendment.

Build America Buy America Act (BABAA): Enacted as part of the Infrastructure Investment and Jobs Act (IIJA) on November 15, 2021, established a domestic content procurement preference for all Federal financial assistance obligated for infrastructure projects. The domestic content procurement preference requires that all iron, steel, manufactured products, and construction materials used in covered infrastructure projects are produced in the USA. A product is defined as American-made under “Buy American” if at least 50% of its constituent parts and/or materials originated in the USA.

The U.S. Department of Commerce is working with the [Made in America Office](#) (MIAO) to coordinate compliance with these procurement requirements. Visit the Made in America Office [website](#) or [NBRC’s website](#) for continued BABAA guidance.

Closeout: The process by which NBRC determines whether all applicable administrative actions and all work required under the award have been completed by the recipient and the awarding office.

Cooperative Agreement: A financial assistance support mechanism used when there will be substantial Federal programmatic involvement. Substantial involvement means that NBRC program staff will collaborate or participate in project or program activities as specified in the Notice of Award.

Direct Costs: Costs that can be identified specifically with a particular project, an instructional activity, or any other institutional activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

Entity Identification Number (EIN): A three-part coding scheme of 12 characters used to identify organizations and individuals. The first character identifies the recipient as an organization or an individual. The next 9 characters are the Internal Revenue Service tax number identification (TIN) for organizations or the social security number (SSN) for individuals. The last 2 characters are a suffix to provide distinction between organizational entities that are assigned a single EIN and those that have more than one EIN. The entities could be subsidiaries, divisions, branches, subdivisions, or other organizational groupings of a major organizational entity.

Equipment: An article of tangible nonexpendable personal property that has a useful life of more than 1 year and an acquisition cost of \$5,000 or more per unit or the capitalization threshold established by the recipient, whichever is less.

Federal Funds Authorized: The total amount of Federal funds obligated by the NBRC for use by the recipient. This is also known as an obligation of federal funds.

Federal Share: The amount, generally expressed as a percentage of total project costs, of financial, property, and other direct assistance provided by the NBRC.

Funding Opportunity Announcement: NBRC's formally issued announcement of the availability of funding through its website and outreach efforts.

Indirect Costs: Costs that are incurred by a recipient for common or joint objectives and cannot be identified specifically with a particular project or program. These costs also are known as "facilities and administrative costs."

Made in America: Made in America policies are designed to increase reliance on domestic supply chains and ultimately reduce the need to spend taxpayer dollars on foreign-made goods.

The Made in America Office (MIAO) will ensure that any waivers from Made in America laws are applied clearly, consistently, and transparently across federal agencies. The MIAO will analyze the information it gathers from waivers to support U.S. manufacturing and more resilient supply chains. By centralizing information on past and pending waivers, we aim to maximize opportunities for U.S. producers to supply goods and services to the federal government.

Additional guidance and resources can be found on the [Office of Management and Budget's Made-In-America](#) website.

Matching or Cost Sharing: The value of third-party in-kind contributions and the portion of the costs of a federally assisted project or program not borne by NBRC. Costs used to satisfy matching or cost-sharing requirements are subject to the same policies governing allowability as other costs under the approved budget.

Non Federal Share: The portion of allowable project costs not borne by the NBRC.

Obligations: The amounts of orders placed, contracts and subawards, goods and services received, and similar transactions by a recipient during a budget period that will require payment during the same or a future budget period. NBRC also considers obligations a commitment and/or expenditure of funds.

Outlays or Expenditures: The charges made to the federally sponsored project or program.

Program Income: Gross income earned by a recipient that is directly generated by the grant-supported project, program, or activity or earned as a result of the award.

Project Period: The total time for which support of a project has been programmatically approved. The total project period comprises the initial competitive segment, any subsequent competitive segments resulting from a competing continuation award, and any non-competing extensions.

Real Property: Land, including land improvements, structures, and appurtenances, but not movable machinery and equipment.

Reasonable Cost: A cost whose nature or amount does not exceed that which would be incurred by a prudent person under the circumstances prevailing when the decision was made to incur the cost.

Recipient: The organization or individual that receives a grant or cooperative agreement award from NBRC and is responsible and accountable for the use of the funds provided and for the performance of the grant-supported project or activity. The recipient is the entire legal entity

even if a particular component is designated in the Grant Agreement. The term includes “grantee.”

Reimbursement Rate: This rate is dictated by the project’s location and whether it is located in a county that is designated as Distressed, Transitional or Attainment.

Distressed: Eligible for 80% funding and require a 20% match

Transitional: Eligible for 50% funding and require a 50% match

Attainment: NBRC is not allowed to fund projects within an attainment county unless the project is:

1. Within an “Isolated Area of Distress”. An Isolated Area of Distress are municipalities that have high rates of poverty, unemployment, or outmigration. A project in an Isolated Area of Distress is eligible for 50% funding and require a 50% match.
2. Multi-County or Multi-State project. A project within or that affects an Attainment County can be funded if it is part of a multi-county or multi-state project that includes at least, one other Distressed or Transitional NBRC county. The required match will be the average of all counties where the project is taking place.
3. Project has applied for and been approved for a Significant Benefit Waiver. A project located within an Attainment County that could bring significant economic benefits to NBRC Distresses or Transitional Counties, is located within an Attainment County but outside of an Isolated Area of Distress may request a Significant Benefit Waiver together with documentation supporting the project will bring economic impact beyond the border of the municipality. An entity requesting a significant benefit waiver must submit the waiver and supporting documentation by the programmatic deadline imposed, and have their request approved by a majority of the voting members of the Commission (Federal Co-Chair and four Governor’s alternates) to be considered eligible to submit an invitation to apply for funding. Eligible for 50% funding and require a 50% match.

Significant Rebudgeting: A threshold that is reached when expenditures in a single direct cost budget category deviate (increase or decrease) from the approved budget amount for that budget category for that budget period by a specified amount. Significant rebudgeting is one indicator of change in scope.

Subaward: Financial assistance in the form of money or property in lieu of money provided under an award by a recipient to an eligible subrecipient (or by an eligible subrecipient to a lower tier subrecipient). The term includes financial assistance when provided by any legal agreement, even if the agreement is called a contract, but does not include either procurement of goods or services or, for purposes of this policy statement, any form of assistance other than grants and cooperative agreements. The term includes consortium agreements.

Subrecipient: An entity that receives a subaward from a recipient or another subrecipient under an award of financial assistance and is accountable to the recipient or other subrecipient

for the use of the Federal funds provided by the subaward. The NBRC grant recipient must prepare a subaward agreement to govern the programmatic and administrative activities of the subrecipient. The subaward agreement must contain the data elements identified in 2 CFR 200.332(a) and incorporate applicable provisions of agreement including those identified in the applicable Statement of Assurances SF424B or SF424D. The recipient shall carry out mandatory oversight and enforcement actions as outlined in 2 CFR 200.332(d) and (f) and may carry out discretionary oversight actions as outlined in 2 CFR 200.332(e). If your project includes a subaward component, please contact NBRC staff prior to making such awards.

Supplies: Personal property other than equipment, intangible property, and debt instruments. The category of “supplies” includes items that could be considered equipment, but do not meet the threshold definition.

Terms and Conditions: All legal requirements imposed on a grant by the NBRC, whether based on statute, regulation, policy, or other document referenced. In addition to general terms and conditions, the grant agreement may include other conditions that are considered necessary to attain the award’s objectives, facilitate post-award administration, conserve grant funds, or otherwise protect the Federal government’s interests.

Unallowable Cost: A cost specified by law or regulation, Federal cost principles, or term and condition of award that may not be reimbursed under a grant and may not be counted as match.

Unique Entity Identifier: The UEI is a 12-character alphanumeric ID issued by the System for Award Management (SAM) to identify businesses and other entities that do business with the federal government. The UEI replaced the DUNS number as the authorized identifier for the federal government. An NBRC grantee must have a UEI number on file to be issued an initial or amended grant agreement.