



Oklahoma  
Historical  
Society



Oklahoma

State Historic Preservation Office

# Guidelines For Subgrantees

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## **Guidelines for Subgrantees**

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## INTRODUCTION

All project work, related purchases, reimbursement requests, and reporting associated with a subgrant from the Oklahoma SHPO's Historic Preservation Fund (HPF) allocation from the U.S. Department of the Interior, National Park Service, must be carried out in accordance with the regulations, standards, and guidelines set forth in the Historic Preservation Fund Manual, a publication of the National Park Service which governs all SHPO programs. The SHPO provides Guidelines for Subgrantees as a quick reference to the information subgrantees are most likely to need to appropriately administer their subgrant award. In the event a subgrantee may have a question about any item set forth in this document or that is not addressed in it, the SHPO shall consult the Historic Preservation Fund Manual and/or discuss the issue with National Park Service staff to answer the question.

Subgrantees should be aware that the SHPO may be more restrictive than the National Park Service on some matters because State law is more restrictive than the Federal law. For example, the SHPO's procurement of goods and services places stricter limits on the dollar amount of purchases without a formal proposal process than do the NPS procurement standards.

Subgrantees should carefully review Guidelines for Subgrantees before signing a subgrant agreement. Remember that revisions to these guidelines are made from time to time, and the SHPO will assume Subgrantees are familiar with all requirements of the most current version.

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## **CHAPTER 1**

### **PROJECT SELECTION AND PROPOSAL REVIEW**

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## OPEN PROJECT SELECTION PROCESS

The State Historic Preservation Office coordinates development of and urges participation in the implementation of *Tomorrow's Legacy: Oklahoma's Statewide Preservation Plan* (State Plan). It is updated every five (5) years, and the most current edition of the State Plan is available in hard copy from the SHPO or on its website at [www.okhistory.org/shpo/stateplan.htm](http://www.okhistory.org/shpo/stateplan.htm). Public input into the continued refinement of and involvement in the implementation of the State Plan are critical to its success. Each year the State Historic Preservation Office develops a work program that identifies the specific projects and activities that will be carried out to accomplish goals and objectives of the State Plan. The development of that annual work program is an important effort that is greatly facilitated through public input. The "Open Project Selection Process" details when and how the public can help determine the annual work program and when and how subgrants are announced and awarded.

### DETERMINING THE SHPO'S ANNUAL WORK PROGRAM:

Annually the State Historic Preservation Office shall conduct at least one (1) public meeting to receive comments concerning the established priorities of Oklahoma's statewide preservation program and accept project suggestions for inclusion in the State Historic Preservation Office's annual Historic Preservation Fund (HPF) application submitted to the U.S. Department of the Interior, National Park Service. The public meeting shall be advertised through publication of a paid legal notice in two (2) major newspapers in general distribution throughout the state and in a general press release. The notice shall also be given in the Oklahoma Historical Society's newsletter, *Mistletoe Leaves*, and in *Preservation Oklahoma News* (which is mailed to the State Historic Preservation Office's general mailing list which includes local governments, federal and state agencies, substate planning agencies, preservation organizations, former applicants for subgrant assistance, preservation professionals, Native American tribes, minority community organizations, handicapped concerns organizations, and interested citizens). In the event that publication of *Preservation Oklahoma News* in hard copy should cease, the SHPO may send the notice of the public meeting by direct mail to its general mailing list. Further, notice of the opportunity to provide input will be shared on the SHPO's website and through its listserv.

The public meeting(s) shall normally be held in September, and if there is a deviation in this schedule, notice of the meeting(s) shall explain the reason for the change.

During the public meeting(s) all persons present shall be given an opportunity to comment on the statewide preservation program priorities and suggest projects. A record of all comments shall be maintained in the State Historic Preservation Office. Written comments and project suggestions shall also be accepted and considered in the development of the annual HPF application.

All project suggestions which are received by the deadline specified in the public notice and which are for activities eligible for HPF assistance will be ranked in accordance with the system set forth in Exhibit “A”.

### AWARDING SUBGRANTS

Based on comments and suggestions received from the public, the amount of and special conditions to the HPF award, and requirements for the SHPO’s effective management of the National Register Programs (which include survey, nomination of properties to the National Register of Historic Places, the Section 106 review process, the review of federal tax incentives projects, the Certified Local Governments Program, the maintenance of the State Plan, and public outreach), Requests for Proposals (RFPs) will be issued annually for “survey and planning” projects.

Each RFP shall consist of a description of the project work to be accomplished, specifications for the delivery of project results, project personnel required, an estimated cost, and any other requirements or information necessary for potential subgrantees to prepare a response (“bid”) for the project.

RFPs shall be advertised through paid legal notices in newspapers of general distribution within the state and in a newspaper of general distribution within the locality where the subgrant activity will occur or is the subject of the project. The list of RFPs shall appear in at least three (3) newspapers at least thirty (30) days before proposals are due in the State Historic Preservation Office. Additionally, the notice shall be mailed to those individuals, organizations, and firms who previously submitted proposals to the State Historic Preservation Office or who have requested receipt of the list of RFPs.

All completed proposals received by the specified deadline shall be evaluated in accordance with the rating system presented in Exhibit “B”. The individual, organization, or firm selected as the subgrantee shall be the one whose proposal received the highest score. When more than one proposal for a project is received and scores are the same or similar, the subgrant shall be awarded to the individual, organization, or firm offering the most competitive price provided that price is adequate for accomplishment of the work specified.

Proposal evaluation shall be completed by the State Historic Preservation Officer in consultation with his/her professional staff.

Exhibit “A”: Ranking System for Project Suggestions

Exhibit “B”: Evaluation of Proposals

## RANKING OF PROJECT SUGGESTIONS

The State Historic Preservation Office's (SHPO) goals and objectives are set forth in *Tomorrow's Legacy: Oklahoma's Statewide Preservation Plan* (State Plan). Each year the SHPO is allocated a share of the U.S. Department of the Interior's Historic Preservation Fund (HPF) to carry out the National Register Programs in Oklahoma in accordance with the State Plan. To help determine the specific projects and activities that will be undertaken with the HPF, the SHPO considers the public's ideas and ranks them using the following criteria which expresses the SHPO's priorities. (NOTE: Definitions of terms are contained in the State Plan.)

### CRITERIA

1. Projects which help the SHPO accomplish the goals of the State Plan
  - Addresses more than one goal (10 points)
  - Addresses at least one goal (5 points)
  - Does not address a goal (0 points)
  
2. Projects which provide the broadest possible public benefit
  - Statewide (10 points)
  - Regional/see the State Plan (6 points)
  - Drainage System or County (4 points)
  - City or Locale (2 points)
  
3. Projects which result in the identification and/or registration of resource types that are underrepresented in the State's inventory or National Register of Historic Places listings or that are endangered
  - YES (10 points)
  - NO (0 points)
  
4. Projects which foster the preservation of archeological and historic resources associated with a minority community
  - YES (10 points)
  - NO (0 points)
  
5. Projects which provide educational opportunities about and/or increase public awareness of historic preservation issues and methods
  - Statewide Audience (10 points)
  - Local Audience (5 points)

## EVALUATION OF PROPOSALS

### GUIDE FOR ASSIGNING POINTS FOR PROPOSAL RANKING

For these categories in the proposal ranking system that have a possible point range, the following shall be used to assign the points.

*ITEM #1: The proposal clearly demonstrates the applicant’s understanding of the project work included in the RFP.*

<u>POINTS</u>	<u>EVALUATION</u>
20	Demonstrates clearly a complete understanding of the project work.
15	Demonstrates an understanding of the major elements of project work.
10	Demonstrates a minimal understanding of major elements of project work.
5	Demonstrates a poor understanding of project work.
0	Demonstrates a complete misunderstanding of project work.

*ITEM #2: Principal project personnel must meet the minimum professional qualifications required for the project.*

For this item the score will either be ten (10) or zero (0). There is no range of points.

*ITEM #3: The applicant demonstrates successful experience in carrying out similar types of project work.*

<u>POINTS</u>	<u>EVALUATION</u>
20	Demonstrates a great deal of experience in successfully completing this type of project work.
15	Demonstrates successful experience in similar project work.
10	Demonstrates only limited experience in similar project work.
5	Demonstrates experience that could only be considered “similar” in the broadest of interpretations.
0	Demonstrates no experience even remotely related to the project work.

*ITEM #4: Understanding of the applicable Secretary of the Interior's Standards and Guidelines is evident.*

<u>POINTS</u>	<u>EVALUATION</u>
20	Evidence of thorough understanding of the applicable standards and guidelines.
15	Evidence of understanding of the applicable standards and guidelines.
10	Evidence of minimal understanding of the applicable standards and guidelines.
5	Evidence of extremely limited understanding of the applicable standards and guidelines.
0	Evidence of no understanding of the applicable standards and guidelines.

*ITEM #5: The Subgrantee is a minority organization or firm or is primarily devoted to serving disabled persons or is owned by a disabled person.*

For this item the score will either be ten (10) or zero (0). There is no range of points.

*ITEM #6: The proposal demonstrates the existence of an adequate financial management and accounting system to ensure appropriate expenditure of federal funds.*

For this item the score will either be ten (10) or zero (0). There is no range of points.

*ITEM #7: Proposed budget is sufficient to ensure successful completion of the project work, and each cost is reasonable and necessary.*

For this item the score will either be ten (10) or zero (0). There is no range of points.

*ITEM #8: On similar projects the applicant performed the work in accordance with the subgrant agreement.*

POINTS

10

EVALUATION

For its two (2) most recently completed subgrant projects the applicant met all requirements of the subgrant agreement, including submission of products in accordance with the project schedule, unless the SHPO's approval for an amended project schedule was obtained and adequate justification for any delays was demonstrated. Additionally, the draft products submitted required only a reasonable amount of revision, and final products met the requirements of the subgrant agreement.

0

For its two (2) most recently completed subgrant projects the applicant did not meet all requirements of the subgrant agreement, including submission of products in accordance with the project schedule. The OK/SHPO's records document the applicant's pattern of delinquent progress reports and late submission of draft products without request for extensions, and/or the draft products submitted required more than a reasonable amount of revision.

**REQUEST FOR PROPOSAL**

The SHPO, OK Historical Society, requests proposals for FY 2009 survey and planning projects. Funding is from the U.S. Department of the Interior's Historic Preservation Fund. \$90,000 has been planned for these activities. Successful applicants will be the SHPO's subgrantees and must provide the nonfederal-matching share. Project work must conform to the Sec. of the Interior's Standards and Guidelines for Archeology and Historic Preservation. We anticipate funding only 3 - 4 projects. Submit written requests for RFP's by title to: Melvena Heisch, SHPO, OK Historical Society, 2401 N. Laird Ave., Oklahoma City, Oklahoma 73105. Proposals are due by 5:00 p.m., April 10, 2009.

## Project Titles:

2010 Statewide Preservation Conference; Statewide Preservation Outreach Program Including Newsletter & 2 National Register of Historic Places (NRHP) Nominations; Archeological Survey of Evansville Creek, Northeastern Oklahoma, Adair County; Archeological Survey of Mac Lindley Research Demonstration Farm, Southeastern Oklahoma, Choctaw and McCurtain Counties; NRHP Nominations for 3 Sites in South Central Oklahoma (archeological); NRHP Nominations for 3 Sites in Western Oklahoma (archeological); NRHP Nominations for WPA Related Resources; NRHP Nominations for Oil Related Resources; Thematic Survey of Historic Barns in Southwestern Oklahoma; and Thematic Survey of New Deal Era Road Related Resources in Northwest Oklahoma.

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## **CHAPTER 2**

### **ALLOWABLE AND UNALLOWABLE COSTS**

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## A. General:

This chapter is intended as guidance for subgrantees in determining whether costs are appropriate charges to subgrant projects. The subgrantee must keep in mind that even though an item listed below may be considered an allowable cost, the particular cost may not be considered an allowable cost if it falls outside the scope of the project as outlined in the subgrant agreement, unless an amendment has been approved by the State Historic Preservation Office. Those items listed as unallowable costs below will not be reimbursed if charged to the subgrant project by the subgrantee.

## B. Allowable Costs:

1. Accounting. The cost of establishing and maintaining accounting and other fiscal information systems is allowable.
2. Advertising and Public Relations Costs. Advertising media include newspapers, magazines, radio and television programs, direct mail, exhibits, and the like.
  - a. Allowable advertising costs are those which are solely for: recruitment of personnel necessary for the grant program; the procurement of goods and services required for the performance of the HPF grant agreement; and notices required by Federal or State regulations pertaining to the HPF program.
  - b. Public Relations costs are allowable when: (1) specifically required by the Federal award and then only as a direct cost; (2) incurred to communicate with the public and press pertaining to specific activities or accomplishments that result from performance of the Federal award and then only as a direct cost; or (3) necessary to conduct general liaison with news media and government public relations officers, to the extent that such activities are limited to communication and liaison necessary to keep the public informed on matters of public concern, such as notices of Federal contract/grant awards, financial matters, etc.
3. Advisory Councils. Costs incurred by advisory councils or committees established pursuant to Federal requirements to carry out programs, such as State Review Boards, are allowable. The costs of like organizations, such as local review boards established by “certified local governments” is allowable when provided for in an approved subgrant agreement, and when in compliance with the cost allowability provisions.
4. Appraisals. The cost of necessary appraisals by a licensed appraiser is allowable.
5. Audit Services. The costs of audits necessary for the administration and management of functions related to grant programs are allowable, provided that the audits were performed in accordance with the requirements of the Single Agency Audit Act and of OMB Circular A-133 implementing it. Generally, the percentage of costs charged to Federal awards for a single audit shall not exceed the percentage derived by dividing Federal funds expended

by total funds expended by the recipient or subrecipient (including program matching funds) during the fiscal year. The percentage may be exceeded only if appropriate documentation demonstrates higher actual costs. Other audit costs are allowable if specifically approved by the awarding or cognizant agency as a direct cost to an award, or included as an indirect cost in a cost allocation plan or rate.

6. Automatic Electronic Data Processing. The cost of data processing services is allowable.
7. Bonding. Costs of bonding employees and officials are allowable for HPF grantees. In addition, costs of such bonds as bid, performance, payment, advance payment, infringement, and fidelity are allowable if required pursuant to the terms of the HPF award, and if such bonding is in accordance with sound business practice.
8. Communications. Communication costs incurred for telephone calls or service, mail, messenger, and similar communication expenses necessary for and directly related to HPF grant program operations are allowable.
9. Compensation for Personal Services (including Fringe Benefits).
  - a. General. For State and local governments, compensation for personal services includes all remuneration, paid currently or accrued, for services rendered during the period of performance under the grant agreement, including but not necessarily limited to wages, salaries and fringe benefits. Such compensation is allowable to the extent that it satisfies the specific requirements of the OMB Cost Principles and that the total compensation for individual employees:
    - 1)Is reasonable for the services rendered, and conforms to the established policy of the governmental unit consistently applied to both Federal and nonfederal activities;
    - 2)Follows an appointment made in accordance with State, local, or Indian tribal government laws and rules and which meets other requirements required by Federal law, where applicable;
    - 3)Is determined and supported as provided in b., below.
  - b. Reasonableness. Compensation for employees engaged in work on HPF grant-assisted activities will be considered reasonable to the extent that it is consistent with that paid for similar work in other activities of the State or local government. In cases where the kinds of employees required for Federal awards are not found in the other activities of the State or local government, compensation will be considered reasonable to the extent that it is comparable to that paid for similar work in the labor market in which the employing government competes for the kind of employee involved. Compensation surveys providing data representative of the labor market involved will be an acceptable basis for evaluating reasonableness.
  - c. Unallowable Costs. Costs which are unallowable shall not be allowable solely on the basis that they constitute personal compensation.

- d. Fringe Benefits. Allowability is subject to the following considerations: (1) Fringe Benefits are allowances and services provided by employers to their employees as compensation in addition to regular salaries and wages. Fringe benefits include, but are not limited to, the costs of leave, employee insurance, pensions, and unemployment benefit plans. Except as provided elsewhere in the OMB Cost Principles, the costs of fringe benefits are allowable to the extent that the benefits are reasonable and are required by law, governmental unit employee agreement, or an established policy of the governmental unit. (2) The cost of fringe benefits in the form of regular compensation paid to employees during periods of authorized absences from the job, such as for annual leave, sick leave, holidays, court leave, military leave, and other similar benefits, are allowable if: (a) they are provided under established written leave policies; (b) the costs are equitably allocated to all related activities, including Federal awards; and, (c) the accounting basis (cash or accrual) selected for costing each type of leave is consistently followed by the governmental unit. (3) Omitted in original. (4) The accrual basis may be only used for those types of leave for which a liability as defined by Generally Accepted Accounting Principles (GAAP) exists when the leave is earned. When a governmental unit uses the accrual basis of accounting, in accordance with GAAP, allowable leave costs are the lesser of the amount accrued or funded. (5) The cost of fringe benefits in the form of employer contributions or expenses for social security; employee life, health, unemployment, and worker's compensation insurance; pension plan costs (see subsection e., below); and other similar benefits, whether treated as indirect costs or direct costs, shall be allocated to Federal awards and all other activities in a manner consistent with the pattern of benefits attributable to the individuals or group(s) of employees whose salaries and wages are chargeable to such Federal awards and other activities.
- e. Pension Plan Costs. Pension Plan Costs may be computed using a pay-as-you-go method or an accepted actuarial cost method in accordance with established written policies of the governmental unit. (1) For pension plans financed on a pay-as-you-go method, allowable costs will be limited to those representing actual payments to retirees or their beneficiaries. (2) Pension Costs calculated using an actuarial cost-based method recognized by GAAP are allowable for a given fiscal year if they are funded for that year within six months after the end of that year. Costs funded after the six-month period (or a later period agreed to by the cognizant agency) are allowable in the year funded. The cognizant agency may agree to an extension of the six-month period if an appropriate adjustment is made to compensate for the timing of the charges to the Federal Government and related Federal reimbursement and the governmental unit's contribution to the pension fund. Adjustments may be made by cash refund or other

equitable procedures to compensate the Federal Government for the time value of Federal reimbursements in excess of the contributions to the pension fund. (3) Amounts funded by the governmental unit in excess of the actually determined amount for a fiscal year may be used as the governmental unit's contribution in future periods. (4) When a governmental unit converts to an acceptable actuarial cost method, as defined by GAAP, and funds pension costs in accordance with this method, the unfunded liability at the time of conversion shall be allowable if amortized over a period of years in accordance with GAAP. (5) The Federal Government shall receive an equitable share of any previously allowed pension costs (including earnings thereon) which revert or inure to the governmental unit in the form of a refund, withdrawal, or other credit.

- f. Post-retirement Health Benefits. Post-retirement health benefits (PRHB) refers to costs of health insurance or health services not included in a pension plan covered by subsection e., above, for retirees and their spouses, dependents, and survivors. PRHB costs may be computed using a pay-as-you-go method or an actuarial cost method in accordance with established written policies of the governmental unit. (1) For PRHB financed on a pay-as-you-go method, allowable costs will be limited to those representing actual payments to retirees or their beneficiaries. (2) PRHB costs calculated using an actuarial cost method recognized by GAAP are allowable if they are funded for that year within six months after the end of that year. Costs funded after the six-month period (or a later period agreed to by the cognizant agency) are allowable in the year funded. The cognizant may agree to an extension of the six-month period if an appropriate adjustment is made to compensate for the timing of the charges to the Federal Government and related Federal reimbursements and the governmental unit's contributions to the PRHB fund. Adjustments may be made by cash refund, reduction in current year's PRHB costs, or other equitable procedures to compensate the Federal Government for the time value of Federal reimbursements in excess of contributions to the PRHB fund. (3) Amounts funded in excess of the actuarially determined amount for a fiscal year may be used as the government's contribution in a future period. (4) When a governmental unit converts to an acceptable actuarial cost method and funds PRHB costs in accordance with this method, the initial unfunded liability attributable to prior years shall be allowable if amortized over a period of years in accordance with GAAP, or, if no such GAPP period exists, over a period negotiated with the cognizant agency. (5) To be allowable in the current year, the PRHB costs must be paid either to: (a) an insurer or other benefit provider as current year costs or premiums, or (b) an insurer or trustee to maintain a trust fund or reserve for the sole purpose of providing post-retirement benefits to retirees and other beneficiaries. (6) The Federal Government shall receive an equitable

share of any amounts of previously allowed post-retirement benefit costs (including earnings thereon) which revert or inure to the governmental unit in the form of a refund, withdrawal, or other credit.

- g. Severance Pay. (1) Payments in addition to regular salaries and wages made to workers whose employment is being terminated are allowable to the extent that, in each case, they are required by: (a) law, (b) employer-employee agreement, or (c) established written policy. (2) Severance payments (but not accruals) associated with normal turnover are allowable. (3) Abnormal or mass severance pay will be considered on a case-by-case basis and is allowable if approved by the cognizant Federal agency.
- h. Distribution of Time for Salaries and Wages. Charges to Federal awards for salaries and wages, whether treated as direct or indirect costs, must be based upon payrolls documented in accordance with generally accepted practice of the governmental unit and approved by a responsible official(s) of the grantee. No further documentation is required for the salaries and wages of employees who work in a single indirect cost activity. Where employees are expected to work solely on a single Federal award or cost objective, charges for their salaries and wages will be supported by periodic certifications that the employees worked solely on that program for the period covered by the certification. These certifications will be prepared at least semi-annually and will be signed by the employee or supervisory official having first-hand knowledge of the work performed by the employee. Where employees work on multiple activities or cost objectives, a distribution of their salaries or wages will be supported by personnel activity reports or equivalent documentation which meets standards for personnel activity records (a) through (e) below, unless a statistical sampling system (see below) or other substitute system has been approved by the cognizant Federal agency.

Documentary support for time distribution will be required where employees work on: (a) more than one Federal award, (b) a Federal award and a nonfederal award, (c) an indirect cost activity and a direct cost activity, (d) two or more indirect cost activities which are allocated using different allocation bases, or (e) an unallowable activity and a direct or indirect cost activity. The time distribution method used must account for the total salaried effort of the persons covered. A system which provides for the reporting only of effort applicable to federally sponsored activities is not acceptable. Time should be accounted for in units no longer than working days, and a brief description linking work performed to a specific approved project or activity should be used. (For example, 'Consulted with subgrantee's architect on project XX-0001' would be acceptable; "Grant activities" would not.)

Salaries and wages of employees used in meeting cost sharing or matching requirements of Federal awards must be supported in the same manner as those claimed as allowable costs under Federal awards.

Personnel activity reports or equivalent documentation must meet the following standards: (a) they must reflect an after-the-fact distribution of the actual activity of each employee; (b) they must account for the total activity for which each employee is compensated; (c) they must be prepared at least monthly and must coincide with one or more pay periods; and (d) they must be signed by the employee. Note that budget estimates or other distribution percentages determined before the services are performed do not qualify as support for charges to Federal awards but may be used for interim accounting purposes, provided that: (i) the grantee's system for establishing the estimates produces reasonable approximations of the activity actually performed; (ii) at least quarterly, comparisons of actual costs to budgeted distributions based on the monthly activity reports are made. Costs charged to Federal awards to reflect adjustments made as a result of the activity actually performed may be recorded annually if the quarterly comparisons show the differences between budgeted and actual costs are less than ten percent; and (iii) the budget estimates or other distribution percentages are revised at least quarterly, if necessary, to reflect changed circumstances.

Substitute systems for allocating salaries and wages to Federal awards may be used in place of activity reports. These systems are subject to approval if required by the cognizant agency. [See OMB Circular A-87, Item B.11h.(6).]

- i. Donated Services. Donated or volunteer services may be furnished to a grantee by professional and technical personnel, consultants, and other skilled and unskilled labor. The value of these services is not reimbursable either as a direct or indirect cost. However, the value of donated services may be used to meet cost sharing or matching requirements. The value of donated services used in the performance of a direct cost activity shall, when material in amount, be considered in the determination of the grantee's indirect costs or rate(s) and, accordingly, shall be allocated a proportionate share of applicable indirect costs. To the extent feasible, donated services will be supported by the same methods used by the grantee to support the allocability of regular personnel services.
- j. Nonprofit Organizations. For nonprofit organizations charges for personal services must comply with the requirements of OMB Circular A-122, Attachment B, Item 6.

- k. Educational Institutions. For educational institutions charges for personal services must comply with the requirements of OMB Circular A-21, Item J.6.
10. Equipment and Other Capital Expenditures. Any article of nonexpendable tangible personal property having a useful life of more than one (1) year and an acquisition cost of \$5,000 or less is defined as supplies, and is allowable as a direct cost, without specific prior NPS approval, if necessary for the performance of the HPF grant. When replacing equipment purchased with Federal funds, the grantee may use the equipment to be replaced as a trade-in or sell the property and use the proceeds to offset the cost of the replacement equipment. Capital expenditures which are not charged directly to a Federal award may be recovered through use allowances, or depreciation.
  11. Exhibits. Costs of temporary exhibits relating specifically to HPF Grant-assisted program operations, accomplishments, or results are allowable.
  12. Indirect Costs. Indirect costs are allowable only in accordance with the applicable direct cost principles and when based on a current approved or provisional rate awarded by the cognizant Federal agency to the subgrantee.
  13. Insurance and Indemnification. Costs of hazard and liability insurance to cover personnel or property directly connected with the HPF-assisted program or project site required or approved and maintained pursuant to the grant agreement are allowable during the grant period. Costs of other insurance in connection with the general conduct of activities are allowable if maintained in accordance with sound business practice, except that the types and extent and cost of coverage or of contributions to any reserve covering the risk of loss of, or damage to, Federal Government property are unallowable except to the extent that the NPS has specifically required or approved such costs. (See OMB Circular A-87, Item B.25, for the allowability of self-insurance reserves.) For nonprofit grantees, see OMB Circular A-122, Item 18.
  14. Legal Expenses. The cost of legal expenses required in the administration of HPF grant programs is allowable. (Legal expenses for the prosecution of claims against the Federal Government are unallowable.)
  15. Materials and Supplies. The cost of materials and supplies necessary to carry out the HPF Grant program is allowable. Purchases made specifically for the grant program should be charged at their actual prices after deducting all cash discounts, trade discounts, rebates, and allowances received. Withdrawals from general stores or stockrooms should be charged at cost under any recognized method of pricing, consistently applied. Incoming transportation charges are a proper part of materials and supplies costs.
  16. Memberships, Subscriptions, and Professional Activities.
    - a. Memberships. The cost of the grantee organization's membership in civic, business, technical, and professional organizations (dues) is allowable provided:
      1. the benefit from the membership is directly related to achieving grant program objectives;
      2. the expenditure is for agency membership;

3. the cost of the membership is reasonably related to the value of the services or benefits received; and
4. the expenditure is not for membership in organizations substantially engaged in lobbying.

Note: The Lobby Disclosure Act of 1995 explicitly defines organizations of State government officials as not being lobbying organizations. Therefore, payment of dues to the National Conference of State Historic Preservation Officers is an allowable grant cost. For nonprofit grantees, see OMB Circular A-122, Item 21.

- b. Reference Material. The cost of the grantee organization's subscriptions to business, technical, and professional periodicals is allowable when necessary to accomplish grant program purposes.
  - c. Meetings and Conferences. Costs are allowable when the primary purpose of the meeting is the dissemination of technical information relating to the grant program. The costs of meals, transportation, rental of meeting facilities, and other incidental costs are allowable. For nonprofit grantees, see OMB Circular A-122, Item 25.
17. Motor Pools. The costs of a service organization which provides automobiles to grantee agencies at a mileage or fixed rate and/or provides vehicle maintenance, inspection, and repair services are allowable.
  18. Page Charges in Scientific or Professional Journals. Page charges for scientific or professional publications are allowable as a necessary part of grant cost where: the papers report work supported by the HPF grant and acknowledge the grant; the charges are levied impartially on all papers published by the journal, whether by non-government or by Government authors; and there will be a significant and direct benefit to the achievement of HPF grant program objectives.
  19. Plans and Specifications. Costs of architectural plans and specifications, shop drawings, and/or other materials required to document and plan development project work according to the Secretary's Standards for the Treatment of Historic Properties are allowable.
  20. Professional and Consultant Service Costs.
    - a. Costs of professional and consultant services rendered by persons or organizations that are members of a particular profession or possess a special skill, whether or not officers or employees of the grantee, are allowable, subject to the provisions of the manual referenced in the Introduction and subject to the subsections below, when reasonable in relation to the services rendered, and when not contingent upon recovery of the costs from the Government (i.e., contingent fees are prohibited).
    - b. Factors to be considered in determining the allowability of costs in a particular case include: 1) the nature and scope of the service

rendered in relation to the service required; 2) the necessity of contracting for the service, considering the grantee organization's capability in a particular area; 3) the impact of HPF grants on the grantee organization; 4) the qualifications of the individual or concern rendering the service and the customary fees charged, especially on non-government contracts and grants; and 5) the adequacy of the contractual agreement for the service (i.e., description of the service and products to be provided, estimate of time required, rate of compensation, and terminate provisions).

Retainer fees supported by evidence of bona fide services available or rendered are allowable.

- c. Costs of legal, accounting, and consulting services, and related costs incurred in the prosecution of claims against the Government are unallowable.
- d. Written agreements shall be executed between the parties which detail the responsibilities, standards, and fees.
- e. Compensation for Consultants. No person employed as a consultant, or by a firm providing consultant services, shall receive more than a reasonable rate of compensation for personal services paid with HPF funds, or when such services are contributed as nonfederal share. This rate shall not exceed the maximum daily rate of compensation in the Federal Civil Service equal to 120 percent of a GS-15, step 10 salary (as of January 2007, this limit is \$660 per day, or \$172,165 divided by 2,087 hours (Federal work year) rounded to the next whole dollar, or \$82.49 per hour).

When consultant services rates exceed this rate, only the amount up to that rate can be charged to the HPF grant, or be claimed as nonfederal matching share costs. Where consultants are hired at salaries above that rate, the excess costs must be paid outside the historic preservation grant (and nonfederal share).

- f. For nonprofit grantees, also see OMB Circular A-122, Item 35.

21. Public Information Services Costs. Public information services costs include the costs associated with newsletters, pamphlets, news releases, films, videotapes, and other forms of historic preservation related information services.

- a. Allowable costs are those normally incurred to: 1) inform or instruct individuals, groups, or the general public about specific historic preservation activities, accomplishments, and issues that result from performance of the HPF grant; 2) interest individuals and organizations in participating in HPF grant supported programs of the grantee and the achievement of NPS approved

work program objectives; 3) provide necessary stewardship reports to State and local government agencies, contributing organizations, and the like; or to 4) disseminate the results of grantee sponsored activities to preservation professionals, interested organizations, and the general public.

- b. Within the foregoing parameters, public information services which (1) are not directly related to historic preservation or NPS approved activities, or (2) are costs related to fundraising appeals are unallowable. Public information costs are allowable as direct costs only. For nonprofit organizations, see OMB Circular A-122, Item 37.
22. Publication and Printing Costs. Costs of printing and reproduction services necessary for grant administration, including but not limited to forms, manuals, the State Comprehensive Historic Preservation Plan, annual subgrant application instructions, and informational literature, are allowable. Publication costs of reports or other media relating to HPF grant program accomplishments or results are allowable when necessary to comply with grant supported program or project requirements, such as Final Project reports, publications undertaken at the written direction of NPS, as well as other publications necessary for grant assisted program administration. In addition, for nonprofit organizations, see OMB Circular A-122, Item 38.
  23. Research. Costs of historical, architectural, and archeological research necessary for project accomplishment are allowable. Purely archival research is unallowable.
  24. Royalties and Other Costs for Use of Patents and Copyrights. In addition, for nonprofit grantees, refer to OMB Circular A-110 and Circular A-122, Item 44. Payment of royalties is allowable unless patent or copyright is invalid or the Federal Government has a right of royalty-free use (which is a requirement for all grant-assisted publications).
  25. Training and Education. The cost of training for employee development is allowable. For nonprofit grantees, see OMB Circular A-122, Item 49.
  26. Travel. Travel costs are allowable for expenses for transportation, lodging, subsistence, and related items incurred by employees traveling on official business incident to the HPF grant program when such costs are consistent with the State of Oklahoma rules on travel. Lodging costs must be documented by a receipt in order to be eligible for reimbursement under the HPF grant.

The difference in cost between first class air accommodations and less than first class accommodations is unallowable except when less than first class accommodations are not reasonably available, and the provisions of OMB Circular A-87, Item B.41(c) are met. Foreign travel costs are allowable only with prior written approval of NPS.

Notwithstanding the provisions of the manual referenced in the Introduction, travel costs of officials are covered by those subsections, when specifically

and directly related to the HPF grant program, are allowable with the prior written authorization of NPS. For nonprofit grantees, see OMB Circular A-122, Item 51. The maximum allowable mileage rate can be confirmed by consulting <http://www.policyworks.gov/org/main/mt/homepage/mtt/pov.htm>.

### C. Unallowable Costs

1. Archival Research. Costs of purely archival research are unallowable. Grant-assisted research must directly relate to achieving the purposes of the HPF grant program.
2. Alcoholic Beverages. Costs of Alcoholic Beverages are unallowable.
3. Bad Debts. Any losses arising from uncollectible accounts and other claims, and related collection costs, are unallowable.
4. Contingencies. Contributions to a contingency reserve or any similar provision made for events the occurrence of which cannot be foretold with certainty as to time, or intensity, or with an assurance of their happening, are unallowable. (The term “contingency reserve” excludes self-insurance, pension plan, and post-retirement health benefit reserves computed using acceptable actuarial cost methods.)
5. Contributions and Donations.
  - a. Charitable contributions and donations of grant funds, property, or grant-assisted services are unallowable. For nonprofit grantees, see OMB Circular A-122, Item 8, and see discussion of donations in A-122, Item 10.
  - b. The value of services donated by employees or other persons paid with HPF grant funds or other Federal funds is unallowable.
  - c. Donated goods (i.e., expendable personal property/supplies and donated use of space) may be furnished to a grantee, subgrantee, or grant supported contractor. The value of the goods and space is not reimbursable as a direct or indirect cost. However, the value of the donations may be used to meet matching share requirements when determined in accordance with the conditions described in the manual referenced in the Introduction.
6. Curation. Costs of curation or exhibition of artifacts or other materials after the project end date are unallowable.
7. Entertainment. Costs of entertainment, including amusements, social activities, and any costs directly associated with such costs (such as tickets to shows or sports events, meals, lodgings, rentals, transportation, and gratuities) are unallowable. For nonprofit grantees, see OMB Circular A-122, Item 12.
8. Equipment. Equipment and other capital expenditures are unallowable as indirect costs.
9. Federal Properties. Costs related to federally owned properties are not eligible for HPF assistance. (However, see the manual referenced in the Introduction for allowable costs for surveys on Federal lands.) Note that the Consolidated Rail Corporation is not an instrumentality of the Federal Government and is therefore eligible for grant assistance. (See 45 U.S.C. 741b.)

10. Fines and Penalties. Fines, penalties, damages, and other settlements resulting from violations (or alleged violations) of, or failure of the grantee to comply with, Federal, State, local, or Indian tribal laws and regulations are unallowable, except when incurred as a result of compliance with specific provisions of the Federal award or written instructions by NPS authorizing in advance such payments. For nonprofit grantees, see OMB Circular A-122, Item 14.
11. Fundraising and Investment Management Costs. Expenses and costs of organized fundraising, including financial campaigns, endowment drives, solicitation of gifts and bequests, investment counsel, and similar expenses incurred to raise capital or obtain contributions are unallowable. For nonprofit grantees, see OMB Circular A-122, Item 19 for other unallowable fundraising costs.
12. HABS/HAER Costs for Federal Supervision. Payments of HPF grant funds to Federal officials supervising or otherwise administering HABS/HAER projects are not allowable.
13. Indirect Costs to Individuals. Indirect costs to individuals under grantee awarded subgrants and contracts are not allowable. "Overhead" or administrative support costs must be charged on a direct cost basis and documented by appropriate supporting documentation.
14. Interest and Other Financial Costs. Costs incurred for interest on borrowed capital or the use of a grantee's own funds, however represented, are unallowable, except as specifically provided for or when authorized by Federal legislation. For nonprofit organizations, costs incurred for interest on borrowed capital or temporary use of endowment funds, however represented, are unallowable, except to acquire capital assets and equipment by purchase or lease agreements on assets acquired after September 29, 1995. (See OMB Circular A-122, Item 19.)

Payment of interest penalties for late payment of bills to contractors is prohibited by the Prompt Payment Act (31 U.S.C. 3901 *et. Seq.*). That Act specifies:

“(A) in no case shall an obligation to pay such interest penalties be construed to be an obligation of the United States,” and

“(B) any payment of such interest penalties shall not be made from funds provided to the grant recipient by a Federal agency, nor shall any nonfederal funds expended for such interest penalties be counted toward any matching requirement applicable to that grant.”

15. Interpretive Expenses. Interpretive expenses, such as staff salaries or maintenance of interpretive devices (with the exception of purchase and installation costs for such devices) are unallowable.
16. Lobbying. The cost of certain activities associated with obtaining grants, contracts, cooperative agreements, or loans is an unallowable cost. Lobbying

with respect to HPF grants, contracts, cooperative agreements, and loans shall be governed by 31 U.S.C. 1352 and the provisions of the Common Rule “New Restrictions on Lobbying,” published in the *Federal Register* (55 FR 6736) on February 26, 1990, as well as the Office of Management and Budget’s “Governmentwide Guidance for New Restrictions on Lobbying” and the associated notices published in the *Federal Register* at 54 FR 52306 (December 20, 1989), at 55 FR 24540 (June 15, 1990), and at 57 FR 1772 (January 15, 1992). The costs associated with activities or any form of communication designed to influence in any manner a Member of Congress to favor or oppose any legislation or appropriation are unallowable. In addition, all recipients of Federal grant assistance over \$100,000 must certify on the DI-2010 Form that they will not use grant funds for lobbying expenses.

The cost of membership in the National Conference of State Historic Preservation Officers is an allowable cost.

- a. Lobbying Provisions for Nonprofit Organizations. For nonprofit organizations, notwithstanding other provisions of OMB Circular A-122, costs associated with the following activities are unallowable:
  - 1) Attempts to influence the outcomes of any Federal, State, or local election, referendum, initiative, or similar procedure, through in-kind or cash contributions, endorsements, publicity, or similar activity;
  - 2) Establishing, administering, contributing to, or paying the expenses of a political party, campaign, political action committee, or other organization established for the purpose of influencing the outcomes of elections;
  - 3) Any attempt to influence: the introduction of Federal or State legislations; or the enactment or modification of any pending Federal or State legislation:
    - a) through communication with any member or employee of the Congress or State legislature (including efforts to influence State or local officials to engage in similar lobbying activity), or with any government official or employee in connection with a decision to sign or veto enrolled legislation; or
    - b) by preparing, distributing or using publicity or propaganda, or by urging members of the general public or any segment thereof to contribute to or participate in any mass demonstration, march, rally, fundraising drive, lobbying campaign or letter writing or telephone campaign; or
    - c) Legislative liaison activities, including attendance at legislative sessions or committee hearings, gathering information regarding legislation, and analyzing the effect of legislation, when such activities are carried on in support

of or in knowing preparation for an effort to engage in unallowable lobbying.

- b. Exceptions. The following activities are excepted from the provisions detailed above:
- 1) Providing a technical and factual presentation of information on a topic directly related to the performance of a grant, contract or other agreement through hearing testimony, statements or letters to the Congress or a State legislature, or subdivision, member, or cognizant staff member thereof, in response to a documented request in accordance with the stipulations of OMB Circular A-122, Attachment B, Item 21.b.
  - 2) Any lobbying made unallowable by subsection a.3), above, to influence State legislation in order to directly reduce the cost, or to avoid material impairment of the organization's authority to perform the grant, contract, or other agreement.
  - 3) Any activity specifically authorized by statute to be undertaken with funds from the grant, contract, or other agreement.
- c. Indirect Costs.
- 1) When an organization seeks reimbursement for indirect costs, total lobbying costs shall be separately identified in the indirect cost rate proposal, and thereafter treated as other unallowable activity costs in accordance with the procedures of paragraph B.3 of Attachment A of OMB Circular A-122.
  - 2) Organizations shall submit as part of their annual indirect cost rate proposal a certification that the requirements and standards of this paragraph have been complied with.
  - 3) Organizations shall maintain adequate records to demonstrate that the determination of costs as being allowable or unallowable pursuant to paragraph B.21 of Attachment A of OMB Circular A-122 complies with the requirements of that Circular.
  - 4) Time logs, calendars, or similar records shall not be required to be created for the purposes of complying with this section during any particular calendar month when: (1) the employee engages in lobbying, as defined in subsection a. and b. (above), 25% or less of the employee's compensated hours of employment during that calendar month, and (2) within the preceding five-year period, the organization has not materially misstated allowable or unallowable costs of any nature, including legislative lobbying costs. When conditions (1) and (2) above are met, organizations are not required to establish records to support the allowability of claimed costs in addition to records already required or maintained. Also, when conditions (1) and (2) above are met, the absence of time logs, calendars, or similar records will not serve as a basis for

disallowing costs by contesting estimates of lobbying time spent by employees during a calendar month.

17. Meals. Costs of meals for grantee employees, Review Board members (including any other State oversight or advisory boards), or CLG Commission members are unallowable except as per diem when such persons are on travel status in conjunction with activities eligible for HPF assistance.
18. Museums. Costs of museum exhibits, staff salaries, and other administrative expenses, including maintenance, are unallowable, if they are not directly related to HPF eligible activities.
19. Nonconformance with Applicable Secretary of the Interior's Standards. Work performed under grants, subgrants, or other contractual arrangements that do not conform to the applicable Secretary's Standards are unallowable costs.

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## **CHAPTER 3**

### **MATCHING SHARE**

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- A. Purpose and Scope. This chapter sets forth the criteria and procedures for the allowability and evaluation of cash and in-kind contributions made by subgrantees in satisfying matching share requirements.
- B. Definitions.
1. Cash Contributions. Cash contributions represent the subgrantee's cash outlay. Unless authorized by Federal legislation, outlays charged to other Federal grants or to Federal contracts or funds received from other Federal grants shall not be used as part of the subgrantee's cash contribution except as specified in the subgrant agreement.
  2. In-kind Contributions. In-kind contributions represent the value of noncash contributions provided by the subgrantee. Only when authorized by Federal legislation may property purchased with Federal funds be considered as the subgrantee's in-kind contribution. In-kind contributions may consist of charges for real property, nonexpendable personal property, and the value of goods and services directly benefiting and specifically identifiable to approved objectives of the grant-supported program.
  3. Grant costs. Grant costs are the sum of the allowable costs by the subgrantee and the values of the cash or allowable in-kind contributions made by the subgrantee in lieu of cash to accomplish the objectives of the subgrant agreement during the grant period.
  4. Grant period. The grant period is the span of time stipulated in the subgrant agreement, usually 12 months, during which all nonfederal share is contributed and during which all work to be accomplished under the terms of the agreement must be completed.
  5. Matching share. In general, matching share (or "cost sharing") represents that portion of total project or program costs not borne by the Federal Government.
- C. Contributions. All contributions, whether cash or in-kind, will be accepted as an eligible matching share when such contributions meet all of the following criteria:
1. Are verifiable from the subgrantee's records;
  2. Are not included as matching contributions for any other federally assisted program or any Federal contract (i.e., are not double counted);
  3. Are necessary and reasonable for proper and efficient accomplishment of approved grant objectives;
  4. Are incurred and contributed within the grant period;
  5. Are types of costs which are allowable under the "Costs" section;
  6. Are not paid by the Federal Government directly or indirectly under another assistance agreement unless authorized by Federal law to be used for cost sharing or matching;
  7. Are provided for in the approved subgrant agreement; and
  8. Conform to other provisions.

- D. Allowability. General principles for establishing the allowability of matching share are as follows:
1. Although NPS and the SHPO prefer and encourage subgrantees to make required contributions in cash, either cash or in-kind contributions of goods, property, services, or combinations of these, can qualify for and meet matching share requirements when the criteria above are met, and the contribution is made during the grant period. Cash contributions by subgrantees applied as matching share are to be treated exactly like Federal grant funds.
  2. In-kind contributions must be fairly valued and must be of such nature that, if the Federal share had been used to pay for the contribution, the grantee would have incurred an allowable cost. In-kind contributions are eligible only to the extent that they represent actual necessary costs for which Federal funds could be applied for project or program objectives. Any grant funds applied in excess of actual cost would constitute an unallowable profit to the grantee or subgrantee.
  3. Following grant approval, nonfederal share contributions of cash will be recorded as they occur. All in-kind contributions of cash will be recorded in the ledger accounts as grant costs when the in-kind services performed or goods received must be maintained on a current basis. (Note: After-the-fact certification for personnel costs contributed by University subgrantees is allowable if documentation is prepared in accordance with OMB Circular A-21, Section J.6.)
- E. Timing of Contributions. Matching share (as with costs borne by the Federal share) will not be allowable if contributed prior to the effective date of the subgrant award whether or not the cost would have been allowable if incurred after such date, unless the SHPO has given written approval in advance in accordance with Federal instruction.
- F. Relationship of Costs of Grant Period.
1. General. To be eligible for matching assistance, costs must have been incurred within the approved grant period, with the specific exceptions described above. SHPO does not reimburse obligations regardless of when they are assumed; it reimburses eligible costs incurred during the NPS approved grant period. Costs incurred, or contributions of services made or assets acquired prior to or subsequent to the grant period authorized by the SHPO, unless specified in the subgrant agreement, are not allowable.
- G. Valuation of In-Kind Contributions.
1. Valuation of volunteer services. Volunteer services may be furnished by professional and technical personnel, consultants, and other skilled and unskilled labor. Volunteered services may be counted as matching share if they are an integral and necessary part of an approved project.

2. Rates for volunteer services.

- a. Each hour of volunteer service may be counted as nonfederal share if the service is an integral and necessary part of the approved work. Volunteer services charged to the grant must be such as will make a meaningful and desirable contribution. Volunteers must possess the required qualifications in the skill or profession involved and must actually perform that specific work.
- b. Rates claimed for volunteer services must be consistent with those regular rates paid for similar work in other activities of the State Government. In those instances in which the skills required for the HPF-assisted work are not found in the State Government, rates used must be consistent with those paid for similar work in the labor market in which the subgrantee competes for the kind of services involved.
- c. If a volunteer performs services outside his profession or trade, this volunteer's time must be valued at the Federal minimum wage rate unless a higher rate can be documented as applicable and is approved by the SHPO. All such rates are subject to NPS field and audit review.
- d. The use of volunteer services must be documented by the same methods used by the subgrantee for its own employees.

H. Required Supporting Documentation for Volunteer Services. All volunteer services claimed as nonfederal share must be substantiated by time cards or records that are signed by both the volunteer and his supervisor, as required for all other employees of the subgrantee. Such records must show the actual hours worked and the specific duties performed. The records should also indicate the basis for determining the rate of the volunteer's contributions, and such documentation must be made available for audit (see Exhibit 3-A at the end of this chapter).

I. Valuation of Donated Expendable Personal Property. Expendable personal property includes such items as expendable equipment, office supplies, laboratory supplies, or workshop supplies. Values assessed to donated or contributed expendable personal property included as matching share must be reasonable and must not exceed the fair market value at the time of donation. The basis for determining the valuation must be documented and available for an audit.

J. Valuation of Donated Nonexpendable Personal Property.

1. The valuation of donated nonexpendable personal property shall not exceed the fair market value of equipment of the same age and condition at the time of donation. The amount allowable as matching share shall be determined as if the subgrantee had paid the fair market value of the personal property at the time of the transfer (see Exhibit 3-B at the end of this chapter).

2. Donation for Use. If only use of personal property is donated as a loan, the amount allowable as matching share shall be determined as if the subgrantee had paid the fair rental value at the time of the donation (see Exhibit 3-C for equipment use at the end of this chapter).

**VALUE OF DONATED LABOR**  
**TIME SHEET**  
**HISTORIC PRESERVATION FUND**

**RETAIN FOR AUDIT**

---

Project Name and Number

---

Name of Person Contributing Donated Time

---

Kind of Work Performed (Laborer, Plumber, Etc.)

Hourly Rate Based On: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A person donating his/her time to a project will be paid as a general laborer unless he/she is professionally skilled in the work he is performing on the project (i.e., plumber doing work on pipes, mason doing work on a brick building). When this is the case, the wage rate this individual is normally paid for performing his service may be charged to the project. A general laborer's wages may be charged at the rate which the city or county in the immediate area pays its employees for performing similar duties.

Date	Time of Work				Total Work Hours	Hourly Rate	Value
	Start	End	Start	End			
Total Value of Donation							

\_\_\_\_\_  
Signature Required Verifying Record

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Person Donating Time

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Verifying Accuracy

\_\_\_\_\_  
Date

**VALUE OF DONATED EQUIPMENT USE**

**HISTORIC PRESERVATION FUND**

**RETAIN FOR AUDIT**

\_\_\_\_\_  
Project Name and Number

\_\_\_\_\_  
Donor

Value of Donated Material

Date	Time & Size of Equipment	Total Hours of Use	Hourly Rate*	Value of Donation (Hours of Use X Hourly Rate)	Equipment Operator's Signature

- Hourly Rate is determined from attached State Highway Department Use Rate Schedule

Total Value of Donation \_\_\_\_\_

\_\_\_\_\_  
Verifying Official's Signature

\_\_\_\_\_  
Date

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## **CHAPTER 4**

### **PROCUREMENT**

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All contracts awarded where Historic Preservation Fund (HPF) assistance and the matching funds are used for payment must follow applicable State and Federal contracting procedures.

### **GENERAL CONTRACTING PROCEDURES AND PROVISIONS.**

The following General Contracting Procedures and Provisions apply to all recipients of HPF funds regardless of the amount of grant funds received.

- A. Code of Conduct. Subgrantees will maintain a written code or standards of conduct which shall govern the performance of their officers, employees, or agents engaged in the award and administration of contracts supported by HPF funds. No employee, officer, or agent of the subgrantee shall participate in the selection, or in the award or administration of a contract supported by Federal funds, if a conflict of interest, real or apparent, would be involved.

Such a conflict would arise when any of the following has a financial or other interest in the firm selected for award: (1) the employee, officer, or agent; (2) any member of his immediate family; (3) his or her partner; or (4) an organization which employs, or is about to employ, any of the above.

The subgrantee's officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subgrant agreements.

- B. Contracting with Minority Business Enterprise and Woman Business Enterprise Firms.

1. It is the Federal Government's policy to award a fair share of contracts to Minority Business Enterprises (MBEs) and Woman Business Enterprises (WBEs). In accordance with 43 CFR 12.76 (or 43 CFR 12.944 for nonprofit organizations), affirmative steps must be taken to assure that MBEs/WBEs are utilized when possible as sources of supplies, equipment, construction, and services. The affirmative steps shall include the following:

- ◆ Including qualified MBEs/WBEs on solicitation lists;
- ◆ Assuring that MBEs/WBEs are solicited once they are identified;
- ◆ When economically feasible, dividing total requirements into smaller tasks or quantities so as to permit maximum MBE/WBE participation;
- ◆ Where feasible, establishing delivery schedules which will encourage MBE/WBE participation;
- ◆ Encouraging use of the services of the U.S. Department of Commerce's Minority Business Development Agency

(MBDA) and the U.S. Small Business Administration to identify MBEs/WBEs, as required;

- ◆ If any subcontracts are to be let, requiring the prime contractor to take the affirmative steps listed above.

2. Minority Business Enterprise (MBE). An MBE is a business concern that is (1) at least 51 percent owned by one or more minority individuals, or, in the case of a publicly owned business, at least 51 percent of the stock is owned by one or more minority individuals; and (2) whose daily business operations are managed and directed by one or more of the minority owners. Executive Order 11652 designates the following:

- a. Black American (with origins from Africa);
- b. Hispanic American (with origins from Puerto Rico, Mexico, Cuba, South or Central America);
- c. Native American (American Indian, Eskimo, Aleut, or native Hawaiian);
- d. Asian-Pacific American (with origins from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia, Northern Marianas, Laos, Cambodia, Taiwan, or the Indian subcontinent); or
- e. Other groups whose members are U.S. citizens and are found to be disadvantaged by the Small Business Administration pursuant to section 8(d) of the Small Business Act as amended (15 U.S.C. 637(d)), or the Secretary of Commerce.

3. Women's Business Enterprise (WBE). A WBE is a business concern that is,

- a. at least 51 percent owned by one or more women, or, in the case of a publicly owned business, at least 51 percent of the stock is owned by one or more women; and
- b. whose daily business operations are managed and directed by one or more of the women owners. Business firms which are 51 percent owned by minorities or women, but are in fact managed and operated by non-minority individuals do not qualify for meeting MBE/WBE procurement goals.

4. Subgrantees are encouraged to procure goods and services from labor surplus areas.

- C. Types of Contracts. The types of contracts which are allowable when Federal funds are involved include cost reimbursement contracts, firm fixed-price contracts, fixed-price incentive contracts, or cost-plus-a-fixed-fee contracts. Other types of special contracts may be acceptable, depending upon the individual circumstances. However, cost-plus-a-percentage-of-cost and percentage-of-construction-cost contracts may not be used under any circumstances, and costs incurred under these types of contracts are unallowable.
- D. Contract Pricing Prohibitions. Neither the cost-plus-a-percentage-of-cost nor the percentage-of-construction-cost method of contracting shall be used.
- E. Selection Procedures.
1. All procurement transactions, regardless of whether by sealed bids or by negotiation, and without regard to dollar value, shall be conducted in a manner that provides maximum open and free competition. Procurement procedures shall not restrict or eliminate competition. Examples of what is considered to be restrictive of competition include, but are not limited to:
    - a. placing unreasonable requirements on firms in order for them to qualify to do business,
    - b. noncompetitive practices between firms,
    - c. organizational conflicts of interest, and
    - d. unnecessary experience and bonding requirements.
  2. The grantee shall have written selection procedures which stipulate that:
    - a. Solicitation of offers, whether by competitive bids or competitive negotiation, shall:
      - 1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured but which does not unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured, and shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. (Detailed product specifications should be avoided.) When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equal” description may be used. The specific features of the named brand which must be met by offerors shall be clearly stated.

- 2) Clearly set forth all requirements which offerors must fulfill and all other factors to be used in evaluating bids or proposals, such as a deadline for completion of project work.
  - b. Contract awards shall be made only to responsible contractors that possess the potential ability to perform successfully under the terms and conditions of proposed procurement. Contractor integrity, compliance with public policy, record of past performance, and financial and technical resources should be considered. (Note: evidence of default, adverse record of past performance, or related factors are necessary to demonstrate lack of responsibility.)
  - c. Contract awards shall not be made to a former employee, contractor or professional who has developed or has drafted bid specifications, requirements, a statement of work, an invitation for bids, and/or a request for proposals for a particular procurement. Project records must include evidence of an analysis by the SHPO that the solicitation or specifications were nonrestrictive.
- F. Methods of Procurement. Procurement under HPF grants shall be made by one of the following methods: 1) small purchase procedures; 2) competitive sealed bids (formal advertising); 3) competitive negotiation; or 4) noncompetitive negotiation (see below concerning required documentation). In all procurement of goods and services under the terms of the subgrant agreement, it is important that sound reasons exist for acquisition of the goods or services and that fair and open selection of the vendor/contractor is conducted. The following requirements are consistent with Federal **and** State purchasing requirements and must be followed if costs for goods or services are to be counted as either part of the federal or the nonfederal matching share of the grant assisted project.
1. Small Purchases.
    - a. For procurement of goods and services costing in aggregate less than \$5,000, the subgrantee may purchase the item or service from any source available. However, in the interest of efficient use of grant funds, at least three (3) cost estimates should be obtained for the item. Documentation of the estimates should be included with the request for reimbursement supporting documentation submitted to the State Historic Preservation Office.
    - b. For procurement of goods and services costing in aggregate from \$5,000 to \$9,999, the subgrantee must obtain at least three (3) written cost proposals (bids) for the item.

Documentation of the specifications for the purchase and the three bids must be included with the request for reimbursement supporting documentation submitted to the State Historic Preservation Office. The subgrant agreement may stipulate other requirements for purchases in this cost range.

2. Equipment Purchases. Any purchase of equipment allowed under the terms of a subgrant agreement and costing \$2,500 or more must first have the written approval of the State Historic Preservation Office. The request for SHPO approval shall document the Subgrantee's efforts to obtain at least three (3) bids from vendors and include the bid specifications presented to prospective bidders, as well as documentation of compliance with any special conditions stipulated in the subgrant agreement. Requirements concerning the subgrantee's continued use of or disposition of equipment purchased with grant funds after the grant-assisted activity is completed shall be detailed in the letter authorizing the acquisition of the item. It should be noted that equipment purchases are not allowed under the terms of most subgrant agreements and that the SHPO will consider no requests from subgrantees to purchase equipment when its Request for Proposals specifically stated no equipment purchases are allowable under the particular subgrant.
3. Professional Services. When accomplishment of the work outlined in the subgrant agreement necessitates the subgrantee retaining professional services expected to cost \$10,000 or more, the following procedure shall be initiated and documentation shall be provided to the State Historic Preservation Office.
  - a. Solicit qualified person(s)/firm(s) to carry out the proposed work. The subgrantee must publish requests for proposals in a major newspaper in general distribution within the area affected by the project. The notice must appear at least three (3) times in that publication or appear once in three separate papers, journals, trade publications, etc. Posting of the solicitation in public places is also encouraged.
  - b. The subgrantee must allow a thirty (30) day period for response to the solicitation.
  - c. A copy of the published advertisement and proof of payment for publication must be provided with the first request for reimbursement. (The cost of publishing the notice is an eligible expense of the grant-assisted project.)
  - d. The subgrantee shall establish a committee to evaluate the proposals received in accordance with the above. Proposals shall be evaluated on the basis of the offeror's past experience, performance on other projects, capacity to perform the work required under the terms of the subgrant agreement, familiarity

with the type of problems that might be encountered in such projects, and the estimated cost.

4. The request for proposals shall contain the deadline for submission of proposals, submission information (address to deliver or mail the proposal, etc.), an Acknowledgement of Support Statement (see Chapter 7), a Nondiscrimination Statement (see Chapter 7), time frame for completion of the work, clear statement of the scope of work, contract type, proposal contents required, and factors for the award.

### **PROCUREMENT RECORDS**

The subgrantee must provide the following documentation to the State Historic Preservation Office to support all procurement involving federal funds:

- A. A copy of the solicitation;
- B. A description of the methods of publicizing the solicitation, including dates and places of publication and posting;
- C. Copies of the responses received;
- D. Method and justification of contractor selection;
- E. Bid tabulation;
- F. Abstract of bids and proposals;
- G. Justification of the use of negotiation (if used);
- H. Negotiation memorandum stating that the prices are fair and reasonable;
- I. A copy of the signed and dated contract; and
- J. Evidence of satisfactory completion of the contract.

### **REQUIRED CONTRACT PROVISION**

- A. Contracts for other than small purchases shall contain provisions for conditions which will allow for administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and shall provide for such sanctions and penalties as appropriate.
- B. All contracts shall:
  1. Describe conditions under which the contract may be terminated for default;
  2. Describe conditions where the contract may be terminated because of circumstances beyond the control of the contractor; or
  3. Contain suitable provisions for termination by the grant recipient, including the manner by which it will be affected and the basis for settlement.

## **CHAPTER 5**

### **REPORTING REQUIREMENTS**

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## **Guidelines for Progress Reports**

As the State Historic Preservation Office must monitor the progress of subgrant projects, each Subgrantee must submit progress reports in accordance with the schedule set forth in the subgrant agreement. The due dates for submission of reports are the tenth of the month unless otherwise specified in the subgrant agreement (Subgrant Stipulations). The report format presented in Exhibit 5-A of this chapter must be utilized. Subgrantees may simply Xerox the report form from this chapter or use the electronic version available on the accompanying CD. Complete the entire report including the effort and outlay sections. Do not forget to sign the report.

The progress reports must be complete, accurate, and timely. When narrative form answers are required, the Subgrantee must be specific and provide enough information for the State Historic Preservation Office to determine that adequate progress has been made to insure that project work can be completed on schedule. Also, it must be clear that the work conducted was in keeping with the project scope set forth in the subgrant agreement.

A complete progress report not only has all items completed but has attached to it any documents or other items specified in the subgrantee agreement project schedule. For example, draft survey reports, bibliographies, draft National Register nominations, survey forms, or draft brochure copy must be submitted with the appropriate progress report. Failure to provide these materials on schedule will only result in delays of reimbursement. When a subgrantee is repeatedly delinquent in the submission of complete progress reports, termination of the subgrant agreement may result.

Reimbursement requests are processed promptly upon receipt. However, if complete and accurate requests are not submitted, delays will result. Inaccurate or incomplete requests for reimbursement will be returned to the subgrantee for correction. **Requests for reimbursement will be held until complete progress reports are received and reviewed by the SHPO staff.**

## **Guidelines for Preparing Final Project Reports**

Within thirty (30) days of the project ending date, the Subgrantee must submit an acceptable Final Project Report to the State Historic Preservation Office. The format provided in Exhibit 5-B must be used. The Subgrantee may copy the form from this document for his/her convenience or use the electronic copy available on the accompanying CD. Letters or other formats **will not** be acceptable. The report must be typed or computer generated. The final reimbursement specified in the subgrant agreement will be withheld until an acceptable Final Project Report is received.

All items of the report format must be completely and accurately addressed. It is important that the Subgrantee note the Final Project Report is in addition to other report documents, such as reports of survey activity, produced under the terms of this subgrant agreement.

### **Special Provisions**

Responsible management of subgrant-assisted projects requires careful attention to project schedules and reporting deadlines. The State Historic Preservation Office will not send reminders about report deadlines. Failure to comply with this provision of the subgrant agreement may result in termination of the subgrant agreement.

**REPORT PERIOD:** \_\_\_\_\_

**PROGRESS REPORT**  
**FOR NON-CONSTRUCTION PROJECTS**

**A. Project Identification:**

1. Project Number: \_\_\_\_\_
2. Project Title: \_\_\_\_\_
3. Person Reporting: \_\_\_\_\_
4. Address: \_\_\_\_\_
5. Telephone Number: \_\_\_\_\_

---

---

**B. Work Accomplished during the Report Period**

1. Provide a detailed summary of the work accomplished during the month. Explain how the progress related to the project schedule set forth in the subgrant agreement.



4. Provide the monthly figures for each item below as appropriate to the project for which this report is submitted. Also, the subgrantee must provide the total of project effort and products from the beginning of the project (Aggregate Total). (This total should equal the sum of monthly data previously reported.)

<u>Survey Project Items</u>	<u>Monthly Total</u>	<u>Aggregate Total</u>
a. Man hours expended	_____	_____
b. Properties documented at a minimum level for the state inventory	_____	_____
c. Properties documented at the National Register level	_____	_____
d. Square miles surveyed at a reconnaissance level	_____	_____
e. Square miles surveyed at an intensive level	_____	_____
<u>Planning Project Items</u>	<u>Monthly Total</u>	<u>Aggregate Total</u>
a. Man hours expended	_____	_____
b. Documents resulting from the project	_____	_____
<u>National Register Project Items</u>	<u>Monthly Total</u>	<u>Aggregate Total</u>
a. Man hours spent	_____	_____
b. National Register nominations prepared	_____	_____
	<u>Total Nominations</u>	<u>Contributing Properties</u>
Individual Property	_____	_____
District	_____	_____
Thematic	_____	_____
Multiple Resource	_____	_____

<u>“Other” Projects</u>	<u>Monthly Total</u>	<u>Aggregate Total</u>
a. Man hours spent	_____	_____
b. Number of Products (Specify)	_____	_____
_____	_____	_____
_____	_____	_____

**C. Project Outlay for the Report Period**

	Federal Expended	Share	Matching Expended	Share
1. <u>Monthly Total Expended</u>	_____	_____	_____	_____
2. <u>Aggregate Total Expended</u>	_____	_____	_____	_____
3. Balance Remaining	_____	_____	_____	_____

**D. CERTIFICATION:**

I hereby certify the above information is complete and accurate to the best of my knowledge and that all work has been conducted in accordance with the requirements set forth in the subgrant agreement.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**FINAL PROJECT REPORT**  
**FOR**  
**NON-CONSTRUCTION PROJECTS**

**A. PROJECT IDENTIFICATION:**

1. Project Number: \_\_\_\_\_
  2. Project Title: \_\_\_\_\_
  3. Person Reporting: \_\_\_\_\_
  4. Address: \_\_\_\_\_
  
  5. Telephone Number: \_\_\_\_\_
- 
- 

**B. MAJOR WORK ELEMENTS:**

1. Describe any difference between the planned major elements of work and those actually performed. Provide reasons for these differences. (Insert additional pages if necessary.)

**C. COST ANALYSIS:**

- For each major cost category, compare the planned expenditure to the actual expenditure. The analysis must reflect both the Federal and Match shares.

<b>Cost Category</b>	<b>Planned Federal Expenditures</b>	<b>Planned Matching Share</b>	<b>Federal % Variance</b>	<b>Actual Federal Expenditures</b>	<b>Actual Matching Share</b>
<b>TOTALS</b>					

2. Actual Costs

Total Project Cost: \_\_\_\_\_  
 Total Federal Share Expended: \_\_\_\_\_  
 Total Matching Share Expended: \_\_\_\_\_

3. Provide a complete and accurate breakdown of the non-federal matching share expended. Complete the following information using as many sections as may be necessary. A section must be completed for each donor involved and/or for different kinds of matching share (cash, each individual as donated services, eligible indirect costs, etc.).

Format examples:

*Donor: City of Clear Lake*

*Source: Planner/Salary*

*Kind: Inkind*

*Amount: \$5,000/333.3hrs @ \$15/hr*

*Donor: City of Clear Lake*

*Source: Grants Manager/Salary*

*Kind: Inkind*

*Amount: \$2,000/95hrs @ \$21.05/hr*

- a. Donor: \_\_\_\_\_  
 Source: \_\_\_\_\_  
 Kind: \_\_\_\_\_  
 Amount: \_\_\_\_\_
- b. Donor: \_\_\_\_\_  
 Source: \_\_\_\_\_  
 Kind: \_\_\_\_\_  
 Amount: \_\_\_\_\_
- c. Donor: \_\_\_\_\_  
 Source: \_\_\_\_\_  
 Kind: \_\_\_\_\_  
 Amount: \_\_\_\_\_
- d. Donor: \_\_\_\_\_  
 Source: \_\_\_\_\_  
 Kind: \_\_\_\_\_  
 Amount: \_\_\_\_\_
- e. Donor: \_\_\_\_\_  
 Source: \_\_\_\_\_  
 Kind: \_\_\_\_\_  
 Amount: \_\_\_\_\_
- f. Donor: \_\_\_\_\_  
 Source: \_\_\_\_\_  
 Kind: \_\_\_\_\_  
 Amount: \_\_\_\_\_

*(For additional donors, please attach a separate page.)*

**D. CHANGES IN SCOPE OF WORK:**

If a change in the project scope required National Park Service approval through the State Historic Preservation Office, explain the change, the reasons the change was necessary, and the date NPS approved the change. (Insert additional pages if necessary.)

**E. PUBLICATIONS:**

If the scope of work called for publication of a document, ten (10) copies must be submitted to the State Historic Preservation Office with this report. If the publication is not available when this report is due, provide the date when the publication will be available. If a publication was not part of the project work, simply place an X for that option below.

Publications Included with this Report: \_\_\_\_\_  
Date Publication Available: \_\_\_\_\_  
Not Applicable/No Publications: \_\_\_\_\_

---

**F. SUMMARY OF EFFORT AND PRODUCTS:**

Provide the total figures for each item below as appropriate to the project for which this report is submitted.

1.	<u>SURVEY PROJECT ITEMS</u>	<u>TOTAL</u>
	a. Man hours expended:	_____
	b. Properties documented at a minimum level for the state inventory	_____
	c. Properties documented at the National Register level	_____
	d. Square miles surveyed at a reconnaissance level	_____
	e. Square miles surveyed at an intensive level	_____
2.	<u>PLANNING PROJECT ITEMS</u>	<u>TOTAL</u>
	a. Man hours expended:	_____
	b. Documents resulting from the project	_____

3. NATIONAL REGISTER PROJECT ITEMS TOTAL

a. Man hours expended: \_\_\_\_\_

b. National Register nominations prepared \_\_\_\_\_

<u>Type</u>	<u>Total Nominations</u>	<u>Contributing Properties</u>
Individual Property	_____	_____
Districts	_____	_____
Thematic	_____	_____
Multiple Resource	_____	_____

4. “OTHER” PROJECTS TOTAL  
PLANNED      TOTAL  
ACTUAL

a. Man hours expended: \_\_\_\_\_

b. Number of Products  
(Specify) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**G. CERTIFICATION:**

I hereby certify the above information is complete and accurate to the best of my knowledge and that all work has been conducted in accordance with the requirements set forth in the subgrant agreement.

\_\_\_\_\_  
Signature \_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name \_\_\_\_\_  
Title

## **CHAPTER 6**

### **REQUESTING REIMBURSEMENT**

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## **REQUESTS FOR REIMBURSEMENT**

To assure prompt processing of a request for reimbursement under the terms of a subgrant agreement with the State Historic Preservation Office, a Subgrantee must follow the steps set forth below.

1. Submit reimbursement requests in accordance with the subgrant agreement schedule.
2. The request must consist of the subgrantee's invoice with the project name and SHPO's subgrant project number clearly shown, as well as the Subgrantee's return mailing address. The invoice must reflect the exact amount of federal funds requested. Inclusive dates the expenses were incurred must be clearly stated on the invoice. (Subgrantees **must** use the format shown in Chapter 6, Exhibit 6-A or the form available in electronic format on the accompanying CD. All signature lines must remain the same.)
3. Because the federal funds are transmitted only on a cost reimbursement basis, each request for reimbursement must be accompanied by supporting documentation showing expenditure of federal and nonfederal matching shares. Therefore, subgrantee should attach copies of invoices from vendors, cash receipts, etc. to prove these expenditures. This documentation should reflect the total amount of federal funds requested plus the matching share.

If in-kind contributions are part of the matching share then supporting documentation for the match must be provided.

Reimbursement requests are processed promptly upon receipt by the SHPO. However, if complete and accurate requests are not submitted, delays may result. Inaccurate or incomplete requests for reimbursement will be returned to the subgrantee for correction. **Requests for reimbursement will be held until monthly reports are received and reviewed by the SHPO staff.**

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# REQUEST FOR REIMBURSEMENT

**PROJECT NUMBER:**

PROJECT TITLE:	
SUBGRANTEE'S NAME:	
SUBGRANTEE'S MAILING ADDRESS:	
CITY/STATE:	ZIP CODE:
TELEPHONE NUMBER:	
INCLUSIVE DATE FOR EXPENSES DOCUMENTED BY THIS REQUEST:	
FEDERAL ID#:	
<b>AMOUNT REQUESTED:</b>	<b>\$</b>
	<b>CLAIM #:</b>

LIST EXPENSES ON THE FOLLOWING CHART:

CATEGORY	FEDERAL	NONFEDERAL	TOTAL
Personnel			\$ -
Fringe			\$ -
Travel			\$ -
Supplies			\$ -
Equipment			\$ -
Contractual			\$ -
Printing			\$ -
Publication			\$ -
Other (Specify)			\$ -
			\$ -
			\$ -
<b>TOTAL</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

IF MORE ROOM IS NEEDED FOR LISTING OF EXPENSES, ATTACH A PAGE USING THE SAME FORMAT ATTACH ITEMIZED DOCUMENTATION OF ALL COSTS (Federal & NonFederal) TO THIS REQUEST.

The undersigned agrees that this invoice or claim is true and correct, and that the project costs listed on this form are adequately documented, and these costs are reasonable and appropriate for the work completed to date, and furthermore, that the work, service or materials as shown by this invoice or claim have been completed or supplied in accordance with the plans, specifications, orders or subgrant agreement.

\_\_\_\_\_  
Signature -- Agent of Sponsoring Organization, Subgrantee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Grants Manager (SHPO Staff)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Program Staff (SHPO Staff)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Deputy SHPO

\_\_\_\_\_  
Date

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**CHAPTER 7**

**PUBLICATIONS AS PRODUCTS**

**OF SUBGRANTS**

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## PUBLICATIONS AS PRODUCTS OF SUBGRANTS

- A. The National Park Service and the State Historic Preservation Office encourages publication of results of subgrant activities; however, for the costs of such publications to be reimbursed, the publishing of the report or other documents must be a part of the approved subgrant application. Publication must occur within the period the subgrant is in effect.
- B. No costs for publication will be reimbursed to the subgrantee if the activity has not received prior approval from the State Historic Preservation Office.
- C. When a subgrantee produces an item for publication under the terms of the subgrant agreement, it must be submitted to the State Historic Preservation Office for review prior to publication. The document must be submitted for review before production reaches the stage where corrections and/or additions cause increases in costs. The State Historic Preservation Office shall have thirty (30) days in which to review and comment on the proposed publication.
- D. Every publication either paid for entirely or in part or concerning an activity paid for in full or in part with HPF grant assistance from the State Historic Preservation Office must contain both the acknowledgment of support and the nondiscrimination statement provided below:

### **Acknowledgment of Support**

The activity that is the subject of [type of publication] has been financed [in part/entirely] with Federal funds from the National Park Service, U.S. Department of the Interior. However, the contents and opinions do not necessarily reflect the views or policies of the Department of the Interior, nor does the mention of trade names or commercial products constitute endorsement or recommendation by the Department of the Interior.

(Note that only relevant portions of the required statement need to be applied and should be used as appropriate depending on the content of the publications; e.g., if there are no commercial products, then that part of the statement can be omitted.)

## **Nondiscrimination Statement**

This program receives Federal financial assistance for identification and protection of historic properties. Under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, as amended, the U.S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, disability, or age in its federally assisted programs. If you believe you have been discriminated against in any program, activity, or facility as described above, or if you desire further information, please write to:

Chief, Office of Equal Opportunity  
United States Department of the Interior  
National Park Service  
1201 Eye Street, NW (2740)  
Washington, D.C. 20005

The subgrantee shall provide the State Historic Preservation Office thirty (30) copies of any publication produced with or concerning activities supported with HPF funds unless otherwise specified in the subgrant agreement. Five (5) copies will be used to meet National Park Service requirements and to document project work in the SHPO's files. The remaining twenty-five (25) copies will be submitted to the Oklahoma Department of Libraries for distribution to its library system in accordance with State statutes.

## APPENDIX A

**Secretary of the Interior's Standards:  
Guidelines for Archeology and Historic Preservation**

Available at: [http://www.nps.gov/history/local-law/arch\\_stnds\\_0.htm](http://www.nps.gov/history/local-law/arch_stnds_0.htm)

**Secretary of the Interior's Standards for the Treatment of Historic Properties, 1995**

Available at: [http://www.nps.gov/history/local-law/arch\\_stnds\\_8\\_2.htm](http://www.nps.gov/history/local-law/arch_stnds_8_2.htm)

*If you would like a hard copy of either of these documents, please contact the State Historic Preservation Office.*

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**APPENDIX B**

**SAMPLE SUBGRANT AGREEMENT  
("SUBGRANT STIPULATIONS")**

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**OKLAHOMA HISTORICAL SOCIETY**

**SUBGRANT AGREEMENT**

**Project Number 08-200**

**National Register Nomination**

**(title or name of property)**

Organization's Name

Contact Person:

Organization's Address

Organization's Phone Number

County:

Congressional District(s):

**PURPOSE AND CONDITIONS**

In consideration of a Historic Preservation Fund Matching grant-in-aid, administered by the Oklahoma Historical Society, State Historic Preservation Office (hereinafter OK/SHPO), **(subgrantee's/organization's name)** (hereinafter referred to as the subgrantee) shall prepare a National Register of Historic Places nomination form for (name of building & location).

The OK/SHPO shall provide a matching grant-in-aid in the amount of: **\$ 1,000.00**

The Subgrantee shall provide the nonfederal matching share an amount not less than: **\$ 700.00**

The Subgrantee shall adhere to the terms, conditions, standards, and guidelines set forth in **Attachments "A" and "B"** both legally binding parts of this agreement.

In witness whereof, the OK/SHPO and the Subgrantee have caused this agreement and all attachments to be in effect on **July 1, 2008** and to remain in effect until **June 30, 2009**.

**OKLAHOMA HISTORICAL SOCIETY**

**SUBGRANTEE**

\_\_\_\_\_  
Bob L. Blackburn  
Executive Director

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

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## **SUBGRANT AGREEMENT**

### **ATTACHMENT "A"**

#### **Project Number 08-200**

In consideration of a Historic Preservation Fund matching grant-in-aid, administered by the Oklahoma Historical Society/OK/SHPO, the subgrantee hereby accepts the following stipulations and conditions with respect to the use and administration of these funds and conduct of the project work;

#### **1. Provisions:**

The OK/SHPO and the Subgrantee, in consideration of the mutual covenants and stipulations set out below, agree as follows:

- A. Provide accurate, current and complete disclosure of the financial results of the project.
- B. Maintain records which identify adequately the source and application of funds for the grant supported activity.
- C. Ensure effective control and accountability for all funds, property and assets. Subgrantee will adequately safeguard all such assets and will assure that they are used solely for purposes authorized by this agreement.
- D. Provide comparison of actual outlays with budgeted amounts for the subgrant. Financial information must be directly related to performance and unit cost information.
- E. Maintain records demonstrating the reasonableness, allowability, and allocability of costs in accordance with the provisions of the applicable cost principles and the terms of the subgrant.
- F. Maintain accounting records that are supported by source documentation.

- G. Conduct all project work in accordance with the *Secretary of the Interior's Standards, Guidelines for Archeology and Historic Preservation* as set forth in Attachment "B".
- H. Provide the OK/SHPO with an acceptable final project report, prepared in accordance with the OK/SHPO's guidelines and the Project Schedule in Attachment "B". Twenty percent (20%) of the Federal funds will be withheld until this document is approved by the OK/SHPO.

**2. Equal Opportunity:**

During the performance of this project the Subgrantee agrees as follows:

- A. The Subgrantee will adhere to acts prohibiting discrimination including Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, as amended. These acts prohibit discrimination on the basis of race, color, national origin, disability, or age. The Subgrantee will take affirmative steps to ensure that applicants are employed and that employees are treated during employment without regard to race, color, national origin, disability, or age. Such action will include, but not be limited to the following: employment, recruitment or recruitment advertising; layoff or termination; and rates of pay or other forms of compensation. The Subgrantee agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the requirements of these nondiscrimination provisions.
- B. The Subgrantee will state in all solicitations or advertisements for employees placed by or on behalf of the Subgrantee that all otherwise qualified applicants receive consideration for employment without regard to race, color, national origin, disability, or age.
- C. In the event of the Subgrantee's noncompliance with equal opportunity conditions or with any such rules, regulations or orders, this agreement may be canceled, terminated or suspended in whole or in part, and the

Subgrantee may be declared ineligible for further government contracts or federally assisted contracts in accordance with procedures authorized in Executive Order No. 11246. Other sanctions may be imposed and remedies invoked as provided in the Executive Order, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

**3. Documentation of Donated Services:**

All donated services claimed as nonfederal matching share must be substantiated by time cards or records that are signed by both the donor and their supervisor as is required for all other employees. Such records must show the actual hours worked and the specific duties performed. The records should also indicate the basis for determining the values of the contribution and such documentation must be available for audit.

**4. Payment:**

- A. The allowable cost in this agreement is a matching grant-in-aid from the National Park Service, Department of the Interior, through the OK/SHPO. The Subgrantee will match the grant award with an amount not less than forty percent (40%) of the total project cost, as set forth in "Attachment "B".
- B. The Subgrantee will receive reimbursement for those allowable costs properly incurred within the effective dates of the project.
- C. To receive reimbursement for allowable costs under the terms of the grant-assisted project, the Subgrantee shall submit itemized invoices with supporting documentation, as specified in the OK/SHPO's guidelines. The matching ratio must be demonstrated in each request for reimbursement.
- D. The OK/SHPO will make no advance payments to the Subgrantee.

E. The final request for reimbursement must be received by the date specified in the Project Schedule of Attachment "B".

**5. Special Condition:**

The Subgrantee may use no part of this subgrant to directly or indirectly pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other devices intended or designed to influence in any manner a Member of Congress, to favor or oppose by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation. This provision is in accordance with 18 U.S.C. 1913. Violation of this provision will result in termination of this agreement.

**6. Procurement:**

The purchase of goods and services must be in accordance with the Office of Management and Budget Circular 102 revised (A-110 for universities; A-122 for nonprofit organizations). Equipment purchases are not allowed under this agreement.

**7. Costs:**

All costs incurred must be in accordance with the appropriate institution's or organization's costs principles for:

OMB Circular A-21/Educational Institutions, OMB Circular A-87/State & Local Governments, ASMB C-10/Indian Tribal Governments, OMB Circular A-122/Nonprofit Organizations, OMB Circular A-123/Internal Control Systems, and OMB Circular A-133/Audits.

**8. Repayment:**

If it is determined that terms and conditions of the subgrant were not followed or that costs claimed are disallowed following the audit, the subgrantee shall reimburse the OK/SHPO the amount of the disallowed costs.

**9. Amendment Procedure:**

- A. If the Subgrantee determines that a change in the scope of work to be accomplished, the project budget, or the source and kind of nonfederal matching share under this agreement is necessary, a written request must be submitted to the OK/SHPO detailing the requested amendment and giving justification for the change. The OK/SHPO shall, within five (5) days of receipt of the request, inform the Subgrantee whether Department of the Interior approval is needed for the amendment. If Department of the Interior approval is not required, and if the proposed amendment is acceptable to the OK/SHPO, approval of the amendment shall be forwarded to the Subgrantee within fifteen (15) days. If Department of the Interior approval is required, the OK/SHPO shall inform the Subgrantee of the approval or disapproval within fifteen (15) days of receipt of notification from the Department of the Interior.
- B. Unless the Subgrantee has requested and received approval of an amendment to the scope of work, the project budget, or the source and kind of matching share outlined in this agreement, costs incurred as a result of the change may not be reimbursed.

**10. Termination:**

- A. Termination of agreement for cause: If, through any cause, the Subgrantee shall fail to fulfill in a timely and proper manner his obligations under this agreement, or if the Subgrantee shall violate any

of the covenants or stipulations of this agreement, the OK/SHPO shall thereupon have the right to terminate this agreement by giving written notice to the Subgrantee of such termination and specifying the effective date thereof, at least five (5) days before the effective date of such termination. The Subgrantee shall be entitled to receive just and equitable compensation for any work done in accordance with the requirements of Attachment "B". Notwithstanding the above, the Subgrantee shall not be relieved of liability to the OK/SHPO for damages sustained by the OK/SHPO by virtue of any breach of the contract by the Subgrantee, and the OK/SHPO may withhold any payments to the Subgrantee for the purpose of set-off until such time as the exact amount of damages due the OK/SHPO for the Subgrantee is determined.

- B. The OK/SHPO or the Subgrantee may terminate this agreement at any time when both parties agree that the continuation of the project would not produce beneficial results commensurate with the further expenditure of funds. The parties shall agree upon the termination conditions, including the effective termination date, and in the case of partial termination, the portion to be terminated.
- C. If the OK/SHPO terminates this agreement, the Subgrantee shall not incur new obligations for the terminated portion after the effective termination date. The Subgrantee will cancel as many outstanding obligations as possible. The OK/SHPO will allow full credit for noncancellable obligations properly incurred prior to the date of termination. Costs incurred after the effective date of termination will be disallowed.

**SUBGRANT AGREEMENT**  
**ATTACHMENT "B"**

**Project Number 08-200**

**I. PROJECT PURPOSE**

The purpose of this project is to prepare an acceptable National Register of Historic Places Registration form for (name and location of property).

This project is designed to provide a cost-effective approach for increasing the number of properties in the state documented in the National Register, a key element in the OK/SHPO's comprehensive historic preservation planning process.

This project will provide for preparation of a National Register nomination for a property significant in history/architecture. The comprehensive preservation planning process links each preservation program area to another. Rationale for integration of the National Register program into a planning framework and other related historic preservation program areas is presented in the "Secretary of the Interior's Standards for Archeology and Historic Preservation," (Federal Register 48 (19c), 44716-44742, Thursday, September 29, 1983). (Available at [http://www.nps.gov/history/local-law/arch\\_stnds\\_0.htm](http://www.nps.gov/history/local-law/arch_stnds_0.htm).)

The National Register of Historic Places is a catalog of those properties significant to the history and prehistory of the nation, state, and local community. Through listing in the register, properties are afforded certain benefits and protection. The overall purpose of this program is to increase the number of properties eligible for these benefits in the state and to facilitate cultural resource management.

## **II. WORK TO BE ACCOMPLISHED**

A complete, computer-generated National Register of Historic Places Registration form for the historic property. This nomination should ultimately result in the inclusion of this historic property on the National Register of Historic Places.

### **A. DESCRIPTION OF FINAL PRODUCT**

The nomination will be completed in accordance with the “Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation” and the Oklahoma National Register and Request for Determination of Eligibility Manual (hereafter, “the NR manual”).

1. A computer-generated National Register of Historic Places Registration form with all items satisfactorily completed in accordance with the NR manual. The nomination must be professionally written and edited for grammar, spelling, punctuation, and clarity. Items #7 and #8 of the form must be written in a standard narrative format that clearly describes the entire nominated property (Item #7) and justifies the property’s eligibility for inclusion in the register (Item #8) in accordance with the National Register Criteria for Evaluation.
2. Supporting documentation must accompany the nomination form. This documentation must include:
  - a. Two (2) originals of the appropriate USGS Topographic map (7.5” series) for the nomination, with the property location marked in accordance with the NR manual. Other maps may be necessary to clearly illustrate the exact property to be nominated to the National Register.

- b. Two sets of high quality photographic documentation. The nomination must contain a sufficient number of photographs to clearly illustrate the entire nominated property (a minimum of two (2) exterior views). Photographs must meet the requirements set forth in the March 2008 Photographic Policy issued by the National Register. This policy is available at [http://www.nps.gov/history/nr/publications/bulletins/photo\\_policy/photo\\_policy.htm](http://www.nps.gov/history/nr/publications/bulletins/photo_policy/photo_policy.htm) or can be obtained from the OK/SHPO. The policy outlines the acceptable use of digital media in National Register submissions. Black and white prints produced from digital images are preferred. Film photographs must be taken with 35mm T-Max ASA 100 film. All negatives will be submitted to the OK/SHPO with the final product. The prints must be black and white, either 4" x 6" or 5" x 7" in size, archival-quality prints on fiber-based or resin-coated (RC) papers. Negative format, processing and printing must meet requirements of the NR manual. Each print must be labeled in accordance with the guidelines in the NR manual. All photographs must be keyed to Item #7 of the nomination form.
- c. Color slides illustrating the property. If digital images are used, slides are not necessary. Two CDs with .tif files of the photographs, as outlined in the NPS Photograph Policy, will be required.
- d. Copies of all research notes, field notes, and primary documents consulted in preparation of the nomination.

- e. Submission of the finished nomination must be in accordance with packaging instructions in the NR manual.

## **B. COMPUTER GENERATED NOMINATION FORM**

Computer-generated National Register of Historic Places Registration forms for the eligible property with all items satisfactorily completed in accordance with the NR Manual must be professionally written and edited for grammar, spelling, punctuation, and clarity. The OK/SHPO can provide the subgrantee with a copy of the nomination template. The subgrantee will provide the nomination to the OK/SHPO on gold, archival-quality CDs labeled according to the guidelines as outlined in the NPS Photograph Policy. All data will be produced in Microsoft Word format.

## **III. UNDERSTANDING OF DOCUMENTS**

The subgrantee affirms familiarity with and understanding of the following documents:

- A. Guidelines for Subgrantees
- B. "Secretary of the Interior's Standards and Guidelines for Identification and Evaluation"
- C. National Register of Historic Places Criteria for Evaluation
- D. Oklahoma National Register and Request for Determination of Eligibility Manual

## **IV. PROJECT SCHEDULE**

- A. In accordance with the instructions in Guidelines for Subgrantees, the Subgrantee shall adhere to the requirements set forth in the project schedule below:

**Report Due: July 10, 2008**

Report Period: June 1-30, 2008

Tasks: Submit draft RFP for ten (10) day review by OK/SHPO. Publish RFP. Submit resume of the selected consultant to OK/SHPO for approval. After receiving OK/SHPO approval, sign an agreement with the consultant and submit copy of signed agreement to the OK/SHPO.

**Report Due: August 10, 2008**

Report Period: July 1-31, 2008

Tasks: Consultant begins research of property.

**Report Due: September 10, 2008**

Report Period: August 1-31, 2008

Tasks: Consultant continues research.

**Report Due: October 10, 2008**

Report Due: September 1-30, 2008

Tasks: Consultant continues research.

**Report Due: November 10, 2008**

Report Period: October 1-31, 2008

Tasks: Consultant continues research.

**Report Due: December 10, 2008**

Report Period: November 1-30, 2008

Tasks: Submit draft nomination form with all items completed and photographs to OK/SHPO for thirty (30) day review.

**Report Due: January 10, 2009**

Report Period: December 1-31, 2008

Tasks: Begin revisions in accordance with the SHPO's comments.

**Report Due: February 10, 2009**

Report Period: January 1-31, 2009

Tasks: Consultant continues working on revision.

**Report Due: March 10, 2009**

Report Period: February 1-28, 2009

Tasks: Finalize revisions and submit second draft to OK/SHPO for ten (10) day review.

**Report Due: April 10, 2009**

Report Period: March 1-31, 2009

Tasks: Submit the complete revised nomination in final form with all supporting documentation.

- B.** On or before May 10, 2009, Subgrantee will submit a Final Project Report, per instructions in Guidelines for Subgrantees.

## **V. PAYMENT SCHEDULE**

The subgrantee shall request reimbursement for actual costs as they are incurred during completion of tasks and/or project products in accordance with the project schedule in Section IV, above.

## VI. PROJECT BUDGET

CATEGORY	FEDERAL	NONFEDERAL	TOTAL
CONSULTANT	1,000	750	1,750
TOTAL	1,000	750	1,750

## VII. NONFEDERAL MATCHING SHARE

Donor: Western Trail Historical Society

Source: Same

Kind: Cash

Amount: \$750

## VIII. SPECIAL CONDITION

The Subgrantee agrees to make any revisions to the nomination that may be required by the Keeper of the Register, National Park Service, U.S. Department of the Interior.

## IX. SPECIAL CONDITION

The Subgrantee shall obtain the OK/SHPO's written approval of its solicitation of consultant services before it is issued and of the selected consultant before the Subgrantee notifies him/her of his/her selection. Also, the Subgrantee must receive the OK/SHPO's approval of the consultant contract before it is executed.

## X. SPECIAL CONDITION

In accordance with the Stevens Amendment (Public Law 101-517), any Request for Proposal initiated by the subgrantee must comply with Title V, Section 511, which states:

When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects for programs funded in whole or in part with Federal money, all grantees receiving Federal funds, including but not limited to State and local governments, shall clearly state (1) the percentage of the total costs of the program or project which will be financed with Federal money, (2) the dollar amount of Federal funds for the project or program, and (3) percentage and dollar amount of the total costs of the project or program that will be financed by nongovernmental sources.

#### **XI. SPECIAL CONDITION**

The Subgrantee shall include in all press releases or other publicity about this subgrant activity and its results and/or in any subsequent publications based on the results of this subgrant project, a statement acknowledging the support and role of the State Historic Preservation Office and the National Park Service. The Subgrantee shall submit a copy of all press releases or other publicity and/or a copy of the acknowledgement statement planned for a subsequent publication to the OK/SHPO for approval prior to issuance of the press release or other publicity and/or typesetting of any subsequent publication.

**APPENDIX C**

**REQUIRED FEDERAL ASSURANCES**

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# Assurances—Non-Construction Programs

OMB Approval No. 0348-0040

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Please do not return your completed form to the Office of Management and Budget; send it to the address provided by the sponsoring agency.

**Note:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.O. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 36701 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a and 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (e) evaluation of flood hazards in flood plains in accordance with EO 11988; (e) assurance of

project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

- 12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
- 13. Will assist the awarding agency in assuring compliance with Section 106 of the national Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

- 14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
- 15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
- 16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
- 17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984 or OMB Circular No. A-133, Audits of Institutions of Higher Learning and other Non-profit Institutions.
- 18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

Signature of Authorized Certifying Official	Title
Applicant Organization	Date Submitted

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**APPENDIX D**

**REQUIRED CONTRACT NON-COLLUSION CERTIFICATION**

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# Certification for Competitive Bid and/or Contract (Non-Collusion Certification)

**NOTE:** A certification shall be included with any competitive bid and/or contract exceeding \$5,000.00 submitted to the State for goods or services.

Solicitation or Purchase Order #: \_\_\_\_\_

Supplier Legal Name: \_\_\_\_\_

**SECTION I [74 O.S. § 85.22]:**

A. For purposes of competitive bid,

1. I am the duly authorized agent of the above named bidder submitting the competitive bid herewith, for the purpose of certifying the facts pertaining to the existence of collusion among bidders and between bidders and state officials or employees, as well as facts pertaining to the giving or offering of things of value to government personnel in return for special consideration in the letting of any contract pursuant to said bid;
2. I am fully aware of the facts and circumstances surrounding the making of the bid to which this statement is attached and have been personally and directly involved in the proceedings leading to the submission of such bid; and
3. Neither the bidder nor anyone subject to the bidder's direction or control has been a party:
  - a. to any collusion among bidders in restraint of freedom of competition by agreement to bid at a fixed price or to refrain from bidding,
  - b. to any collusion with any state official or employee as to quantity, quality or price in the prospective contract, or as to any other terms of such prospective contract, nor
  - c. in any discussions between bidders and any state official concerning exchange of money or other thing of value for special consideration in the letting of a contract, nor
  - d. to any collusion with any state agency or political subdivision official or employee as to create a sole-source acquisition in contradiction to Section 85.45j.1 of this title.

B. I certify, if awarded the contract, whether competitively bid or not, neither the contractor nor anyone subject to the contractor's direction or control has paid, given or donated or agreed to pay, give or donate to any officer or employee of the State of Oklahoma any money or other thing of value, either directly or indirectly, in procuring this contract herein.

**SECTION II [74 O.S. § 85.42]:**

For the purpose of a contract for services, the supplier also certifies that no person who has been involved in any manner in the development of this contract while employed by the State of Oklahoma shall be employed by the supplier to fulfill any of the services provided for under said contract.

**The undersigned, duly authorized agent for the above named supplier, by signing below acknowledges this certification statement is executed for the purposes of:**

the competitive bid attached herewith and contract, if awarded to said supplier;

OR

the contract attached herewith, which was not competitively bid and awarded by the agency pursuant to applicable Oklahoma statutes.

\_\_\_\_\_  
Supplier Authorized Signature

\_\_\_\_\_  
Certified This Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Email

\_\_\_\_\_  
Fax Number

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**APPENDIX E**

**MATCHING SHARE DISCLOSURE FORM**

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## MATCHING SHARE DISCLOSURE FORM

The CLG matching share must be at least 40% of the total project costs. Provide a complete disclosure of the local matching share on the form provided below. Only one section may need to be completed, or if there are multiple donors or sources, complete a section for each agency, organization, or individual providing the match. “Donor” means the agency, organization, or individual providing the matching share. “Source” means where the match was obtained: for example, “Subgrantee General Fund”, or if an individual is donating services (identified as the Donor), “Source” is simply listed as “Same as Donor”.

“Kind” means is the matching share cash, donated services, eligible indirect costs, etc. “Amount” means the dollar value of the contribution. If donated services or materials are contributed, provide the basis for the valuation of the contribution. *Guidelines for Subgrantees* provides assistance in determining the value of donated goods and services. Indirect costs may be claimed only if the CLG has an approved indirect cost rate established by its cognizant federal agency, and a copy of the document approving that rate must be attached to this application. Funds or other contributions claimed as matching share for this project may not be claimed as matching share for any other federal grant programs.

If personnel costs are included as inkind matching share, include hours and hourly rate of pay for each person.

A. Donor: _____ Source: _____ Kind: _____ Amount: _____	B. Donor: _____ Source: _____ Kind: _____ Amount: _____
C. Donor: _____ Source: _____ Kind: _____ Amount: _____	D. Donor: _____ Source: _____ Kind: _____ Amount: _____
E. Donor: _____ Source: _____ Kind: _____ Amount: _____	F. Donor: _____ Source: _____ Kind: _____ Amount: _____
G. Donor: _____ Source: _____ Kind: _____ Amount: _____	H. Donor: _____ Source: _____ Kind: _____ Amount: _____

*Use additional pages, if necessary.*



**APPENDIX F**

**PROJECT BUDGET AND NONFEDERAL MATCH**

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