

## Grant Modification / Notice of Award

U.S. DEPARTMENT OF LABOR / EMPLOYMENT AND TRAINING ADMINISTRATION

<b>GRANT MODIFICATION</b>		<b>No. 2</b>	PROJECT: WIOA National Dislocated Worker Grants	
			Hurricane Matthew	Project No. FL-23
GRANT NUMBER: EM-30114-16-60-A-12	EIN: 364706134	EFFECTIVE DATE: 07/27/2017	PAGE 1	
GRANTEE: FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY THE CALDWELL BUILDING 107 EAST MADISON STREET, MSC G-229 TALLAHASSEE, FLORIDA 32399-4134		ISSUED BY U.S. DEPARTMENT OF LABOR / ETA DIVISION OF FEDERAL ASSISTANCE 200 CONSTITUTION AVENUE NW - ROOM N-4716 WASHINGTON, DC 20210		

**Action:**

The modification request of June 28, 2017, for incremental funding of \$3,200,000 is conditionally approved.

- 1) To extend the period of performance from September 30, 2017 to September 30, 2018.
- 2) To modify the existing statement of work in accordance with pages 40 – 48.

YEAR / CFDA PROGRAM ACCOUNT ID	Mod 0-1 CURRENT LEVEL	Mod 2 MODIFICATION	NEW LEVEL	PMS DOC #
FY 17 / 17.277 WIOA DIS WKRS NAT RES - EMERGENCY (ADVANCE) <small>16-1630-2017-0501741717BD201701740003175DW093A0000AOWI00AOWI00-A90200-410023-ETA-DEFAULT TASK-</small>	\$2,345,203.00	\$3,200,000.00	\$5,545,203.00	EM301145W0
<b>TOTAL FUND AVAILABILITY</b>	<b>\$2,345,203.00</b>	<b>\$3,200,000.00</b>	<b>\$5,545,203.00</b>	

Except as modified, all terms and conditions of said grant /agreement remain unchanged and in full effect.

Approved by 

Date Signed 08/03/2017

Lynn Fraga

Grant Officer



# **NATIONAL DISLOCATED WORKER GRANT**

## **SPECIAL CONDITIONS OF AWARD**

Grant Number: EM-30114-16-60-A-12

Recipient: Florida Department of Economic Opportunity

Project Title: Hurricane Matthew

The National Dislocated Worker Grant (DWG) modification request submitted on June 28, 2017 for incremental funding is conditionally approved for a reduced award of \$3,200,000. As a condition of this grant award, the recipient must address the issues identified in this document by submitting a subsequent modification request via the DWG electronic application system (e-System) within 30 days of the receipt of this grant award package. The modification request must incorporate all information requested below. Questions pertaining to the submission of the modification responding to these Conditions of Award must be directed to the Federal Project Officer as soon as possible.

Please note that a submittal of revised documents does not in and of itself constitute approval by the Employment and Training Administration, and final approval must be given by the Grant Officer. Once approved, the revised documents will comprise the official modification to this grant agreement and the previous special conditions of award will be resolved.

### **CONDITIONS OF AWARD**

- 1) The Grantee must submit via the e-System the modification type "Reflect Initial Incremental Award Only – Grantee total funding request not approved." The modification forms (SF424, SF-424A, Budget Narrative, and Planning Form) must reflect the total funds awarded to date of \$5,545,203.

# Disaster Recovery National Dislocated Worker Grant Federal Award Terms

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## 1. Order of Precedence

The terms and conditions of this Notice of Award and other requirements have the following order of precedence if there is any conflict in what they require: (1) Workforce Innovation and Opportunity Act; (2) HR 2028 Further Continuing and Security Assistance Appropriations Act, 2017 – Public Law 114-254; (3) other applicable Federal statutes and their implementing regulations; (4) terms and conditions of award.

## 2. Funding Opportunity Announcement

If a Funding Opportunity Announcement or other vehicle is used to announce the availability of these awards, these documents are hereby incorporated into this Grant Agreement. Recipients are bound by the authorizations, restrictions, and requirements contained in the Funding Opportunity Announcement or other vehicle. Expenditure of grant funds certifies that your organization has read and will comply with all parts of the Notice of Award.

## 3. Approved Statement of Work

The award recipient's project narrative is taken as the Statement of Work. It has been included as Attachment D. If there is any inconsistency between items specified in the project narrative and the program statute, appropriation, Department of Labor (DOL) regulations, Executive Orders, Office of Management and Budget Circulars, Uniform Guidance, or DOL-Employment and Training Administration (ETA) directives, the order of precedence will prevail.

The grant may be modified in accordance with applicable procedures for grant modifications. All grant modifications (financial or non-financial) under this grant agreement will consist of and be tracked as sequential grant modifications.

## 4. Approved Budget

The recipient's budget documents are attached in this Notice of Award Package. The documents are: 1) the SF-424, included at Attachment A; 2) the SF-424 A, included at Attachment B; and 3) the Budget Narrative, included at Attachment C. The recipient must confirm that all costs are allowable before expenditure. Pursuant 2 CFR 2900.1, approval of the budget as awarded does not constitute prior approval of those specified in 2 CFR 200 or this grant award as requiring prior approval. The Grant Officer is the only official with the authority to provide such approval.

## 5. Resources and Information

Additional resources and information to assist you is located on the ETA website at <https://www.doleta.gov/grants/resources.cfm>. This site contains information about the Uniform Guidance, general terms and conditions, financial reporting, indirect costs, recipient training resources, and other relevant information.

## 6. Indirect Cost Rate and Cost Allocation Plan

X  A. A **current** federally approved Negotiated Indirect Cost Rate Agreement (NICRA) or current federally approved Cost Allocation Plan (CAP) has been provided – copy attached. Regarding only the NICRA:

- (1) Indirect Rate approved:  .2733%
- (2) Type of Indirect Cost Rate:  Provisional
- (3) Allocation Base:
  - (a) **Total direct salaries and wages including all applicable fringe benefits.**
  - (b) **Total direct salaries and wages including all applicable fringe benefits plus flow-through funding.**
- (4) Current period applicable to rate:  7/1/16 – 6/30/18

Estimated Indirect Costs are shown on the SF-424A budget form. If a new NICRA is issued during the life of the grant, it must be provided to DOL within 30 days of issuance. Funds may be re-budgeted as necessary between direct and indirect costs consistent with institutional requirements and DOL regulations for prior approval, however the total amount of grant award funding will not be increased. Any budget changes impacting the Statement of Work and agreed upon outcomes or deliverables require a request for modification and prior approval from the Grant Officer.

- B. (1)   Latest NICRA or CAP approved by the Federal Cognizant Agency<sup>1</sup> (FCA) is not current, or
- (2)   No NICRA or CAP has ever been approved by an FCA.

**URGENT NOTICE:** Estimated indirect costs have been specified on the SF-424A, Section B, Object Class Category “j”, however only \$ N/A will be released to support indirect costs in the absence of a NICRA or CAP approved by the cognizant agency. The remaining funds which have been awarded for Indirect Costs are restricted and may not be used for any purpose until the awardee provides a signed copy of the NICRA or CAP and the restriction is lifted by the Grant Officer. Upon receipt of the NICRA or CAP, ETA will issue a grant modification to the award to remove the restriction on those funds.

The awardee must submit an indirect cost rate proposal or CAP. These documents should be submitted to DOL’s Division of Cost Determination (DCD), or to the awardee’s Federal Cognizant Agency. In addition, the awardee must notify the Federal Project Officer that the documents have been sent. Contact information for the DCD is available at <http://www.dol.gov/oasam/boc/dcd/>. If this proposal is not submitted **within 90 days of the effective date of the award**, no funds will be approved for the reimbursement of indirect costs. Failure to submit an indirect cost proposal by the above date means the grantee will not receive further reimbursement for indirect costs until a signed copy of the federally approved NICRA or CAP is provided and the restriction is lifted by the Grant Officer. All indirect charges must be returned through the Payment Management System and no indirect

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<sup>1</sup> The Federal agency providing the organization the preponderance of direct Federal funds.

charges will be reimbursed.

The total amount of DOL's financial obligation under this grant award **will not** be increased to reimburse the awardee for higher negotiated indirect costs.

- \_\_\_ C. The organization elected to exclude indirect costs from the proposed budget. Please be aware that incurred indirect costs (such as top management salaries, financial oversight, human resources, payroll, personnel, auditing costs, accounting and legal, etc. used for the general oversight and administration of the organization) must not be classified as direct costs; these types of costs are indirect costs. Only direct costs, as defined by the applicable cost principles, will be charged. Audit disallowances may occur if indirect costs are misclassified as direct.
- \_\_\_ D. The organization has never received a negotiated indirect cost rate and, with and pursuant to the exceptions noted at 2 CFR 200.414(f) in the Cost Principles, and has elected to charge a de minimis rate of 10% of modified total direct costs (see 2 CFR 200.68 for definition) which may be used indefinitely. This methodology must be used consistently for all Federal awards until such time as you choose to negotiate for an indirect cost rate, which you may apply to do at any time. (See 2 CFR 200.414(f) for more information on use of the de minimis rate.)

If DOL is your FCA, grantees should work with DOL's DCD, which has delegated authority to negotiate and issue a NICRA or CAP on behalf of the Federal Government. More information about DOL's DCD is available at <http://www.dol.gov/oasam/boc/dcd/>. This website has guidelines to develop indirect cost rates, links to the applicable cost principles, and contact information. The DCD also has Frequently Asked Questions providing general information about the indirect cost rate approval process and due dates for provisional and final indirect cost rate proposals at <http://www.dol.gov/oasam/faqs/FAQ-dcd.htm>.

## 7. Federal Project Officer

The DOL/ETA Federal Project Officer (FPO) for this award is:

Name: Susan Tesone

Telephone: (404) 302-5375

E-mail: [Tesone.Susan.R@dol.gov](mailto:Tesone.Susan.R@dol.gov)

The FPO is not authorized to change any of the terms or conditions of the award or approve prior approval requests. Any changes to the terms or conditions or prior approvals must be approved by the Grant Officer through the use of a formally executed award modification.

## 8. Evaluation, Data, and Implementation

The recipient must cooperate with the DOL in the conduct of a third-party evaluation if required by the grant, including providing DOL or its authorized contractor with appropriate data and access to program operating personnel and participants in a timely manner.

## 9. Applicable Authority

### a. Workforce Innovation and Opportunity Act

Funds provided under this Notice of Award must be expended in accordance with all applicable federal statutes, regulations and policies, including those of the Workforce Investment and Opportunity Act (as presently in effect and as may become effective during the terms of this Agreement); the applicable approved State WIOA plan including approved modifications and amendments to the plan, and any waiver plan approved under WIOA Sec. 189(i)(3) or Workforce Flexibility (Workflex) plan approved under WIOA Sec. 190; the negotiated performance levels and policies established pursuant to the Secretary's authority under WIOA Section 116; and the applicable provisions in the appropriations act(s).

## 10. Funding Restrictions

### a. Administrative Costs

Administrative costs under this award follow the definition in the Workforce Innovation and Opportunity Act. There is a 15 percent limitation on administrative costs on funds awarded under this NDWG for those direct recipients that are not also serving as the project operator. Unless a written justification is approved by the Grant Officer, administrative costs may not exceed this limit. Direct recipients of NDWG funds are limited to spending no more than 5 percent of each amount they are awarded on administrative costs. Sub-recipients are limited to spending no more than 10 percent of the amount of the allocation they receive from the direct recipient on administrative costs. Compliance with the administrative costs limit is monitored throughout the grant period. Any amounts exceeding this limitation at closeout will be disallowed and subject to debt collection. *For those direct recipients who are also serving as the project operator, the administrative costs limit is 10 percent of the allocation.*

### b. Budget Flexibility

As directed in 2 CFR 200.308(e), the transfer of funds among direct cost categories or programs, functions and activities is restricted such that if the cumulative amount of such transfers exceeds or is expected to exceed 10 percent of the total budget as last approved by the Federal awarding agency, the recipient must receive prior approval from the Grant Officer.

Any changes within a specific cost category on the SF424a do not require a grant modification unless the change results in a cumulative transfer among direct cost categories exceeding 10% of total budget as noted above. It is recommended that your assigned FPO review any within-line changes to your budget prior to implementation to ensure they do not require a modification.



Any budget changes impacting the Statement of Work and agreed upon outcomes or deliverables require a request for modification and prior approval from the Grant Officer.

### c. Foreign Travel

Foreign travel is not allowable except with prior written approval. Prior written approval must be obtained from the Grant Officer through the process described in 2 CFR 200.407 and 2 CFR 2900.16. All travel, both domestic and Grant Officer-approved foreign travel, must comply with the Fly America Act ( 49 USC 40118), which states in part that any air transportation, regardless of price, must be performed by, or under a code-sharing arrangement with, a US Flag air carrier if service provided by such carrier is available.

### d. Mileage Reimbursement Rates

Pursuant to 2 CFR 200.474(a), recipients must have policies and procedures in place related to travel costs; however, for reimbursement on a mileage basis, this federal award cannot be charged more than the maximum allowable mileage reimbursement rates for Federal employees. The 2017 mileage reimbursement rates are:

Modes of Transportation	Effective/Applicability Date	Rate per mile
Privately owned automobile	January 1, 2017	\$0.535
Privately owned motorcycle	January 1, 2017	\$0.505

Mileage rates must be checked annually at [www.gsa.gov/mileage](http://www.gsa.gov/mileage) to ensure compliance.

### e. WIOA Infrastructure

All one-stop partner programs including all programs funded under title I of WIOA are required to contribute to the infrastructure costs and certain additional costs of the one-stop delivery system in proportion to their use and relative benefits received as required in 20 CFR 678.700 and 678.760. The sharing and allocation of infrastructure costs between one-stop partners is governed by WIOA sec. 121(h), WIOA’s implementing regulations, and the Federal Cost Principles contained in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR part 200 (Uniform Guidance). The Federal Cost Principles state that a partner’s contribution is an allowable, reasonable, necessary, and allocable cost to the program and is consistent with other legal requirements. A list of the required one-stop partner programs is available at 20 CFR 678.400.

## 11. Administrative Requirements

### a. System for Award Management and Universal Identifier Requirements

#### 1. Requirement for System of Award Management (SAM)

Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

## 2. Requirement for unique entity identifier

If you are authorized to make subawards under this award, you:

- a. Must notify potential subrecipients that no entity (*see* definition in paragraph [3] of this award term) may receive a subaward from you unless the entity has provided its unique entity identifier to you.
- b. May not make a subaward to an entity unless the entity has provided its unique entity identifier to you.

## 3. Definitions

For purposes of this award term:

- a. System of Award Management (SAM) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at <http://www.sam.gov>).
- b. Unique entity identifier means the identifier required for SAM registration to uniquely identify business entities.
- c. Entity, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:
  - i. A Governmental organization, which is a State, local government, or Indian Tribe;
  - ii. A foreign public entity;
  - iii. A domestic or foreign nonprofit organization;
  - iv. A domestic or foreign for-profit organization; and
  - v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
- d. Subaward:
  - i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
  - ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330).
  - iii. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.
- e. Subrecipient means an entity that:
  - i. Receives a subaward from you under this award; and
  - ii. Is accountable to you for the use of the Federal funds provided by the subaward.

## b. Federal Funding Accountability and Transparency Act

1. Reporting of first-tier subawards
  - i. *Applicability.* Unless you are exempt as provided in paragraph [4.] of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph [5.] of this award term).
  - ii. *Where and when to report.*
    - a. You must report each obligating action described in paragraph [1.i.] of this award term to <http://www.fsrs.gov>.
    - b. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
  - iii. *What to report.* You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.
2. Reporting Total Compensation of Recipient Executives
  - i. *Applicability and what to report.* You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—
    - a. the total Federal funding authorized to date under this award is \$25,000 or more;
    - b. in the preceding fiscal year, you received—
      - (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
      - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
    - c. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/excomp.htm>.)
  - ii. *Where and when to report.* You must report executive total compensation described in paragraph [2.i.] of this award term:
    - a. As part of your registration profile at <http://www.sam.gov>.
    - b. By the end of the month following the month in which this award is made, and annually thereafter.
3. Reporting of Total Compensation of Subrecipient Executives
  - i. *Applicability and what to report.* Unless you are exempt as provided in paragraph [4.] of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—
    - a. in the subrecipient's preceding fiscal year, the subrecipient received—
      - (A) 80 percent or more of its annual gross revenues from Federal procurement

- contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
- (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
- b. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
- ii. *Where and when to report.* You must report subrecipient executive total compensation described in paragraph [3.i] of this award term:
  - a. To the recipient.
  - b. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

#### 4. Exemptions

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

- i. Subawards, and
- ii. The total compensation of the five most highly compensated executives of any subrecipient.

#### 5. Definitions

For purposes of this award term:

- i. *Entity* means all of the following, as defined in 2 CFR part 25:
  - a. A Governmental organization, which is a State, local government, or Indian tribe;
  - b. A foreign public entity;
  - c. A domestic or foreign nonprofit organization;
  - d. A domestic or foreign for-profit organization;
  - e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
- ii. *Executive* means officers, managing partners, or any other employees in management positions.
- iii. *Subaward*:
  - a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
  - b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see [2 CFR 200.330]).
  - c. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.
- iv. *Subrecipient means an entity that*:
  - a. Receives a subaward from you (the recipient) under this award; and

- b. Is accountable to you for the use of the Federal funds provided by the subaward.
- v. *Total* compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
  - a. *Salary and bonus.*
  - b. *Awards of stock, stock options, and stock appreciation rights.* Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
  - c. *Earnings for services under non-equity incentive plans.* This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
  - d. *Change in pension value.* This is the change in present value of defined benefit and actuarial pension plans.
  - e. *Above-market earnings on deferred compensation which is not tax-qualified.*
  - f. Other compensation, if the aggregate value of all such other compensation (e.g. *severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property*) for the executive exceeds \$10,000.

### c. Personally Identifiable Information

Recipients must recognize and safeguard personally identifiable information (PII) except where disclosure is allowed by prior written approval of the Grant Officer or by court order. Recipients must meet the requirements in Training and Employment Guidance letter (TEGL) 39-11, Guidance on the Handling and Protection of Personally Identifiable Information (PII), found at [http://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=7872](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7872).

### d. Assurances and Certifications

The signed SF-424, Application for Federal Assistance, has been included as an attachment to this grant. The individual that signed the SF-424 on behalf of the applicant is considered the Authorized Representative of the applicant. As stated in block 21 of the SF-424 form, the signature of the Authorized Representative on the SF-424 certifies that the organization is in compliance with the Assurances and Certifications form SF-424B (available at <http://apply07.grants.gov/apply/forms>). You do not need to submit the SF-424B form separately.

### e. Audits

Organization-wide or program-specific audits shall be performed in accordance with Subpart F, the Audit Requirements of the Uniform Guidance which apply to audits for fiscal years beginning on or after December 26, 2014. Recipients of DOL awards including for-profit and foreign entities that expend \$750,000 or more in a year in Federal awards must have an audit conducted for that year in accordance with the requirements contained in 2 CFR 200.501.

OMB's approved exception at 2 CFR 2900.2 expands the definition of 'non-Federal entity' to include for-profit entities and foreign entities. For-profit and foreign entities that are recipients or subrecipients of a DOL award must adhere to the Uniform Guidance at 2 CFR 200.

#### f. Equipment

FEMA has extensive experience in obtaining and/or leasing heavy equipment in the aftermath of disasters, and provides such equipment for a limited period of time to permit clean-up, reconstruction and other allowable activities following a disaster. NDWG recipients must utilize these resources first, where available, prior to using NDWG funds to lease or purchase equipment.

Recipients must receive prior approval from the Grant Officer for the purchase of any equipment (tangible personal property), including information technology systems, with a per-unit acquisition cost of \$5,000 or more, and a useful life of more than one year. Equipment purchases must be made in accordance with 2 CFR 200.313 or 2 CFR 200.439.

This grant award does not give approval for equipment specified in a recipient's budget or statement of work unless specifically approved by the Grant Office. If not specified above, the recipient must submit a detailed description list to the FPO for review within 90 days of the Notice of Award date. We strongly encourage recipients to submit equipment purchase requests as early as possible in the grant's period of performance with as many planned pieces of equipment as possible.

Recipients may not purchase equipment in the last year of performance. If any approved acquisition has not occurred prior to the last year of performance, approval for that item(s) is rescinded.

#### g. Program Income

The addition method as described in 2 CFR 200.307 must be used in allocating any program income generated for this grant award. The recipient is allowed to deduct costs incidental to generating Program Income to arrive at a Program Income. Reporting on program income expenditures must be reported on the quarterly financial report, ETA-9130.

#### h. Supportive Services

Grant funds may be used to pay for supportive services such as transportation, child care, dependent care, registration fees paid on behalf of participants in connection with conferences or training, grooming, and emergency housing-related costs for participants who are participating in programs with activities authorized under WIOA 134 (c) paragraph (2) or (3) and who are unable to obtain these supportive services through other programs (WIOA 134(d)(2)B)). No additional prior approval from the Grant Officer is required. However, costs such as needs-related payments, stipends, subsistence allowances, and/or any monetary payment provided directly to participants for any service, must receive written prior approval from the Grant Officer.

This list of supportive services is not all-inclusive. Questions regarding whether any additional

supportive service requires written prior approval should be directed to the Federal Project Officer assigned to the grant. As a reminder, if it is determined that prior approval is needed, the Grant Officer is the only official with the authority to provide written prior approval.

## i. Pre-Award

Pre-award costs are those incurred prior to the effective date of the Federal award (2 CFR 200.458). The effective date of the award is the start date of the period of performance (2 CFR 200.209). All costs incurred by the recipient prior to the effective date specified in the award issued by the Department are incurred at the recipient's own expense.

## j. Reports

All ETA recipients are required to submit quarterly financial reports for each grant award.

### A. Quarterly Financial Reports

All ETA recipients are required to report quarterly financial data on the ETA 9130. ETA 9130 reports are due no later than 45 calendar days after the end of each specified reporting quarter. Reporting quarter end dates are June 30, September 30, December 31, and March 31. A final financial closeout report is required to be submitted no later than 90 calendar days after the grant period of performance ends. For guidance on ETA's financial reporting, reference Training and Employment Guidance Letter (TEGL) 02-16.

ETA requires all grant recipients to submit the 9130 form electronically through an on-line reporting system. Expenditures are required to be reported on an accrual basis, cumulative from the beginning of the life of a grant, through the end of each reporting period.

The instructions for accessing both the on-line financial reporting system and the HHS Payment Management System can be found in the transmittal memo accompanying this Notice of Award. To gain access to the online financial reporting system, a request for a password and pin must be submitted via e-mail to [ETApasword.pin@dol.gov](mailto:ETApasword.pin@dol.gov). The Financial Report Access Document, copies of the ETA 9130, and detailed reporting instructions are available at [www.doleta.gov/grants/financial\\_reporting.cfm](http://www.doleta.gov/grants/financial_reporting.cfm).

### B. Other Program Specific Quarterly Reports

NDWG recipients are also required to submit the following quarterly performance reports:

- o ETA 9172 – DOL-only Performance Accountability, Information, and Reporting System (OMB Control No. 1205-0521)

Data elements and definitions pertaining to DWGs may be found on ETA's website at: [https://doleta.gov/performance/pfdocs/ETA-9172\\_DOL%20PIRL\\_FINAL\\_V25\\_062816.pdf](https://doleta.gov/performance/pfdocs/ETA-9172_DOL%20PIRL_FINAL_V25_062816.pdf).

Note: Participant record files are due no later than 45 calendar days after the end of each reporting quarter. These files are to be submitted through ETA's Workforce Integrated Performance System. Guidance on file submission is forthcoming from the Department.

- o ETA 9104 – NDWG Quarterly Performance Report (QPR) (OMB 1205-0439). These QPRs are for applications/modifications submitted through the NDWG application system.

- *For applications submitted through grants.gov, the Federal Project Officer will provide the applicable report following award.*

## k. Managing Subawards

Subaward means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

The provisions of the Terms and Conditions of this award will be applied to any subrecipient under this award. The recipient is responsible for the monitoring of the subrecipient, ensuring that the Terms and Conditions are in all subaward packages and that the subrecipient is in compliance with all applicable regulations and the terms and conditions of this award (2 CFR 200.101(b)(1)).

## l. Closeout / Final Year Requirements

At the end of the grant period, the recipient will be required to close the grant with ETA. The recipient will be notified approximately 15 days prior to the end of the period of performance that the initiation of closeout will begin at the end of the grant. A Closeout ETA 9130 (different from the Final ETA 9130) must be submitted as part of the closeout process. Information concerning the recipient's responsibilities at closeout may be found in 2 CFR 200.343.

## m. Publicity

No funds provided under this grant shall be used for publicity or propaganda purposes, for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress or any state or local legislature or legislative body, except in presentation to the Congress or any state or local legislature itself, or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any state or local government, except in presentation to the executive branch of any state or local government itself. Nor shall grant funds be used to pay the salary or expenses of any recipient or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive Order proposed or pending before the Congress, or any state government, state legislature, or local legislative body other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a state, local, or tribal government in policymaking and administrative processes within the executive branch of that government.

## n. Recipient Integrity and Performance Matters

If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient during that



period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIS)) about civil, criminal, or administrative proceedings described in paragraph 2 of this award term and condition. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

- A. Proceedings about which you must report. Submit the information required about each proceeding that:
1. Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from either the Federal Government or a State;
  2. Reached its final disposition during the most recent 5-year period; and
  3. Is one of the following:
    - a. A criminal proceeding that resulted in a conviction, as defined in paragraph E. of this award term
    - b. A civil proceeding that resulted in a finding of fault and liability and your paying a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more;
    - c. An administrative proceeding, as defined in paragraph e. of this award term, that resulted in a finding of fault and liability and your payment of either monetary fine or penalty of \$5,000 or more or a reimbursement, restitution, or damages in excess of \$100,000; or
    - d. Any other criminal, civil, or administrative proceeding if:
      - i. It could have led to an outcome described in paragraph B.3.a, b, or c of this award term;
      - ii. It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on your part; and
      - iii. The requirement in this award term to disclose information about the proceeding does not conflict with applicable laws and regulations.
- B. Reporting procedures. Enter in SAM Entity Management area (formerly CCR), or any successor system, the FAPIS information that SAM requires about each proceeding described in paragraph B. of this award term. You do not need to submit the information a second time under assistance awards that you received if you already provided the information through SAM (formerly CCR) because you were required to do so under Federal procurement contracts that you were awarded.
- C. Reporting frequency. During any period of time when you are subject to the requirement in paragraph A. of this award term, you must report FAPIS information through SAM no less frequently than semiannually following your initial report of any proceedings for the most recent 5-year period, either to report new information about any proceeding(s) that you have not reported previously or affirm that there is no new information to report.
- D. Definitions. For purposes of this award term:
1. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission

Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level. It does not include audits, site visits, corrective plans, or inspection of deliverables.

2. Conviction, for purposes of this award term, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.
3. Total value of currently active grants, cooperative agreements, and procurement contracts includes:
  - a. Only the Federal share of the funding under any award with a recipient cost share or match; and
  - b. The value of all options, even if not yet exercised.

#### **o. Procurement**

The Uniform Administrative Requirements (2 CFR 200.317) require States (as defined at 2 CFR 200.90) to follow the same procurement policies and procedures it uses for non-federal funds. The state will comply with §200.322 Procurement of recovered materials and ensure that every purchase order or other contract includes any clauses required by section §200.326 Contract provisions. Recipients must also follow the requirements regarding the competitive award of One-Stop Operators in the Workforce Investment and Opportunity Act at WIOA Sec. 121(d) and sec. 123.

#### **p. Vendor/Contractor**

The term “contractor”, sometimes referred to as a vendor, is a dealer, distributor, merchant or other seller providing goods or services that are required for the conduct of a Federal program. (2 CFR 200.23) These goods or services may be for an organization's own use or for the use of beneficiaries of the Federal program. Additional guidance on distinguishing between a subrecipient and a contractor (vendor) is provided in 2 CFR 200.330. When procuring contractor provided goods and services, DOL ETA recipients and subrecipients must follow the procurement requirements 2 CFR 200.319, which call for free and open competition.

#### **q. Intellectual Property Rights**

The Federal Government reserves a paid-up, nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use for federal purposes: i) the copyright in all products developed under the grant, including a subgrant or contract under the grant or subgrant; and ii) any rights of copyright to which the recipient, subrecipient or a contractor purchases ownership under an award (including but not limited to curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronically or otherwise. Federal funds may not be used to pay any royalty or license fee for use of a copyrighted work, or the cost of acquiring by purchase a copyright in a work, where the Department has a license or rights of free use in such work, although they may be used to pay costs for obtaining a copy which is limited to the developer/seller costs of copying and shipping. If revenues are generated through selling products developed with grant funds, including

intellectual property, these revenues are program income. Program income must be used in accordance with the provisions of this grant award and 2 CFR 200.307.

If applicable, the following needs to be on all products developed in whole or in part with grant funds:

“This workforce product was funded by a grant awarded by the U.S. Department of Labor’s Employment and Training Administration. The product was created by the recipient and does not necessarily reflect the official position of the U.S. Department of Labor. The Department of Labor makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This product is copyrighted by the institution that created it.”

#### r. Creative Commons License Requirement

As required at 2 CFR 2900.13, any intellectual property developed under competitive award process must be licensed under a Creative Commons Attribution 4.0 (CC BY) license, which allows subsequent users to copy, distribute, transmit and adapt the copyrighted work and requires such users to attribute the work in the manner specified by the recipient. For general information on CC BY, please visit <http://creativecommons.org/licenses/by/4.0>. Instructions for marking your work with CC BY can be found at <http://wiki.creativecommons.org/Marking your work with a CC license>.

#### s. Requirements for Conference and Conference Space

Conferences sponsored in whole or in part by the recipient of Federal awards are allowable if the conference is necessary and reasonable for the successful performance of the Federal Award. Recipients are urged to use discretion and judgment to ensure that all conference costs charged to the grant are appropriate and allowable. For more information on the requirements and the allowable costs associated with conferences, refer to 2 CFR 200.432. Recipients will be held to the requirements in 2 CFR 200.432. Costs that do not comply with 2 CFR 200.432 will be questioned and may be disallowed.

#### t. Travel

This award waives the prior approval requirement for domestic travel as contained in 2 CFR 200.407. For domestic travel to be an allowable cost, it must be necessary, reasonable, allocable, and conform to the non-Federal entities written policies and procedures. All travel must also comply with Fly America Act ( 49 USC 40118), which states in part that any air transportation, regardless of price, must be performed by, or under a code-sharing arrangement with, a US Flag air carrier if service provided by such carrier is available.

## 12. Fiscal Year 2016 Appropriations Requirements

### a. Funding for Travel to and from Meetings with an Executive Branch Agency

Pursuant to P.L. 114-113, Division E, Title VII, Section 739, grant funds may not be used for the purposes of defraying the costs of a conference held by any Executive branch department, agency, board, commission, or office unless it is directly and programmatically related to the purpose for which the grant or contract was awarded.

No funds made available through DOL appropriations may be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M-12-12 dated May 11, 2012 or any subsequent revisions to that memorandum.

### b. Prohibition on Contracting with Corporations with Felony Criminal Convictions

Pursuant to P.L. 114-113, Division E, Title VII, Section 746, the recipient may not knowingly enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

### c. Prohibition on Contracting with Corporations with Unpaid Tax Liabilities

Pursuant to P.L. 114-113, Division E, Title VII, Section 745, the recipient may not knowingly enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

### d. Prohibition on Procuring Goods Obtained Through Child Labor

Pursuant to P.L. 114-113, Division H, Title I, Section 103, no funds may be obligated or expended for the procurement of goods mined, produced, manufactured, or harvested or services rendered, in whole or in part, by forced or indentured child labor in industries and host countries identified by DOL prior to December 18, 2015. DOL has identified these goods and services here:<http://www.dol.gov/ilab/reports/child-labor/list-of-products/index-country.htm> .

e. **Prohibition on Providing Federal Funds to ACORN**

Pursuant to P.L. 114-113, Division H, Title V, Section 522, these funds may not be provided to the Association of Community Organizations for Reform Now (ACORN), or any of its affiliates, subsidiaries, allied organizations or successors.

f. **Reporting of Waste, Fraud and Abuse**

Pursuant to P.L. 114-113, Division E, Title VII, Section 743, no entity receiving federal funds may require employees or contractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

g. **Requirement for Blocking Pornography**

Pursuant to P.L. 114-113, Division H, Title V, Section 521, no Federal funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

h. **Requirement to Provide Certain Information in Public Communications**

Pursuant to P.L. 114-113, Division H, Title V, Section 505, when issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all non-Federal entities receiving Federal funds shall clearly state:

The percentage of the total costs of the program or project which will be financed with Federal money;

The dollar amount of Federal funds for the project or program; and

The percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

The requirements of this part are separate from those in the 2 CFR 200 and, when appropriate, both must be complied with.

i. **Restriction on Health Benefits Coverage for Abortions**

Pursuant to P.L. 114-113, Division H, Title V, Sections 506 and 507, Federal funds may not be expended for health benefits coverage that includes coverage of abortions, except when the abortion due to a pregnancy that is the result of rape or incest, or in the case where a woman suffers from a physical disorder, physical injury, including life-endangering physical conditions caused by or arising from the pregnancy itself that would, as certified by a physician, place the women in danger of death unless and abortion is performed. This restriction does not prohibit any non-Federal entity from providing health benefits coverage for abortions when all funds for that specific benefit do not come from a Federal source. Additionally, no funds made available through this award may be provided to a State or local government if such government subjects any

institutional or individual health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

#### j. Restriction on the Promotion of Drug Legalization

Pursuant to P.L. 114-113, Division H, Title V, Section 509, no Federal funds shall be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established under section 202 of the Controlled Substances Act except for normal recognized executive-congressional communications or where the grant agreement provides for such use because there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance.

#### k. Restriction on Purchase of Sterile Needles or Syringes

Pursuant to P.L. 114-113, Division H, Title V, Section 520, no Federal funds shall be used to purchase sterile needles or syringes for the hypodermic injection of any illegal drug.

#### l. Salary and Bonus Limitations

Pursuant to P.L. 114-113, Division H, Title I, Section 105 none of the funds appropriated under the heading "Employment and Training" shall be used by a recipient or sub-recipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. The Executive Level II salary may change yearly and is located on the OPM.gov website (<http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2016/executive-senior-level>). The salary and bonus limitation does not apply to contractors (vendors) providing goods and services as defined in 2 CFR 200.330. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment and Training Administration programs. See Training and Employment Guidance Letter No. 5-06 for further clarification, available at [http://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=2262](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2262)

### 13. Program Requirements

#### a. Coordination with Federal Agencies

**Federal Emergency Management Agency (FEMA)** - In accordance with WIOA Section 170 (d)(1)(A), funds made available for Disaster NDWGs "shall be used in coordination with FEMA, as applicable,..." As a result, in order to ensure non-duplication and maintenance of effort, recipients of NDWG funding must coordinate the activities funded under this grant with those funded by and/or performed under the auspices of FEMA if FEMA has issued an appropriate declaration.

**Other Federal Agencies** –If another federal agency (outside of FEMA) with authority or

jurisdiction over the federal response declares or otherwise recognizes an emergency or disaster that meets the definition at WIOA 170(A)(1)(B), NDWG funds made available for that disaster must be used in coordination with that agency, as applicable in order to ensure non-duplication and maintenance of effort.

The grantee must have in place a plan to recover WIOA funds which have been expended for activities or services for which other funds are available. This includes, but is not limited to: FEMA, other federal agencies, public or private insurance, donated time and construction workers employed by private for profit firms where resources are available to provide for such employment.

If additional areas are declared eligible for assistance by FEMA or another Federal agency as allowable under WIOA, you may immediately begin to provide services under this grant in those counties. However, the direct recipient must notify its Federal Project Officer in writing of the inclusion of any additional areas that have been appropriately approved by the federal agencies, and include such locations in the full application. For more information on the full application, please see the Condition of Award page included in this grant package.

## b. Eligibility

**Self-certification** – The participant file must document participants' eligibility. Because of the circumstances surrounding the disaster, documentation of eligibility may be difficult to obtain during the initial stages. The Department is prepared to accept an individual's signed certification that they meet the eligibility criteria. The Grantee should have a system in place to verify eligibility for individuals once better data are available. If the Grantee has such a system in place, and if a participant is later found to be ineligible, the costs incurred prior to the discovery of ineligibility will not be disallowed.

**Limitations on Duration of Participation** -- Temporary jobs created under this grant shall be in public or private non-profit agencies. No individual shall be employed in Disaster Relief Employment for more than 12 months related to recovery from a single emergency or disaster, pursuant to WIOA Sec. 170(d)(3)(A). The Department will consider requests from a State to extend employment related to the recovery from this disaster involving the State, for up to an additional 12 months in accordance with WIOA Sec. 170(d)(3)(B).

## c. Participant Compensation

**Rate of Pay** – In accordance with WIOA Section 181(a)(1)(A), generally, participants shall be compensated at the same rates, including periodic increases, as employees who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills, and such rates shall be in accordance with applicable law, but in no event less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the applicable State or local minimum wage law.

**Overtime** - Participants may work overtime (subject to regulations of the Fair Labor Standards Act with respect to level of compensation), provided that this is part of the design of the project and regular employees of the employer in question are also working overtime, subject to the

limit on duration of participation for workers under this project.

#### d. Employment Conditions

**Benefits and Working Conditions** - All participants shall be provided benefits and working conditions at the same level and to the same extent as other employees working a similar length of time and doing the same type of work (WIOA Sec. 181(b)(5)). (Please see item 10f, Restrictions on Health Coverage). If the employer has different policies for temporary employees than for full-time employees, these policies may apply to these participants since the jobs under this grant are classified as temporary.

Health and Safety Standards - Health and safety standards established under Federal and State law otherwise applicable to working conditions of employees shall be equally applicable to working conditions of participants engaged in specified activities. To the extent that a State workers' compensation law applies, workers' compensation shall be provided to participants on the same basis as the compensation is provided to other individuals in the State in similar employment (WIOA 181(b)(4)). Where a participant is not covered under a state workers' compensation law, the participant shall be provided with adequate on-site medical and accident insurance for work-related activities.

**Safety Training** - In order to ensure compliance with the Occupational Safety and Health Act of 1970 and to assure safe working conditions for all temporary job participants, the Grantee must ensure that temporary job participants receive appropriate safety training. For more information, contact your servicing Occupational Safety and Health Administration (OSHA) field office. A listing of OSHA field offices is available at: <http://www.osha.gov/html/RAmap.html>.

#### e. Work on Private Property

Work on private property is limited to the following two circumstances:

- (1) Clean-up activities on private property may be performed by NDWG Disaster participants if workers from units of general local government are also (a) authorized to conduct such work and (b) are performing such work.
- (2) As determined by the extenuating circumstances of the disaster for which Title I funds are being provided, repair and restoration activities are authorized on the private property of **economically disadvantaged individuals**, under the following specific conditions. **In order to be authorized, all of the following conditions must be met:**
  - a. Work can only be performed on the homes of economically disadvantaged individuals who are eligible for the federally-funded Weatherization program; and
  - b. Work may be performed on private land or homes of such individuals if the non- WIOA employees of the employing unit or state or local government workers are authorized to do the same work and are in fact engaged in performing the work using non-WIOA funds; and
  - c. Work on private land or buildings is performed to remove health and safety hazards to the larger community; and
  - d. The work is limited to returning a home to a safe and habitable level -- not to



- make home improvements; and
- e. Priority is given for service to the elderly and individuals with disabilities; and
- f. WIOA funds cannot be used for the cost of materials to do repairs; and
- g. Work must be disaster-related and not related to general home improvements authorized under the Federal Weatherization program; and
- h. Work is coordinated with or supervised by the local agency responsible for the Federal Weatherization program.

## f. Fish and Wildlife Service (FWS)

In order to ensure compliance with the National Environmental Policy Act (NEPA) and the Endangered Species Act (ESA) and to protect valuable habitats and endangered species, all disaster projects where participants will be entering or impacting natural areas must ensure that activities are not negatively affecting endangered species or their habitats. NEPA and ESA require NDWG projects to either affirm to FWS that there are no endangered species or habitats within the project area, or to consult with FWS to mitigate negative impacts where there are endangered species or protected habitats before beginning any work in those areas. For more information, contact a local FWS field office ([www.fws.gov/offices/](http://www.fws.gov/offices/)).

## 14. Public Policy

### a. Executive Orders

12928: Pursuant to Executive Order 12928, the recipient is strongly encouraged to provide subcontracting/subgranting opportunities to Historically Black Colleges and Universities and other Minority Institutions such as Hispanic-Serving Institutions and Tribal Colleges and Universities; and to Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals.

13043: Pursuant to Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, recipients are encouraged to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented, or personally owned vehicles.

13166: As clarified by Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, dated August 11, 2000, and resulting agency guidance, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, recipients must take reasonable steps to ensure that LEP persons have meaningful access to programs in accordance with DOL's Policy Guidance on the Prohibition of National Origin Discrimination as it Affects Persons with Limited English Proficiency [05/29/2003] Volume 68, Number 103, Pages 32289-32305. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. Recipients are encouraged to consider the need for language services for LEP persons served or encountered both in developing budgets and in conducting programs and activities. For assistance and information regarding your LEP obligations, go to <http://www.lep.gov>.

13513: Pursuant to Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, dated October 1, 2009, recipients and subrecipients are encouraged to adopt and enforce policies that ban text messaging while driving company-owned or -rented vehicles or GOV, or while

driving POV when on official Government business or when performing any work for or on behalf of the Government. Recipients and subrecipients are also encouraged to conduct initiatives of the type described in section 3(a) of this order.

## b. Veteran's Priority Provisions

The Jobs for Veterans Act (Public Law 107-288) requires recipients to provide priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services in any job training program directly funded, in whole or in part, by DOL. The regulations implementing this priority of service can be found at 20 CFR part 1010. In circumstances where a grant recipient must choose between two qualified candidates for a service, one of whom is a veteran or eligible spouse, the veterans priority of service provisions require that the grant recipient give the veteran or eligible spouse priority of service by first providing him or her that service. To obtain priority of service, a veteran or spouse must meet the program's eligibility requirements. Recipients must comply with DOL guidance on veterans' priority. ETA's Training and Employment Guidance Letter (TEGL) No. 10-09 (issued November 10, 2009) provides guidance on implementing priority of service for veterans and eligible spouses in all qualified job training programs funded in whole or in part by DOL. TEGL No. 10-09 is available at [http://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=2816](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2816).

## c. Flood Insurance

The Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4001 et seq., provides that no Federal financial assistance to acquire, modernize, or construct property may be provided in identified flood-prone communities in the United States, unless the community participates in the National Flood Insurance Program and flood insurance is purchased within 1 year of the identification. The flood insurance purchase requirement applies to both public and private applicants for DOL support. Lists of flood-prone areas that are eligible for flood insurance are published in the Federal Register by FEMA.

## d. Architectural Barriers

The Architectural Barriers Act of 1968, 42 U.S.C. 4151 et seq., as amended, the Federal Property Management Regulations (see 41 CFR 102-76), and the Uniform Federal Accessibility Standards issued by GSA (see 36 CFR 1191, Appendixes C and D) set forth requirements to make facilities accessible to, and usable by, the physically handicapped and include minimum design standards. All new facilities designed or constructed with grant support must comply with these requirements.

## e. Drug-Free Workplace

The Drug-Free Workplace Act of 1988, 41 U.S.C. 702 et seq., and 2 CFR 182 require that all organizations receiving grants from any Federal agency maintain a drug-free workplace. The recipient must notify the awarding office if an employee of the recipient is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for suspension or debarment.

## f. Hotel-Motel Fire Safety

Pursuant to 15 U.S.C. 2225a, the recipient must ensure that all space for conferences, meetings, conventions or training seminars funded in whole or in part with federal funds complies with the protection and control guidelines of the Hotel and Motel Fire Safety Act (P.L. 101-391, as amended). Recipients may search the Hotel Motel National Master List at <http://www.usfa.dhs.gov/applications/hotel/> to see if a property is in compliance, or to find other information about the Act.

## g. Prohibition on Trafficking in Persons

### I. Trafficking in persons.

#### a. *Provisions applicable to a recipient that is a private entity.*

1. You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not—
  - i. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
  - ii. Procure a commercial sex act during the period of time that the award is in effect; or
  - iii. Use forced labor in the performance of the award or subawards under the award.
2. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity —
  - i. Is determined to have violated a prohibition in paragraph a.1 of this award term; or
  - ii. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either—
    - A. Associated with performance under this award; or
    - B. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 29 CFR Part 98.

#### b. *Provision applicable to a recipient other than a private entity.* We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity—

1. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or
2. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either—
  - i. Associated with performance under this award; or
  - ii. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our

agency at 29 CFR Part 98.

*c. Provisions applicable to any recipient.*

1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.
2. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:
  - i. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
  - ii. Is in addition to all other remedies for noncompliance that are available to us under this award.
3. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.

*d. Definitions.* For purposes of this award term:

1. "Employee" means either:
  - i. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
  - ii. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
2. "Forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
3. "Private entity":
  - i. Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.
  - ii. Includes:
    - A. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).
    - B. A for-profit organization.
4. "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

## **h. Buy American Notice Requirement**

None of the funds made available under Titles I or II of the Workforce Innovation and Opportunity Act (Public Law 113-128) or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) may be expended by an entity unless the entity agrees that in expending the funds it will comply with sections 8301 through 8303 of title 41, United States Code (commonly known as the "Buy American Act").

## **i. Violation of the Privacy Act**

These funds cannot be used in contravention of the 5 USC 552a or regulations implementing that section.

15. Attachment(s)

Attachment A: SF-424

Attachment B: SF-424A

[Attachment C: Budget Narrative](#)

Attachment D: Statement of Work

[Attachment E: Negotiated Indirect Cost Rate Agreement](#)

Attachment A: SF-424

<b>Application for Federal Assistance SF-424</b>	
*1. Type of Submission: [ ] Preapplication [ ] Application [X] Changed/Corrected Application	*2. Type of Application * If Revision, select appropriate letter(s) [X] New [ ] Continuation *Other (Specify) [ ] Revision
3. Date Received: 06/28/2017	4. Applicant Identifier:
5a. Federal Entity Identifier: NDW-FL-ST-16-001.2	*5b. Federal Award Identifier: EM-30114-16-60-A-12
<b>State Use Only:</b>	
6. Date Received By State:	7. State Application Identifier:
<b>8. APPLICANT INFORMATION:</b>	
*a. Legal Name: Department of Economic Opportunity	
*b. Employer/Taxpayer Identification Number (EIN/TIN): 36-4706134	*c. Organizational DUNS: 968930664
<b>d. Address:</b>	
*Street 1:	The Caldwell Building
Street 2:	107 East Madison Street MSC G-229
*City:	Tallahassee
County:	Leon
*State:	FL
Province:	
*Country:	US
*Zip / Postal Code:	32399-4134
<b>e. Organizational Unit:</b>	
Department Name: Workforce Services	Division Name: One Stop and Program Support
<b>f. Name and contact information of person to be contacted on matters involving this application:</b>	
Prefix: *First Name: Diane Middle Name: *Last Name: Vacca Suffix:	
Title:	
Organizational Affiliation:	
*Telephone Number: (850) 245-7451	Fax Number:
*Email: <a href="mailto:diane.vacca@deo.myflorida.com">diane.vacca@deo.myflorida.com</a>	

<b>Application for Federal Assistance SF-424</b>
<b>*9. Type of Application 1: Select Applicant Type:</b> A.  Type of Applicant 2: Select Applicant Type:  Type of Applicant 3: Select Applicant Type:  *Other (Specify)
<b>*10. Name of Federal Agency:</b> DOL/ETA
<b>11. Catalog of Federal Domestic Assistance Number:</b> 17.277  CFDA Title: Workforce Investment Act (WIA) National Dislocated Worker Grants
<b>*12. Funding Opportunity Number:</b> N/A  *Title: N/A
<b>13. Competition Identification Number:</b>  Title:
<b>14. Areas Affected by Project (Cities, Counties, States, etc.):</b>  FL-Bradford County, FL-Brevard County, FL-Broward County, FL-Clay County, FL-Duval County, FL-Flagler County, FL-Indian River County, FL-Lake County, FL-Martin County, FL-Nassau County, FL-Orange County, FL-Osceola County, FL-Palm Beach County, FL-Putnam County, FL-Seminole County, FL-St. Johns County, FL-St. Lucie County, FL-Volusia County
<b>*15. Descriptive Title of Applicant's Project:</b>  FL-Disaster~FL-Hurricane Matthew



<b>Application for Federal Assistance SF-424</b>	
<b>16. Congressional Districts Of:</b>	
*a. Applicant: FL District 2	*b. Program/Project: FL District 3, FL District 4, FL District 5, FL District 6, FL District 7, FL District 8, FL District 17, FL District 18
<b>17. Proposed Project:</b>	
*a. Start Date: 10/08/2016	*b. End Date: 09/30/2018
<b>18. Estimated Funding (\$):</b>	
*a. Federal:	\$ 7,035,611
*b. Applicant:	\$ 0
*c. State:	\$ 0
*d. Local:	\$ 0
*e. Other:	\$ 0
*f. Program Income:	\$ 0
*g. TOTAL:	\$ 7,035,611
<b>*19. Is Application Subject to Review By State Under Executive Order 12372 Process?</b>	
<input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on <input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review. <input checked="" type="checkbox"/> c. Program is not covered by E.O. 12372.	
<b>*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)</b>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)  <input checked="" type="checkbox"/> ** I AGREE  ** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.	
<b>Authorized Representative:</b>	
Prefix: *First Name: Michael Middle Name: D. *Last Name: Lynch Suffix:	
*Title: Senior Management Analysis	
*Telephone Number: (850) 245-7193	Fax Number:
*Email: michael.lynch@deo.myflorida.com	
*Signature of Authorized Representative: Michael D. Lynch	*Date Signed: 06/28/2017

Attachment B: SF-424A

**BUDGET INFORMATION - Non-Construction Programs**

OMB Approval no. 0348-0044

**SECTION A - BUDGET SUMMARY**

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.						
2.						
3.						
4.						
<b>5. TOTALS</b>						

**SECTION B - BUDGET CATEGORIES**

6. OBJECT CLASS CATEGORIES	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total
	(1)	(2)	(3)	(4)	(5)
a. Personnel	\$95,700				\$95,700
b. Fringe Benefits	\$34,452				\$34,452
c. Travel	\$3,000				\$3,000
d. Equipment	\$0				\$0
e. Supplies	\$1,600				\$1,600
f. Contractual	\$6,878,327				\$6,878,327
g. Construction	\$0				\$0
h. Other	\$3,378				\$3,378
i. Total direct Charges (sum of 6a-6h)	\$7,016,457				\$7,016,457
j. Indirect Charges	\$19,154				\$19,154
<b>k. TOTALS (sum of 6i and 6j)</b>	<b>\$7,035,611</b>				<b>\$7,035,611</b>
<b>7. PROGRAM INCOME</b>					

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<b>SECTION C - NON FEDERAL RESOURCES</b>					
<b>(a) Grant Program</b>	<b>(b) Applicant</b>	<b>(c) State</b>	<b>(d) Other Sources</b>	<b>(e) TOTALS</b>	
8.					
9.					
10.					
11.					
12. TOTALS (sum of lines 8 -11)					
<b>SECTION D - FORECASTED CASH NEEDS</b>					
	<b>Total for 2nd Year</b>	<b>1st Quarter</b>	<b>2nd Quarter</b>	<b>3rd Quarter</b>	<b>4th Quarter</b>
13. Federal					
14. Non Federal					
15. TOTAL (sum of lines 13 - 14)					
<b>SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT</b>					
<b>(a) Grant Program</b>	<b>FUTURE FUNDING PERIODS (YEARS)</b>				
	<b>(b) First</b>	<b>(c) Second</b>	<b>(d) Third</b>	<b>(e) Fourth</b>	
16.					
17.					
18.					
19.					
20. TOTALS (sum of lines 16 -19)					
<b>SECTION F - OTHER BUDGET INFORMATION</b>					
21. Direct Charges:		22. Indirect Charges:			
23. Remarks					

Standard Form 424A (Rev. 7-97)  
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## Attachment C: Budget Narrative

## Budget Information Narratives

### Budget Narrative

**Personnel: Provide a detailed explanation of the cost components of the planned cost for Personnel.**

See attached budget narrative.

**Fringe Benefits: Provide a detailed explanation of the cost components of the planned cost for Fringe Benefits.**

See attached budget narrative.

**Travel: Provide a detailed explanation of the cost components of the planned cost for Travel.**

Five trips by DEO personnel, to the participating regions, to monitor grant activities and provide technical assistance. All trips are for two people with one night hotel's stay.

Hotel - \$118/night x2 = \$236 x 5 = \$1180

Car rental \$40/day x2 = \$80 x5 = 400

Fuel 52/trip x5 = 260

Meals \$36/day x 2 = \$72/day x5 = 360

Per diem - \$80/day x2 = 160 x 5= 800

Total \$3,000

**Supplies: Provide a detailed explanation of the cost components of the planned cost for Supplies.**

Office supplies such as pens, pencils, paper, printer ink to support day-to-day operations of the grant.

**Contractual: Provide a detailed explanation for Contractual costs which specifies:**

- Estimated amount of the contractual agreement(s)

- Proposed timelines

- Proposed organization, if known

- Nature of the proposed activities

All contractual costs are for Project Operators. Their allocation is listed on the Project Operator forms. Details of the expenditures are described in the Budget Narrative (attachment).

**Other: Provide a detailed explanation of the cost components of the planned cost for Other.**

See attached budget narrative.

**Indirect Charges: Provide an explanation of the cost components of the planned costs for Indirect Charges.**

See attached budget narrative and indirect cost letter.

**Additional Budget Information**

See attached budget narrative.

<b>GRANTEE LEVEL</b>							
Personnel					Admin	Program	
Admin. Support	4,500.00	5.0%	24	5,400.00			
GOC III	5,500.00	10.0%	24	13,200.00			
Account III	5,000.00	5.0%	24	6,000.00			
Subtotal Personnel (Admin)				24,600.00	24,600.00		
GOC II	4,500.00	50.0%	24	54,000.00		54,000.00	
SMAS	5,500.00	10.0%	24	13,200.00		13,200.00	
IT Staff Cost Pool estimated \$100 per month				1,200.00		1,200.00	
GOC II Monitor	4,500.00	2.5%	24	2,700.00		2,700.00	
Subtotal Personnel (non-admin)				71,100.00		71,100.00	
<b>Total Personnel</b>				<b>95,700.00</b>	<b>24,600.00</b>	<b>71,100.00</b>	
Fringe benefits @ 36% personnel (FICA, Workers Comp, Retirement, Health Insurance, Life Insurance, State Disability Insurance)				34,452.00	8,856.00	25,596.00	
Travel				3,000.00	750.00	2,250.00	
Supplies \$840 per year - General office consumables & supplies				1,600.00	400.00	1,200.00	
<b>Other Costs</b>							
Department of Management Services - Human Resources Assesment(\$50 per quarter)				400.00			
Shared Agency Overhead Costs (Rent, cost pool allocations for utilities and internet, data processing)				2,177.93			
Risk Management (\$400 per year)				800.00			
<b>Total Other Costs</b>				<b>3,377.93</b>		<b>3,377.93</b>	
<b>Subtotal Direct Costs</b>				<b>138,129.93</b>	<b>34,606.00</b>	<b>103,523.93</b>	
<b>Indirect Rate</b> .2733% of Total Personnel + fringe benefits + flow-through/contractual							
(95,700+34,452+6,878,326)* 0.2733% = 19,154.17				19,154.17	19,154.17		
<b>TOTAL GRANTEE</b>				<b>157,284.10</b>	<b>53,760.17</b>	<b>103,523.93</b>	
<b>CONTRACTUAL - PROGRAM OPERATOR</b>							
Temporary Jobs 350 @ \$12000	12,000.00		350	4,200,000.00		4,200,000.00	
Fringe benefits @ 15% (FICA, WC)				630,000.00		630,000.00	
Supportive Services @50/week x 350 x 26 weeks				455,000.00		455,000.00	
Subcontract: Staffing Agency Fee @ 10% of temp job wages & benefits				483,000.00		483,000.00	
8 Case managers for two years	34,500.00		0.5	276,000.00		276,000.00	
Fringe benefits @ 36%				99,360.00		99,360.00	

Staff Travel 8 case managers x \$50/week x 104 weeks	41,600.00		41,600.00
Staff supplies estimated at \$200 per month	4,800.00		4,800.00
Pooled Career Center Costs @ 15% of staff-related costs)	63,265.00		63,265.00
Admin Costs @ 10%	625,302.00	625,302.00	
<b>Total Contractual - Program Operator</b>	<b>6,878,327.00</b>	<b>625,302.00</b>	<b>6,253,025.00</b>
<b>TOTAL GRANT</b>	<b>7,035,611.10</b>	<b>679,062.17</b>	<b>6,356,548.93</b>

<b>Cost per Participant</b>	<b>20,101.75</b>
-----------------------------	------------------

Temporary Employment Cost	5,768,000.00
Temporary Employment Cost per Participant	16,480.00



## Attachment D: Statement of Work

The following application is for a grant modification request. This cover page summarizes what was changed from the last approved application.

### Modification Details

**Project ID:** FL-23  
**Descriptive Title:** FL-Hurricane Matthew  
**Project Type:** Disaster  
**Application Number:** NDW-FL-ST-16-001.2  
**Grant Number:** EM-30114-16-60-A-12

MODIFICATION EXPLANATION	As of June 2, 2017, the State has drawn down 77% of its initial award and has had to shut down operations on a few worksites to minimize disruptions until the modification could be submitted and approved. There is significant cleanup and restoration of public lands, roads, and beaches under way, and more to be started as soon as additional funds are available. Additional time will be needed to successfully complete these project
--------------------------	--

Modification Type(s)	Period of Performance Extension Change Increment/Need Based
Period of Performance	The Proposed Project Start and End Dates differ from the awarded Project Start and End Dates of the grant. Grant Period of Performance: 10/08/2016 to 09/30/2017 (4 quarters) Proposed Period of Performance: 10/08/2016 to 09/30/2018 (8 quarters). Narrative: Significant cleanup and restoration efforts have begun on public properties in the affected areas to address damage due to Hurricane Matthew. These efforts cannot be completed by September 30, 2017 and will require additional time.
Funding	The Total Federal Funding Amount on this application (\$7,035,611) is different from the approved up-to amount for this grant (\$2,345,203). Narrative: The original request for funding was \$7,035,611, which was conditionally approved in the original Notice of Award (NOA) issued November 10, 2016. The original financial obligation in the original NOA was for \$2,345,203. Most, if not all, of the original \$2,345,203 will be expended sometime in July. As there are significant simultaneous projects operating, it is necessary for the State to have the full \$7,035,611 awarded as soon as possible.
Funding (Temporary Jobs)	The total funding amount for Temporary Jobs has been increased.
Participation	The Cost-Per-Participant on this application (\$20,101.75) is different from the approved calculated Cost-Per-Participant for this grant (\$6,700.58).



U.S. Department of Labor  
Employment and Training Administration

OMB Approval No. 1205-0439  
Expiration date: 9/30/2019

**Planning Form (Disaster - Temp. Jobs)** (page 1 of 2)  
National Dislocated Worker Grants Electronic Application System  
All quarterly entries are CUMULATIVE over all previous quarters.

PERFORMANCE FACTOR	PROGRAM YEAR QUARTER					
	ADMIN	PROGRAM	QTR1 12/31/2016	QTR2 03/31/2017	QTR3 06/30/2017	QTR4 09/30/2017
<b>PLANNED PARTICIPANTS</b>						
Employed In Temporary Disaster Relief Assistance			0	60	200	275
Receiving Intensive Services			0	0	0	0
Receiving Supportive Services			0	60	200	275
Completed NDWG Services			0	0	10	20
Employed at Completion of NDWG Services			0	0	9	18
<b>Total Planned Participants</b>			<b>0</b>	<b>60</b>	<b>200</b>	<b>275</b>
<b>Planned Grantee Expenditures</b>						
Administrative	53,760		0	1,750	7,000	12,000
Other*		103,524	0	7,500	15,000	22,500
<b>Total: Program Management And Oversight</b>	<b>53,760</b>	<b>103,524</b>	<b>0</b>	<b>9,250</b>	<b>22,000</b>	<b>34,500</b>
Indirect* (This line does not add into the subtotal)	19,154	0	0	1,100	5,000	9,000
<b>Total Expenditures: Grantee Level</b>	<b>53,760</b>	<b>103,524</b>	<b>0</b>	<b>9,250</b>	<b>22,000</b>	<b>34,500</b>
<b>Planned Project Operator Expenditures</b>						
Participant Wages		4,200,000	0	200,000	1,200,000	2,400,000
Participant Fringe Benefits		630,000	0	30,000	150,000	300,000
Career Services		0	0	0	0	0
Supportive Services		455,000	0	53,000	125,000	275,000
Other*		968,025	0	175,000	350,000	500,000
Administrative	625,302		0	60,000	120,000	320,000
NRP Processing*	0		0	0	0	0
<b>Total: Program Management And Oversight</b>	<b>625,302</b>	<b>6,253,025</b>	<b>0</b>	<b>518,000</b>	<b>1,945,000</b>	<b>3,795,000</b>
<b>Total Expenditures: Project Operator Level</b>	<b>625,302</b>	<b>6,253,025</b>	<b>0</b>	<b>518,000</b>	<b>1,945,000</b>	<b>3,795,000</b>
<b>Total Expenditures: Grantee And Project Operator Level</b>	<b>679,062</b>	<b>6,356,549</b>	<b>0</b>	<b>527,250</b>	<b>1,967,000</b>	<b>3,829,500</b>

Public Burden Statement: Persons are not required to respond to this collection of information unless it displays a currently valid OMB Control number. Respondents' obligation to complete this form is required to obtain or retain benefits ( PL: 113-128 sec 170). 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. This is public information and there is no expectation of confidentiality. Send comments regarding this burden estimate to the U.S. Department of Labor, Office of National Response, Room C-5311, Washington, D.C. 20210 (Paperwork Reduction Project 1205-0439).



U.S. Department of Labor  
Employment and Training Administration

OMB Approval No. 1205-0439  
Expiration date: 9/30/2019

**Planning Form (Disaster - Temp. Jobs) (page 2 of 2)**  
National Dislocated Worker Grants Electronic Application System  
All quarterly entries are CUMULATIVE over all previous quarters.

PERFORMANCE FACTOR	PROGRAM YEAR QUARTER			
	QTR5 12/31/2017	QTR6 03/31/2018	QTR7 06/30/2018	QTR8 09/30/2018
<b>PLANNED PARTICIPANTS</b>				
Employed In Temporary Disaster Relief Assistance	325	350	350	350
Receiving Intensive Services	0	0	0	0
Receiving Supportive Services	325	350	350	350
Completed NDWG Services	50	100	200	350
Employed at Completion of NDWG Services	45	90	180	315
<b>Total Planned Participants</b>	<b>325</b>	<b>350</b>	<b>350</b>	<b>350</b>
<b>Planned Grantee Expenditures</b>				
Administrative	20,000	35,000	50,000	53,760
Other*	45,000	70,000	85,000	103,524
<b>Total: Program Management And Oversight</b>	<b>65,000</b>	<b>105,000</b>	<b>135,000</b>	<b>157,284</b>
Indirect* (This line does not add into the subtotal)	12,000	15,000	19,154	19,154
<b>Total Expenditures: Grantee Level</b>	<b>65,000</b>	<b>105,000</b>	<b>135,000</b>	<b>157,284</b>
<b>Planned Project Operator Expenditures</b>				
Participant Wages	3,600,000	4,000,000	4,200,000	4,200,000
Participant Fringe Benefits	450,000	575,000	630,000	630,000
Career Services	0	0	0	0
Supportive Services	375,000	400,000	455,000	455,000
Other*	650,000	800,000	900,000	968,025
Administrative	400,000	500,000	600,000	625,302
NRP Processing*	0	0	0	0
<b>Total: Program Management And Oversight</b>	<b>5,475,000</b>	<b>6,275,000</b>	<b>6,785,000</b>	<b>6,878,327</b>
<b>Total Expenditures: Project Operator Level</b>	<b>5,475,000</b>	<b>6,275,000</b>	<b>6,785,000</b>	<b>6,878,327</b>
<b>Total Expenditures: Grantee And Project Operator Level</b>	<b>5,540,000</b>	<b>6,380,000</b>	<b>6,920,000</b>	<b>7,035,611</b>

**Public Burden Statement:** Persons are not required to respond to this collection of information unless it displays a currently valid OMB Control number. Respondents' obligation to complete this form is required to obtain or retain benefits ( PL: 113-128 sec 170). 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. This is public information and there is no expectation of confidentiality. Send comments regarding this burden estimate to the U.S. Department of Labor, Office of National Response, Room C-5311, Washington, D.C. 20210 (Paperwork Reduction Project 1205-0439).

ETA 9103-2a (March 2004)

**Narrative Statements**

<p><b>Project Type: Disaster</b></p> <p><b>GENERAL EXPLANATION: Please enter any information that would benefit the reviewers who will approve or deny this application. Use this area to explain items and concepts that you feel need additional information, items that need DOL specialist attention during the review process, or any information on how the program is meeting demand-driven goals.</b></p> <p>An additional attachment, entitled, Brevard County Projects, has been attached to identify projects with the highest level of need and demonstrate the need for the remainder of the grant funding.</p> <p>This project will provide temporary jobs to assist with humanitarian and clean-up recovery activities to the counties affected by Hurricane Matthew. Clean-up may include debris removal and sanitation of facilities.</p> <p>The bulk of the grant funds will be used to provide temporary jobs to storm-affected and other dislocated workers for needed recovery activities, including long-term recovery efforts.</p> <p>Based on the current award, the State will serve 350 temporary workers for the length of the grant.</p> <p>Support services will be available for transportation, child care, and safety supplies as needed by temporary workers.</p> <p>Eligible temporary workers will be engaged exclusively in recovery work assisting individuals affected by Hurricane Matthew. Workers will be involved either in physical repair/restoration work on public, private non-profit properties to address damage caused by Hurricane Matthew. Temporary workers conduct such repair/restoration on the property of weatherization-eligible individuals, as permitted under this grant. In addition, some of the temporary workers will contact individuals who filed claims with FEMA and/or the State for disaster assistance due to Hurricane Matthew to assess whether they have received all services and resources to which they are entitled. The temporary workers will also assist disaster-affected individuals who have not yet received all the assistance that they require and still have unmet needs to help them access available resources to address their recovery needs.</p> <p>Worksites and positions are described in a separate attachment.</p> <p>The temporary positions will last less than 2,000 hours. The wages range from \$10 to \$20 (with one position at \$34) based on prevailing wages for those positions at the worksite. Consequently, the average cost of temporary wages, benefits, supportive services, and staffing agency fees for each position through the end of the grant period is estimated at \$16,480.</p> <p>Worksite agreements will limit the work of these positions to recovery activities for Hurricane Matthew and will incorporate the award requirements. Ongoing monitoring will take place to ensure that grant funds are only being used in accordance with the Dislocated Worker Grant requirements.</p> <p>Planned monitoring and oversight activities are carried out in accordance with DEO's monitoring plan. The purpose of the programmatic monitoring reviews is to assess whether the State's 24 LWDBs are complying with applicable laws, regulations, state plans, and all contract and agreement terms in administering their workforce programs. As such, DEO, in consultation with CareerSource Florida (CSF), annually develops and implements a process for monitoring RWBs and for follow-up of findings which require corrective action.</p> <p>DEO annually conducts both programmatic and financial monitoring of the LWDBs. DEO's Division of Workforce Services, Bureau of One-Stop and Program Support, carries out programmatic monitoring and DEO's Division of Finance and Administration, Financial Monitoring &amp; Accountability carries out financial monitoring.</p>
<p><b>Grant Modifications</b></p> <p><b>Modification Explanation:</b></p> <p>As of June 2, 2017, the State has drawn down 77% of its initial award and has had to shut down operations on a few worksites to minimize disruptions until the modification could be submitted and approved. There is significant cleanup and restoration of public lands, roads, and beaches under way, and more to be started as soon as additional funds are available. Additional time will be needed to successfully complete these project</p> <p><b>Grant Modification: Please provide justification for changing the project performance period.</b></p> <p>Significant cleanup and restoration efforts have begun on public properties in the affected areas to address damage due to Hurricane Matthew. These efforts cannot be completed by September 30, 2017 and will require additional time.</p> <p><b>Grant Modification: Please provide justification for changing the approved grant amount.</b></p> <p>The original request for funding was \$7,035,611, which was conditionally approved in the original Notice of Award (NOA) issued November 10, 2016. The original financial obligation in the original NOA was for \$2,345,203. Most, if not all, of the original \$2,345,203 will be expended sometime in July. As there are significant simultaneous projects operating, it is necessary for the State to have the full \$7,035,611 awarded as soon as possible.</p>
<p><b>Project Overview</b></p> <p><b>Please explain why the planned cost per participant exceeds the cost under the formula program.</b></p> <p>(from NDW-FL-ST-16-001.1) The planned cost per participant exceeds the cost under the formula program since this grant is primarily a temporary jobs effort where the costs are much higher than the formula program.</p>
<p><b>Project Plan</b></p> <p><b>Please delineate the cost components of the planned cost in Admin. Excluding NRP Processing - Program Management and Oversight (Grantee Level).</b></p> <p>(from NDW-FL-ST-16-001.1) see budget narrative</p>

<p><b>Please explain the basis of providing a value in Other-Program Management and Oversight (Grantee Level).</b></p> <p>(from NDW-FL-ST-16-001.1) see budget narrative.</p>
<p><b>Please explain the basis of providing a value in Other (Project Operator Level).</b></p> <p>(from NDW-FL-ST-16-001.1) see budget narrative</p>
<p><b>Please delineate the cost components of the planned cost in Admin. Excluding NRP Processing (Project Operator Level).</b></p> <p>(from NDW-FL-ST-16-001.1) Estimated at 10% of program operator expenses. Will be based on approved indirect rate which varies by subgrantee.</p>
<p><b>Please explain the basis for providing a value in Indirect.</b></p> <p>(from NDW-FL-ST-16-001.1) See attached Indirect Rate Approval Letter.</p>

Brevard County has many unfinished or not started Hurricane Matthew recovery projects that are planned and ready to go when additional funding becomes available. Brevard County has exhausted all of the initial funding provided and as such has closed six projects that were not completed, which resulted in the layoff of 46 temporary workers funded by the grant. Some of these workers have not found employment and are ready and willing to go back to work on these projects when funding is made available.

The following projects are ready to go as soon as additional funding is received:

1. Complete the reconstruction of boardwalks at the Cape Canaveral National Seashore that were damaged and/or destroyed during Hurricane Matthew
  - a. This project was partially completed using the funding received
2. Complete the reconstruction of the boardwalk at the Merritt Island National Wildlife Refuge.
  - a. Removal of the damaged boardwalk was completed but reconstruction not completed
3. Complete the repair of 180,000 linear feet of damaged levees at Merritt Island National Wildlife Refuge
  - a. Only 2,200 linear feet of damaged dikes at the Merritt Island National Wildlife Refuge were completed before funding was exhausted
4. Complete the repair of 47 culverts that divert water to hundreds of thousands of acres at the Merritt Island National Wildlife Refuge. These culverts were damaged by Hurricane Matthew and are currently a factor in the areas ability to naturally control the mosquito population that affects the surrounding areas including the city of Titusville. If these culverts are not repaired it forces mosquito control to use chemicals to control mosquito populations rather than the natural resources that are normally used via the culverts to control mosquito populations. This is not only a health hazard but is an additional cost that was not budgeted for and would not have been necessary if not for the damage caused by Hurricane Matthew.
  - a. The repair of 12 culverts was completed before exhausting the funding initially received
5. Complete the manufacture of replacement signs and replace 1200 street signs at the city of Cocoa Beach that were damaged by Hurricane Matthew
  - a. Approximately 70% of this project was completed before initial funding was exhausted
6. Remove debris from approximately 2 miles at the Greenway connecting area of the Sebastian River for the Marine Resource Council

7. Repair 2,500 feet of damaged boardwalk and trails at Sebastian River for the Marine Resource Council
8. Remove damaged building material from 1,500 square-foot educational building, replace drywall carpeting ceiling tiles and windows to complete this restoration for the Marine Resource Council
9. Remove damaged building material from the 1,000 square-foot mangrove greenhouse for the Marine Resource Council
10. Repair and restore damaged buildings at the city of Palm Bay
  - a. Police Department
  - b. City Hall
  - c. City Hall Annex
  - d. Police Gun Range
  - e. Water Treatment plan
11. Brevard County Natural Resource Management Department Mosquito Impoundment areas to repair hurricane damage to 66,000 linear feet of levees/dikes and 38 culverts in the areas of:
  - a. Little C2
  - b. Jefferson March
  - c. Marsh harbor
  - d. Hall Road
  - e. Crystal Lake's
  - f. North Groves
  - g. Long point
  - h. Honest John's
  - i. Campbell Cove
12. The Brevard County Natural Resource Management Department Mosquito Impoundment areas require repair of the dikes/levees and the culverts controlling water flow control points that were damaged by Hurricane Matthew. These areas, just as in the north, utilized flood control of marshland to mitigate mosquito populations and other hazardous species. The inability to repair these areas will force mosquito control to utilize insecticides and chemicals to control mosquito populations in the south area of Brevard County rather than the natural means normally utilized with dikes/levees and culverts which use wetland management to control these populations.

The scope of these projects provide temporary jobs that include carpentry, heavy equipment operators, construction workers, and general laborers to complete these industrial projects utilizing skilled labor and heavy equipment at remote jobsites. These are land management projects that were located in the direct path and closet point of land when Hurricane Matthew impacted Brevard County. The damage is substantial in these areas and where this damage has occurred is vast e.g. hundreds of square miles.



LWDB	County	Employer Worksite	Title	Duties	# at site	350
8	Duval	City of Jacksonville Parks & Recreation	Restoration Service Worker	Removal of debris and repair of public park grounds damaged by Hurricane Matthew	2	
8	Duval	Duval County	Beach Restoration Worker	Removal of debris and repair of beach grounds and associated right-of-way public property damaged by Hurricane Matthew	2	
8	St. Johns	St. Johns Chamber of Commerce	Disaster Relief Specialist	Assists individuals affected by Hurricane Matthew to identify unmet needs, determines eligibility for services and helps clients access resources to meet those identified needs.	1	
8	St. Johns	St. Johns County	Beach Restoration Worker	Removal of debris and repair of beach grounds and associated right-of-way public property damaged by Hurricane Matthew	1	
8	St. Johns	St. Johns County	Restoration Service Worker	Removal of debris and repair of public park grounds damaged by Hurricane Matthew	2	
8	St. Johns	St. Johns County Housing & Community Svces	Disaster Relief Specialist	Assists individuals affected by Hurricane Matthew to identify unmet needs, determines eligibility for services and helps clients access resources to meet those identified needs.	1	
8	St. Johns	St. Johns Housing Partnership	Disaster Relief Specialist	Assists individuals affected by Hurricane Matthew to identify unmet needs, determines eligibility for services and helps clients access resources to meet those identified needs.	1	
8	St. Johns	St. Johns Housing Partnership	Recovery Construction Manager	Supervises & coordinates disaster relief construction projects for individuals eligible for weatherization assistance	1	
8	St. Johns	St. Johns Housing Partnership	Recovery Construction Worker	Removal of debris and repair of damage due to Hurricane Matthew on property occupied by individuals eligible for weatherization assistance	1	12
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11	Flagler	Flagler County	Restoration Service Worker	Removal of debris and repair of public property damaged by Hurricane Matthew.	21	
11	Volusia	VIND	Disaster Relief Specialist	Assists individuals affected by Hurricane Matthew to identify unmet needs, determines eligibility for services and helps clients access resources to meet those identified needs.	5	
11	Volusia	VIND	Recovery Construction Manager	Supervises & coordinates disaster relief construction projects for individuals eligible for weatherization assistance	2	
11	Volusia	VIND	Recovery Construction Worker	Removal of debris and repair of damage due to Hurricane Matthew on property occupied by individuals eligible for weatherization assistance	22	50

13	Brevard	Natural Resources Management	Recovery Coordinator	Assesses ongoing recovery needs related to area beaches & waterways and coordinates recovery efforts to address damage caused by Hurricane Matthew.	2
13	Brevard	Natural Resources Management	Recovery Engineer	Designs and oversees repair of waterfront county facilities damaged by Hurricane Matthew.	2
13	Brevard	Natural Resources Management	Recovery Supervisor	Supervises & coordinates removal and restoration efforts on public beaches and waterways damaged by Hurricane Matthew.	5
13	Brevard	Natural Resources Management	Restoration Service Worker	Removal of debris and repair of public beach and waterways damaged by Hurricane Matthew	126
13	Brevard	United Way	Recovery Case Manager	Assists individuals affected by Hurricane Matthew to identify resources and determine program eligibility. Coordinates the provision of rehabilitation services to individuals eligible for weatherization assistance.	5
13	Brevard	United Way	Recovery Construction Manager	Supervises & coordinates disaster relief construction projects for individuals eligible for weatherization assistance	2
13	Brevard	United Way	Recovery Construction Worker	Removal of debris and repair of damage due to Hurricane Matthew on property occupied by individuals eligible for weatherization assistance	126
13	Brevard	Utility Service Department	Recovery Supervisor	Supervises & coordinates removal and restoration efforts on public utilities/right-of-way damaged by Hurricane Matthew.	5 273
20	Indian River	Indian River County	Restoration Service Worker	Removal of debris and repair of public properties damaged by Hurricane Matthew	15 15

Attachment E:  
Negotiated Indirect Cost Rate  
Agreement

**NEGOTIATED INDIRECT COST RATE AGREEMENT (NICRA)  
STATE DEPARTMENT/AGENCY**

**DEPARTMENT/AGENCY:** EIN: 36-4706134  
State of Florida Department of Economic Opportunity (DEO)  
Caldwell Building, 107 East Madison Street  
Tallahassee, Florida 32399-4120

**DATE:** October 31, 2016  
**FILE REF:** This replaces  
the agreement dated  
November 6, 2015

The indirect cost rate(s) contained herein are for use on grants and contracts with the Federal Government. 2 CFR Part 200, Subpart E applies subject to the limitations contained in Section II, A, below. The rate(s) were negotiated between the State of Florida, Department of Economic Opportunity (DEO) and the U. S. Department of Labor in accordance with the authority contained in 2 CFR Part 200, Appendix VII, D.1.

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**SECTION I: RATES**

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<u>TYPE</u>	<u>EFFECTIVE PERIOD</u>		<u>RATE*</u>	<u>LOCATION</u>	<u>APPLICABLE TO</u>
	<u>FROM</u>	<u>TO</u>			
Final	7/1/15	6/30/16	12.7425% (a)	All	UC
Final	7/1/15	6/30/16	.4224% (b)	All	HCP
Final	7/1/15	6/30/16	.2770% (b)	All	WIA
Final	7/1/15	6/30/16	.5330% (b)	All	WTS/FSET
Final	7/1/15	6/30/16	12.4202% (a)	All	OP
Provisional	7/1/16	6/30/18	13.0828% (a)	All	UC
Provisional	7/1/16	6/30/18	.4258% (b)	All	HCP
Provisional	7/1/16	6/30/18	.2733% (b)	All	WIA
Provisional	7/1/16	6/30/18	.5997% (b)	All	WTS/FSET
Provisional	7/1/16	6/30/18	12.8237% (a)	All	OP

See the Special Remarks section for abbreviation explanations and additional information.

**\*BASE**

- (a) Total direct salaries and wages including all applicable fringe benefits.
- (b) Total direct salaries and wages including all applicable fringe benefits plus flow-through funding.

**TREATMENT OF FRINGE BENEFITS:** Fringe benefits are specifically identified to each employee and are charged individually as direct costs. The directly claimed fringe benefits are listed in the Special Remarks Section of this Agreement.

**TREATMENT OF PAID ABSENCES:** Vacation, holiday, sick leave pay and other paid absences are included in salaries and wages and are claimed on grants, contracts and other agreements as part of the normal cost for salaries and wages. Separate claims for the cost of these paid absences are not made.

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## SECTION II: GENERAL

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- A. **LIMITATIONS:** Use of the rate(s) contained in the Agreement is subject to all statutory or administrative limitations and is applicable to a given Federal award or contract only to the extent that funds are available. Acceptance of the rate(s) agreed to herein is predicated upon the following conditions:
- (1) that no costs other than those incurred by the non-Federal entity or contractor were included in its indirect cost pool as finally accepted and that such incurred costs are legal obligations of the non-Federal entity and allowable under the governing cost principles,
  - (2) that the same costs that have been treated as indirect costs have not been claimed as direct costs,
  - (3) that similar types of costs have been accorded consistent treatment, and
  - (4) that the information provided by the non-Federal entity or contractor which was used as a basis for acceptance of the rate(s) agreed to herein is not subsequently found to be materially inaccurate by the Federal government. In such situations, the rate(s) may be subject to renegotiation at the discretion of the Federal government.
  - (5) The rates cited in this Agreement are subject to audit.
- B. **ACCOUNTING CHANGES:** This agreement is based on the accounting system purported by the non-Federal entity or contractor to be in effect during the Agreement period. Changes to the method of accounting for costs which affect the amount of reimbursement resulting from the use of this Agreement require prior approval of the Division of Cost Determination. Such changes include, but are not limited, changes in the charging of a particular type of cost from indirect to direct. Failure to obtain approval may result in cost disallowances.
- C. **NOTIFICATION TO FEDERAL AGENCIES:** A copy of this document is to be provided by the non-Federal entity or contractor to other Federal funding sources as a means of notifying them of the Agreement contained herein.
- D. **PROVISIONAL-FINAL RATES AND ADJUSTMENTS:** When seeking initial reimbursement of indirect costs using the provisional/rate methodology, provisional rates must be established within 90 days of receiving a Federal award (financial assistance, grants, cooperative agreements, and cost reimbursable contracts) requiring to account for actual costs incurred. The non-Federal entity or contractor must submit an indirect cost rate proposal within six (6) months after the end of their fiscal year to establish a final rate.

Once a final rate is negotiated, billings and charges to federal awards must be adjusted if the final rate varies from the provisional rate. If the final rate is greater than the provisional rate and there are no funds available to cover the additional indirect costs, the non-Federal entity or contractor may not recover all indirect costs. Conversely, if the final

rate is less than the provisional rate, the non-Federal entity or contractor will be required to reimburse the funding agency for the excess billings.

Non-Federal entities or contractors receiving a Federal cost reimbursable contract(s) - Must adhere with FAR 52.216-7(d)(2)(v), to settle final indirect cost rates typically on annual basis:

“The contractor shall update the billings on all contracts to reflect the final settled rates and update the schedule of cumulative direct and indirect costs claimed and billed, as required in paragraph (d)(2)(iii)(I) of this sections, within 60 days after settlement of final indirect cost rates.”

In addition, the contractor shall provide to the Contracting Officer the noted cumulative costs schedule within 60 days of the execution of this agreement.

If the non-Federal entity or contractor has completed performance under any of the contracts covered by this Agreement, a final invoice or voucher must be submitted no later than 120 days from the date on which this Agreement is executed, following guidance from FAR 52.216-7(d)(5) and FAR 52.216-7(h).

Non-Federal entities receiving Federal awards (financial assistance, grants, and cooperative agreements) – Note that even if Federal awards are administratively closed prior to the settlement of final indirect cost rates, non-Federal entities still must comply with the following 2 CFR Part 200 clauses stating, in part:

§200.344 Post-closeout adjustments and continuing responsibilities

- (a) The closeout of a Federal award does not affect any of the following:
- (1) The right of the Federal awarding agency or pass-through entity to disallow costs and recover funds on the basis of a later audit or other review. The Federal awarding agency or pass-through entity must make any cost disallowance determination and notify the non-Federal entity within the record retention period.
  - (2) The obligation of the non-Federal entity to return any funds due as a result of later refunds, corrections, or other transactions including final indirect cost rate adjustments.

§200.345 Collection of amounts due

- (a) Any funds paid to the non-Federal entity in excess of the amount to which the non-Federal entity is finally determined to be entitled under the terms of the Federal award constitute a debt to the Federal Government.

(b) Except where otherwise provided by statutes or regulations, the Federal awarding agency will charge interest on an overdue debt in accordance with the Federal Claims Collection Standards (31 CFR parts 900 through 999). The date from which interest is computed is not extended by litigation or the filing of any form of appeal.

**E. SPECIAL REMARKS:**

1. Indirect costs charged to Federal grants/contracts by means other than the rate(s) cited in the Agreement should be adjusted to the applicable rate cited herein and be applied to the appropriate base to identify the proper amount of indirect costs allocable to the program.

2. Contracts/grants providing for ceilings as to the indirect cost rates(s) or amount(s) which are indicated in Section I above, will be subject to the ceilings stipulated in the contract or grant agreements. The ceiling rate or the rate(s) cited in this Agreement, whichever is lower, will be used to determine the maximum allowable indirect cost on the contract or grant agreement.

3. The indirect cost pool consists of allowable, allocable expenses of the following:

Director's Office	Chief Financial Officer
General Counsel	Inspector General
Budget Management	Financial Management
Human Resources Management	General Services
Shared Costs	Information Technology Services
Terminal Leave	UC Benefits
Financial Monitoring & Accountability	
State-wide Cost Allocation Plan Costs	

4. Fringe benefits other than paid absences consist of the following:

Retirement	Social Security
Group Health Ins	Life Ins
Senior Mgt. Disab. Ins	Pre-Tax Benefits

5. Explanations of the abbreviations used in Section I, above, are as follows:

UC = Unemployment Compensation Programs  
HCP = Housing & Community Programs  
WIA = Workforce Investment Act Programs  
WTS/FSET = Welfare Transition Programs & Food Stamp Employment and Training  
OP = Other Programs (all agency programs not included in another rate entity)

6. The Florida Department of Economic Opportunity maintains and operates a number of state/federal-owned facilities acquired with various sources of federal and state funds. Maintenance and operating costs associated with these facilities are directly billed to users. Billing rates are designed to recover anticipated service costs on a breakeven basis. Direct billings made in accordance with the agency's "Facilities Services Rate Plan" are hereby approved.

ACCEPTANCE

BY THE ORGANIZATION:

State of Florida  
Department of Economic  
Opportunity (DEO)  
Caldwell Building – MSC 120  
107 East Madison Street  
Tallahassee, Florida 32399

(Grantee/Contractor)



(Signature)

Damon Steffens

(Name)

Chief Financial Officer

(Title)

11-7-16

(Date)

BY THE COGNIZANT AGENCY  
ON BEHALF OF THE  
FEDERAL GOVERNMENT:

U.S. DEPARTMENT OF LABOR  
Division of Cost Determination  
224 Westbridge Place  
Mount Airy, NC 27030

(Government Agency)



(Signature)

Victor M. Lopez

(Name)

Chief, Division of Cost Determination

(Title)

October 31, 2016

(Date)

Negotiated By: Damon L Tomchick  
Telephone No.: 240-475-2786