

SPECIFIC AWARD CONDITIONS
U.S. DEPARTMENT OF COMMERCE
Economic Development Administration (EDA)

NON-CONSTRUCTION PROJECTS: Economic Adjustment Assistance
for Disaster Economic Recovery Under Sections 209 and 703 of the Public Works and
Economic Development Act of 1965, as amended, 42 U.S.C. §§ 3149 and 3233

PROJECT TITLE: Coronavirus Aid, Relief, and Economic Security (CARES) Act Economic Development District and Indian Tribe Supplemental Disaster Recovery and Resiliency Awards.

1. **SCOPE OF WORK:** This EDA Award supports the work described in the approved final scope of work, which is incorporated by reference into this Award, as the *Authorized Scope of Work* (Attachment 1). All work on this project must be consistent with the *Authorized Scope of Work*, unless the Grants Officer has authorized a modification of the scope of work in writing through an amendment memorialized through execution of a Form CD-451.

2. **PROJECT CONTACT INFORMATION:** Contact information for the Recipient and key EDA staff with responsibilities for this award is contained in Attachment 2. The Recipient agrees to notify EDA promptly of any changes to the Recipient’s contact information.

3. **ADDITIONAL INCLUDED DOCUMENTS:** In addition to the regulations, documents, or authorities incorporated by reference on the Financial Assistance Award (Form CD-450), the following additional documents are hereby incorporated by reference into this Award:
 - The Recipient’s application, including any attachments, project descriptions, schedules, and subsequently submitted supplemental documentation
 - *Authorized Scope of Work* (Attachment 1)
 - *Project Contact Information* (Attachment 2)
 - *Authorized Budget* (Attachment 3)
 - *Authorized Staffing Plan* (Attachment 4)

Should there be a discrepancy among these documents, these Specific Award Conditions shall control.

4. **PROJECT DEVELOPMENT TIME SCHEDULE:** The Recipient agrees to the following Project Development Time Schedule:

Authorized Award End Date.....24 months from the Date of
Award
Submission of Final Project Progress ReportNo later than 90 days from the
Authorized Award End Date

Submission of Final Financial Documents (SF-425).....No later than 90 days from the
Authorized Award End Date

The Recipient shall diligently pursue the development and implementation of the project upon receipt of the EDA Award so as to ensure completion within this time schedule, and shall promptly notify EDA in writing of any event that could substantially delay meeting any of the time limits set forth above. The Recipient further acknowledges that failure to meet the Project Development Time Schedule may result in EDA pursuing remedies for non-compliance, potentially including termination of the Award, in accordance with the regulations set forth at 2 C.F.R. §§ 200.338–200.342.

- 5. UNUSUAL AND COMPELLING URGENCY:** As set forth in the *Authorized Scope of Work* (Attachment 1), this award is made pursuant to the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Pub. L. 116-136 (March 27, 2020) to respond to the coronavirus pandemic. EDA is making this award to the Recipient non-competitively, based on EDA’s finding that the coronavirus (COVID-19) pandemic constitutes a situation of unusual and compelling urgency and that it is therefore in the public interest to make noncompetitive awards to existing grantees, including the Recipient, that have made substantial investment in building capacity to respond to economic shocks, have an ongoing partnership with EDA, and therefore possess unique abilities to respond to the pandemic quickly.

Because of the unusual and compelling urgency of the situation, time is of the essence in the implementation of the *Authorized Scope of Work*. By accepting this award, the Recipient certifies that it will use its best efforts to implement the *Authorized Scope of Work* expeditiously to maximize the benefits of the project in responding to the pandemic. Recipient acknowledges that failure to implement the project at an acceptable pace, as determined in EDA’s reasonable discretion in accordance with the approved Grant Administration Plan (see paragraph 18, below), may result in EDA taking action to modify or terminate the award in accordance with 2 C.F.R. § 200.338.

6. PROJECT REPORTING AND FINANCIAL DISBURSEMENT INSTRUCTIONS:

- A. AWARD DISBURSEMENTS:** EDA will make disbursements using the Department of the Treasury’s Automated Standard Application for Payments (ASAP) system. The Recipient is required to furnish documentation required by ASAP. Complete information concerning the ASAP system may be obtained by visiting <https://www.fiscal.treasury.gov/asap/>.

To receive disbursements, the Recipient must submit a Form SF-270 “*Request for Advance or Reimbursement*” for the applicable period electronically to the Project Officer, who will review and process the request. **Due to the unusual and**

compelling urgency of the project, the Recipient must request disbursements at least once per calendar quarter.

Prior to the initial disbursement, the Recipient must complete an “ACH Vendor/Miscellaneous Payment Enrollment Form” (Form SF-3881 or any successor form) and submit it to NOAA’s Accounting Office by fax at (301) 528-3675. (Fax is required to secure confidentiality of sensitive information.) The form must be completed by the respective parties (EDA, Recipient Bank, and Recipient) at the start of each new award.

EDA retains the right to change Recipients from Advance to Reimbursement or Agency Review status if the Grants Officer deems it necessary or prudent to ensure successful monitoring of Federal funds. In such cases, Recipients may be required to submit a complete Form SF-270, “Request for Reimbursement” for the applicable period electronically to the Project Officer, who will review and process the request.

B. REPORTS:

- a. Project Progress Reports: The Recipient agrees to provide the Project Officer with project progress reports, communicating the important activities and accomplishments of the project, on a semi-annual basis for the periods ending **March 31** and **September 30**, or any portion thereof, for the entire project period. Reports are due no later than one month following the end of the semi-annual period (April 30 and October 31).

Performance progress reports shall be submitted to EDA in an electronic format no later than the due date. Reports shall be in a clear format, not exceeding six pages, and shall:

- i. Provide a concise overview of the activities undertaken during the semi-annual reporting period;
- ii. Document accomplishments, benefits, and impacts of the project. The Recipient should identify activities that have led to specific outcomes, such as job creation/retention, private investment, increased regional collaboration, engagement with historically excluded groups or regions, enhanced regional capacity, or other positive economic development benefits;
- iii. Identify any upcoming or potential press events or opportunities for collaborative press engagements to highlight the benefits of the EDA investment;
- iv. Compare progress on the project with the targeted schedule, explaining any departures, identifying how those departures will be remedied, and projecting the course of work for the next semi-annual reporting period;

- v. Outline challenges impeding or that may impede progress on the project over the next semi-annual reporting period and identify ways to address those challenges;
- vi. Outline any areas in which EDA assistance is needed to support the project; and
- vii. Provide any other information that would be helpful for your EDA Project Officer to know.

Final Project Reports may be posted on EDA's website, used for promotional materials or policy reviews, or otherwise shared. Recipients should not include any copyrighted or other sensitive business information in these reports. There is no page limit for Final Project Reports; however, such reports should concisely communicate key project information and should:

- i. Provide a high-level overview of the activities undertaken;
- ii. Outline the specific regional need the project was designed to address and explain how the project addressed that need and advanced economic development;
- iii. Document the expected and actual economic benefits of the project as of the time the report is written;
- iv. Detail lessons learned during the project that may be of assistance to EDA or other communities undertaking similar efforts; and
- v. Provide any other information necessary to understand the project and its impacts.

- b. *Financial Reports*: The Recipient shall submit a "*Federal Financial Report*" (Form SF-425 or any successor form) on a semi-annual basis for the periods ending **March 31** and **September 30**, or any portion thereof, for the entire project period. Form SF-425 and instructions for completing it are available at: <https://www.grants.gov/forms/post-award-reporting-forms.html>. Reports are due no later than one month following the end of the semi-annual period (April 30 and October 31).

A final Form SF-425 must be submitted no more than 90 calendar days after the Award End Date specified on the Form CD-450 (or any subsequently executed Form CD-451). Final Financial Reports should follow the instructions for submitting mid-term financial reports, but should ensure that all fields accurately reflect the total outlays for the entire project period and that all matching funds and program income (if applicable) are fully reported. **Determination of the final grant rate and final balances owed to the government will be determined based on the information on the final Form SF-425, so it is imperative that it be submitted in a timely and accurate manner.**

7. **ALLOWABLE COSTS AND AUTHORIZED BUDGET:** Total allowable costs will be determined after the final financial documents are submitted in accordance with the applicable authorities specified on the Financial Assistance Award (Form CD-450), including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. part 200. The *Authorized Budget* for this Project is set forth in Attachment 3, *Authorized Budget*.
8. **FEDERAL SHARE:** The Federal Share of total allowable project cost for this Award is 100 percent. EDA will fund 100 percent of the total allowable project costs or the grant amount shown on the Financial Assistance Award (Form CD-450), whichever is less.
9. **REFUND CHECKS, INTEREST, OR UNUSED FUNDS:** If the Recipient needs to return money to EDA, it may use one of the following two methods:
- i. The first is the pay.gov website, which allows the Recipient to pay EDA online. The Recipient will have the option to make a one-time payment or to set up an account to make regular payments.
 - ii. The second is paper check conversion. All checks must be made payable to “Department of Commerce, Economic Development Administration” and include the award number and a description of no more than two words identifying the reason for the payment. A copy of the check should be provided to the EDA Project Officer. The check should be mailed to NOAA’s Accounting Office, which processes EDA’s accounting functions, at the following address:

U.S. Department of Commerce
National Oceanic and Atmospheric Administration
Finance Office, AOD, EDA Grants
20020 Century Boulevard
Germantown, MD 20874
- When funds are remitted to EDA by check, the check will be converted into an electronic funds transfer (EFT) by using the account information on the check to debit the payor’s account electronically. The debit from the payor’s account will usually occur within 24 hours. EDA will not return the check; the original will be destroyed and a copy will be retained. If the EFT cannot be completed because of insufficient funds, EDA will charge a one-time fee of \$25.00, which will be collected by EFT.
10. **PLANNING COORDINATION:** In keeping with regional economic development principles, the Recipient should coordinate economic development planning and implementation projects with other economic development organizations active in the project area, especially EDA-funded recipients such as state and urban planning grantees,

adjoining Economic Development Districts (EDDs) and Indian Tribes, and University Centers (UCs).

11. **TECHNICAL ASSISTANCE TO BUSINESSES:** Any technical assistance offered to businesses under the EDA award shall be widely advertised and accessible to all potentially benefitting businesses, as is reasonably permitted by the EDA project *Authorized Scope of Work* and *Authorized Budget*. The Recipient shall maintain adequate documentation of any technical assistance offered and/or provided to benefitting businesses under the EDA award.
12. **PROCUREMENT:** The Recipient agrees that all procurement transactions shall be in accordance with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. §§ 200.317–200.326.
13. **NONRELOCATION:** By accepting this Award, the Recipient attests that EDA funding is not intended by the Recipient to assist efforts to induce the relocation or the movement of existing jobs from one region to another region in competition for those jobs. In the event that EDA determines that its assistance was used for such purposes, EDA reserves the right to pursue appropriate enforcement actions, including suspension of disbursements, termination of the Award for convenience or cause (which may include the establishment of a debt requiring the Recipient to reimburse EDA), or disallowance of any costs attributable, directly or indirectly, to the relocation.
14. **PERFORMANCE MEASURES:** The Recipient agrees to report on program performance measures and program outcomes in such a form and at such intervals as may be prescribed by EDA in compliance with the Government Performance and Results Act (GPRA) of 1993, and the Government Performance and Results Modernization Act of 2010. The Recipient must retain sufficient documentation so that they can submit these required reports. Failure to submit these required reports may adversely impact the ability of the Recipient to secure future funding from EDA.

Performance measures and reporting requirements that apply to program activities funded by this investment will be provided in a separate GPRA information collection document. EDA staff will contact the Recipient in writing within a reasonable period prior to the time of submission of the reports with information on how this data should be submitted.

15. **STAFFING CHANGES:** The *Authorized Staffing Plan* for this award is set out in Attachment 4. In the event of a change in the professional staff positions funded with the EDA grant, the Recipient shall provide the name of the individual selected to fill the position to the Project Officer and a copy of his or her resume within 30 business days of the selection.

16. REAFFIRMATION OF APPLICATION: Recipient acknowledges that Recipient’s application for this Award may have been submitted to the Government and signed by Recipient, or by an authorized representative of Recipient, electronically. Regardless of the means by which Recipient submitted its application to the Government or whether Recipient or an authorized representative of Recipient submitted its application to the Government, the Recipient hereby reaffirms and states that:

- i. All data in the application and documents submitted with the application are true and correct as of the date the application was submitted and remain true and correct as of the date of this Award;
- ii. The application was, as of the date of submission and the date of this Award, duly authorized as required by local law by the governing body of the Recipient; and
- i. Recipient has read, understood, and will comply with all terms of this Award, including the Assurances and Certifications submitted with, or attached to, the application.

The term “application” includes all documentation and any information provided to the Government as part of, and in furtherance to, the request for funding, including submissions made in response to information requested by the Government after submission of the initial application.

17. REAFFIRMATION OF ASSURANCES: By accepting this award, Recipient reaffirms the assurances given to EDA on forms ED-900A and CD-511 submitted in conjunction with Recipient’s most recent EDA grant award application. Recipient further affirms that it will continue to adhere to those assurances for the duration of this award.

18. GRANT ADMINISTRATION PLAN: Within sixty days of the date of Award, the Recipient shall provide to the Project Officer a Grant Administration Plan, not to exceed three pages, that outlines how the Recipient will implement the *Authorized Scope of Work*. The plan must include the following information:

- A. A list of tasks that Recipient will undertake to implement the *Authorized Scope of Work* at a sufficient level of detail to allow EDA to monitor Recipient’s progress in implementing the project. The list of tasks must be consistent with the *Authorized Scope of Work* and the Project Narrative submitted as part of Recipient’s application;
- B. An explanation of the primary tasks to be undertaken by each individual identified in the *Authorized Staffing Plan*;
- C. A timeline for implementing the tasks identified; and

D. If Recipient intends to hire additional staff to implement the project, a hiring plan including target start dates for new staff.

Upon approval by EDA, the Grant Administration Plan shall be incorporated into and become an enforceable part of these Specific Award Conditions. Subsequent changes to the Grant Administration Plan shall require the Project Officer's prior written approval, which shall not be unreasonably withheld.

- 19. WASTE, FRAUD AND ABUSE:** Consistent with 2 CFR part 200, at EDA's direction, at any time(s) during the estimated useful life of the Project, Recipient's key personnel will take a training on preventing waste, fraud and abuse as provided by the Government. Key personnel include those responsible for managing the Recipient's finances and overseeing any contractors, sub-contractors or sub-grantees (for financial matters and/or general oversight related to this Project). EDA will provide instructions on when and how to take the training. Within sixty days of the date of Award, the Recipient shall provide to the Project Officer all Certificates of Completion for the Waste, Fraud, and Abuse training. In the event there are co-recipients of this Award, the obligations in the Specific Award Condition shall apply to all recipients whether or not designated in this Award as the Lead Recipient.

Further, Recipient will monitor award activities for common fraud schemes (hereinafter "Fraud Schemes"), such as but not limited to:

- false claims for materials and labor,
- bribes related to the acquisition of materials and labor,
- product substitution,
- mismarking or mislabeling on products and materials, and
- time and materials overcharging.

Should Recipient detect any Fraud Schemes or any other suspicious activity, Recipient will contact the EDA staff listed above and the Department of Commerce, Office of Inspector General, as indicated at <https://www.oig.doc.gov/Pages/Contact-Us.aspx>, as soon as possible.

ATTACHMENT 1

Authorized Scope of Work

The Scope of Work for this Award includes authorized activities to prevent, prepare for, and respond to the coronavirus (COVID-19) pandemic or respond to economic injury as a result of coronavirus. Such activities shall include one or more of the following pre-approved grant activities that shall focus on the geographic region within the Recipient's Economic Development District or Tribal territory:

1. Short-term and long-term economic development planning and coordination to develop or update a disaster recovery and resiliency economic development plan, focused on pandemic recovery and resiliency, consistent with the approved Comprehensive Economic Development Strategy (CEDS) maintained by the recipient. Alternatively, rather than a separate plan, the CEDS itself can be updated to include a focus on pandemic recovery or resiliency based on the existing or anticipated COVID-19 impact, general needs, and capacities of the EDD or Indian Tribe;
2. Funding for one or more regional disaster economic recovery coordinators for a two-year period to serve the communities and local governments across the geographic region within the EDD or Tribal territory. Disaster recovery coordinators will also serve as a liaison in identifying potential resiliency, mitigation, and economic recovery projects in the disaster-impacted areas. Additional work elements of the position will include but not be limited to the following:
 - i. Implement economic recovery and resilience plans with the goal of rebuilding resilient and sustainable communities throughout the organization's region;
 - ii. Assist in local, state, and federally led coronavirus recovery planning efforts among the most highly impacted communities;
 - iii. Help identify economic development grant-eligible projects with state and federal resources for locally impacted communities to ensure these entities take full advantage of available funding opportunities;
 - iv. Identify and foster private and non-profit partnership opportunities;
 - v. Serve as a liaison between local, state, and federal partners in order to speed the recovery process through strategic technical assistance and local capacity augmentation for the highly impacted communities within the organization's jurisdiction; and
 - vi. Facilitate the implementation of locally generated disaster recovery economic development projects developed as part of the CEDS or CEDS-aligned economic recovery and resilience plan;
3. Technical Assistance and capacity building for member organizations, local businesses, and other local stakeholders impacted by coronavirus; and/or
4. Organizational capacity support for coronavirus response, including technology costs and personnel costs for staff members directly working on or supporting the work of the organization's coronavirus-related economic development response, including additional hiring as needed.

ATTACHMENT 2

Project Contact Information

ATTACHMENT 3

Authorized Budget

ATTACHMENT 4

Authorized Staffing Plan
