



December 2012

Department of Resources Recycling and Recovery (CalRecycle)

LOCAL GOVERNMENT WASTE TIRE
AMNESTY GRANT PROGRAM
APPLICATION GUIDELINES & INSTRUCTIONS

TA1 Cycle - Fiscal Year (FY) 2013/14

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GRANT CYCLE OVERVIEW

This resource document provides Applicants with a cycle overview, instruction about how to access and complete the application online, and information about grant administration. The online application can be accessed on [Grant Management System Web \(GMSWeb\) webpage](http://www.calrecycle.ca.gov/Grants/GMS/default.htm) (<http://www.calrecycle.ca.gov/Grants/GMS/default.htm>).

The Department of Resources Recycling and Recovery (CalRecycle) offers the Local Government Waste Tire Amnesty Grant Program (Program) pursuant to Section 42889(b)(5) of the Public Resources Code.

The purpose of the grant is to expend funds from the California Tire Recycling Management Fund (Tire Fund) to pay for the cost of cleanup, abatement, or other remedial actions related to the disposal of waste tires. The Program provides funds for eligible applicants to conduct amnesty events at convenient locations for the public to bring in their waste tires at no charge for recycling.

ELIGIBLE APPLICANTS

California jurisdictions including cities, counties, special districts, other political subdivisions and jurisdictions joined together by formal agreements, as well as Qualifying California Indian Tribes are eligible. A “Qualifying Indian Tribe” is defined as an Indian tribe, band, nation or other organized group or community, residing within the borders of California, which (1) is recognized for special programs and services provided by the United States to Indians because of the status of its members as Indians; or (2) can demonstrate it is a government entity which meets the criteria of the grant program.

Grants will *not* be awarded to two agencies within the same jurisdiction (example: City of Sacramento Public Works Department and City of Sacramento Health Department).

ELIGIBLE PROJECTS

Amnesty events are intended to be date specific events for the public and are not intended for the disposal of waste tires from waste tire generating businesses (PRC §42954(a)(7)). Amnesty events are not authorized end-use facilities for registered used and waste tire haulers and other tire-related businesses.

Amnesty events allow individuals to take waste tires to a convenient location for proper management, up to twice per month per location (maximum of 40 tires per month per location). An amnesty event can be held in a local parking lot or can consist of a coupon program that allows citizens to take waste tires to a transfer station or landfill on specified days.

The Grantee may accept up to 20 tires per individual at an amnesty event. An individual hauling 10 to 20 waste tires must obtain written authorization from the Local Enforcement Agency (LEA) prior to the amnesty event. The LEA shall provide copies of any written authorizations to CalRecycle within 30 days of their issuance. If the individual has not received written authorization for hauling 10 or more tires from the LEA, the Grantee must report this information on the Unregistered Hauler & Comprehensive Trip Log Substitution Form (CalRecycle 204) and submit the form to CalRecycle within 30 days after the amnesty event.

If an individual is transporting illegally dumped waste or used tires to an amnesty event and has received written LEA authorization to haul without a CalRecycle hauler registration, the individual is exempt from the hauler registration requirements pursuant to PRC section 42954(a)(8). The grantee does not need to report this type of hauler on a CalRecycle 204 form. The LEA authorization must include specific conditions, dates, and documentation proving a police report was filed for the illegally dumped tires.

REGIONAL APPLICATION REQUIREMENTS

Local governments may join together in a regional program. A Regional Lead jurisdiction must be designated to act on behalf of all participating jurisdictions (*see "Resolution Information" for specific instructions regarding authorization documentation*). The Regional Lead is the Grantee who will be responsible for the performance of the grant and all required documentation. CalRecycle will direct all official correspondence and grant payments to the Regional Lead. If a jurisdiction is a participant in a regional program, it may not apply individually.

AVAILABLE FUNDS

- \$1,800,000 is available for this grant cycle, fiscal year (FY) 2013/14, subject to funding availability.
- \$40,000 is the maximum available for individual grant awards.
- \$100,000 is the maximum available for regional grant awards.

NOTICE TO PROCEED

The Notice to Proceed is a formal notification from CalRecycle that authorizes the Grantee to begin the Grant Project and incur costs. It is issued after the Grantee and CalRecycle have both executed the Grant Agreement.

GRANT TERM, GRANT PERFORMANCE PERIOD, AND REPORT PREPARATION PERIOD

The Grant Term and Grant Performance Period both begin on the date indicated in the Notice to Proceed. The Grant Term ends on September 30, 2015. This is also the date the Final Report and Final Payment Request are due to CalRecycle. The Grant Performance Period begins on the date indicated in the Notice to Proceed letter that the Grantee will receive from CalRecycle and ends on June 30, 2015. The Notice to Proceed, which is issued after the Grantee and CalRecycle have both executed the Grant Agreement, is a formal notification that authorizes the Grantee to begin the Grant Project and incur costs. Grant-eligible program expenditures may start no earlier than the date indicated in the Notice to Proceed. In all cases, eligible program costs must be incurred no later than June 30, 2015.

The period from July 1, 2015 to September 30, 2015 is the Report Preparation Period. **Costs incurred to prepare the Final Report and Final Payment Request are the only costs that are eligible for reimbursement during the Report Preparation Period.**

ELIGIBLE COSTS

Eligible costs may be incurred only during the "Grant Performance Period". Eligible costs include, but are not limited to:

- The cost of loading tires into transporting vehicles at waste tire amnesty events;
- The cost of transporting waste tires by a waste tire hauler, registered or exempted by CalRecycle, to a permitted, excluded or exempted waste tire storage facility or other solid waste facility;
- The cost of transporting waste tires for a specific end use to a CalRecycle approved end-use facility. Waste tires must be transported by a CalRecycle approved waste tire hauler to a CalRecycle approved end-use facility;
- The cost of disposing of waste tires at a permitted, excluded or exempted waste tire storage facility or disposal site;
- Any salaries and benefits for personnel directly involved in the administration of amnesty events, including the preparation of payment requests and the final report, organization and supervision, **not to exceed fifteen percent** of the total amount of the approved Budget;
- Any salaries and benefits for personnel directly involved at the amnesty events, including setting up the site, logging entries and handling tires; and
- The costs associated with the creation of educational materials and advertisements in support of the amnesty events, including supplies and personnel time, **not to exceed ten percent** of the approved Budget.

INELIGIBLE COSTS

Ineligible costs include, but are not limited to:

- Costs incurred prior to the date on the Notice to Proceed letter or after June 30, 2015, (with the exception of costs incurred between July 1, 2015, and September 30, 2015, to prepare the Final Payment Request and Final Report);
- Personnel time for the preparation of a Waste Tire Amnesty Grant Application;
- Total grant project costs in excess of \$5.00 per tire;
- Any costs that are not consistent with local, state and federal laws, guidelines and regulations;
- Personnel costs incurred while an employee assigned to the grant project is not working on the grant (e.g., use of accrued time such as sick leave, vacation, etc.);
- Costs covered by, or incurred under, another CalRecycle-funded loan, grant, grant cycle or contract;
- Overhead (costs for accounting/budget/finance staff, rental/lease of space, utilities, copying, office supplies, etc.);
- Costs for obtaining necessary permits and licenses;
- Fines or penalties due to violation of federal, state or local laws, ordinances or regulations;
- Personnel travel or per diem costs, unless approved in writing by the Grant Manager prior to the costs being incurred;
- Cameras, cell phones, electronic personal data devices, pagers, and other similar electronic devices;
- Costs connected with contractor claims against the grantee;
- Overtime costs (except for local government staffing during specially scheduled evening or weekend events that are **pre-approved** in writing by the Grant Manager when law or labor contracts require overtime compensation);
- Costs of collecting waste tires from waste tire generating businesses and/or waste tire haulers;
- Costs of collecting waste tires from businesses that are responsible for contracting with registered waste tire haulers for the removal of their waste tires. If it is determined that the Grantee has used grant funds for this purpose, costs incurred will be deemed ineligible and disbursed grant funds associated with these costs must be returned to CalRecycle; and
- Any costs that are unrelated to the grant project or unreasonable as determined by the Grant Manager;

QUESTION AND ANSWER PROCESS

Because this is a competitive grant program, CalRecycle staff cannot answer any questions about your project or the application except through the Question and Answer Process. Questions regarding your project, the application and/or its requirements must be in writing and received by January 18, 2013, via email at: Carla.Repucci@calrecycle.ca.gov. Questions received by any other method or after January 18, 2013, will not be accepted.

Periodically during the Question and Answer (Q&A) period, Qs&As will be posted on the Qs&As website <http://www.calrecycle.ca.gov/tires/Grants/Cleanup/FY201314/Apply/QandA.htm>. Similar or related questions may be grouped together or re-worded for clarity and responded to as one question. All Qs&As will be posted approximately two weeks after the deadline and are subject to updates. It is the Applicant's responsibility to check this website for the latest information.

TENTATIVE TIMELINE FOR TA1 CYCLE (FY 2013/14)

Date	Activity
Application release through January 18, 2013	Question and Answer Period <ul style="list-style-type: none"> • Questions must be submitted by email
January 25, 2013	<ul style="list-style-type: none"> • All answers will be posted (tentative)
February 5, 2013	Application Due Date <ul style="list-style-type: none"> • Applications must be submitted in GMSWeb by this date. • Customer service will only be available until 5:00 p.m. on this date
March 5, 2013	Secondary Due Date If Resolution not submitted with the application Approved Resolution must be uploaded in GMSWeb by this date If Applicant does not have an EPPP policy at time of application <ul style="list-style-type: none"> • EPPP Policy must be adopted and Notification must be uploaded in GMSWeb by this date
April 2013 (tentative)	Grants Awarded <ul style="list-style-type: none"> • CalRecycle considers funding recommendations, and if approved, awards grants
Notice to Proceed – September 30, 2015	Grant Term
Notice to Proceed – June 30, 2015	Grant Performance Period—may incur program or project costs
July 1, 2015 - September 30, 2015	Report Preparation Period – may only incur costs for preparation of Final Report and Final Payment Request
September 30, 2015	Final Report, Final Payment Request and Request for 10% withhold Deadline

APPLICATION INSTRUCTIONS

APPLICATION ACCESS

The application is available in CalRecycle's web-based Grants Management System (GMSWeb). Access to GMSWeb is secure; therefore you must have a CalRecycle WebPass in order to log into the system. Applicants who have not previously obtained a CalRecycle WebPass can create an account at the [CalRecycle WebPass site \(https://secure.calrecycle.ca.gov/WebPass/\)](https://secure.calrecycle.ca.gov/WebPass/).

After logging into [GMSWeb \(https://secure.calrecycle.ca.gov/Grants/SignIn\)](https://secure.calrecycle.ca.gov/Grants/SignIn), select "Grant Application Search" on the left. Open grant cycles are displayed in a table. Find Local Government Waste Tire Amnesty Grant Program -TA1 FY 2013/14 and select "Apply."

APPLICATION CONTENTS AND INSTRUCTIONS

The components of the application are divided into tabs. To fill out an application, click on each tab and complete the sections in each tab as required. General directions are on the top of each tab and detailed information about requirements for each tab is listed below.

Summary

This tab provides a summary of the application, directions, and resources. In addition, it contains several checklists to assist Applicants with completing the application:

- Application Checklist
- Required Document(s) By Application Due Date
- Other Supporting Document(s) as applicable for your Application/Project
- Required Document(s) By Secondary Due Date

The checklists are provided for the Applicant's convenience and are not intended to be all inclusive. It is the Applicant's responsibility to ensure that all required documents, based on the individual grant application/project, are submitted by the appropriate due date.

Applicant/Participant

The Applicant's name is entered in this tab. The Applicant name is the legal name of the jurisdiction/organization that is legally responsible for grant administration, if a grant is awarded.

- Department or unit names are not included in the Applicant name.
- County names must be listed with the name first followed by the word "County", e.g., "Sacramento County".
- City names must be listed as "City of" followed by the city's name, e.g., "City of Sacramento".
- Every application must have a Lead Applicant even if it is an individual application with no participating jurisdictions. Setting the Lead Applicant is a separate step in the application process. See GMSWeb instructions for more information.

For a list of eligible applicants, please see the Grant Cycle Overview section entitled "Eligible Applicants".

For Regional Applications

Click on the "Add Applicant" button to add the name of each eligible participating jurisdiction.

Detail

This tab contains several required elements of the application.

- Enter a dollar amount in the Grant Funds Requested field. Do not exceed the maximum grant award amount of \$40,000 for an individual applicant, or \$100,000 for a regional applicant. Please round all amounts to the nearest whole dollar.
- Matching Funds are not required for this grant; therefore, disregard the Matching Funds field.

- Enter the Assembly District and Senate District for the Lead Applicant. Multiple Assembly Districts and Senate Districts can be selected for each application.
- Project Summary/Statement of Use: Provide a description of the number of events you plan to hold during the two year grant term and the number of tires you hope to collect. Indicate if the tires will be recycled or landfilled. The number of tires to be collected must be based on data collected from past amnesty grants, if available. Contact the Grant Manager if you need this historical information.
- Select the appropriate option for the Resolution or Letter of Commitment Requirement and optional Letter of Designation.

Contacts

The application must include only one Primary Contact and at least one Signature Authority. Each contact entered into the application may be granted access by checking the box on the bottom of the contact's detail screen. The contact will be able to log into GMSWeb using their own CalRecycle WebPass and access the application.

Primary Contact	One person who has been authorized by the Signature Authority/Designee to manage and oversee the grant. This person will be the first contact with whom the Grant Manager will communicate.
Secondary Contact	A person authorized (by the Primary Contact or Signature Authority/Designee) as the alternate person with whom the Grant Manager will communicate. (Not required)
Signature Authority	The person(s) authorized to sign CalRecycle documents, such as grant applications, grant agreements, etc., as authorized by a board/council-adopted Resolution, Letter of Designation, or Letter of Commitment (if applicable). <i>Please see Applicant's Documents section for more information about documentation for Signature Authorities.</i>
Consultant	A professional who provides advice in a particular area of expertise. If the Applicant is awarded a grant, the consultants may manage the grant, or only conduct specific activities, based on a written agreement between the Applicant and the consultant outlining work to be performed. (Not required)

Budget

Complete the budget document provided in GMSWeb. Transfer the total of each budget category from the document into the budget tab. The budget document must be uploaded in the Documents tab and the budget amounts must match those entered in the budget tab. Total budgeted amount must equal the Grant Funds Requested amount.

See Grant Cycle Overview section entitled "Eligible Costs" for further information.

Address/Site(s)

All applications must contain a payment address. Enter the **department name only** (do not include the Applicant name in this field). Choose Payment Address as the Address/Site Type and enter the complete mailing address. The budget amount or summary fields are not required for the payment address entry.

Amnesty Events

If known, enter a site location for each date on which amnesty events are planned.

Documents

Application documents must be uploaded to the Documents tab to complete the application. When uploading a document, enter a unique title, select the appropriate document type from the drop down list, and enter the date that it was executed/signed, if applicable, or select “today’s date.”

See the section entitled “Application Documents” for more information about document requirements.

APPLICATION DEADLINE

Applications must be submitted in GMSWeb no later than February 5, 2013. Customer service will only be available until 5:00 p.m. on the day of the application due date.

APPLICATION DOCUMENTS

Each Applicant must upload certain documents in addition to filling out the application. The application is not complete until all required documents have been uploaded to the Documents tab of the GMSWeb application.

CALRECYCLE DOCUMENTS

You can locate copies of the CalRecycle documents on the Summary tab, in the Resource Documents section. To access the document, you must click on the link, open it up, fill it out, save it to your computer, and then upload it to the Documents tab. Below is a list and examples of some of those documents.

BUDGET

Waste tire amnesty events must be performed to achieve maximum cost effectiveness and efficiency. Expenditures within a budget may be reduced or removed if they appear unreasonably high and/or are not supported with cost estimates.

For regional applications, only one budget should be uploaded for the grant.

Budget Categories

Costs associated with the project should be arranged according to the categories detailed below.

Administration: Up to fifteen percent of the Budget may be dedicated for personnel time for the administration and organization of the project, including event supervision, preparing payment requests and the Final Report.

Personnel: Includes the time for personnel directly involved in waste tire amnesty event activities. These expenditures include hours for staff working at the event logging in participants, traffic control and loading tires. It is not necessary to include any salary rates or the names of staff that will work on the grant.

Contracts: Includes the cost of removal, transportation, recycling and disposal of the waste tires collected at the amnesty events.

Equipment: The cost to rent equipment associated with the amnesty events should be included here.

Materials: Includes the cost of items such as gloves and clipboards necessary for the implementation of the amnesty events.

Education: Up to ten percent of the budget may be allocated to the development and distribution of educational materials and advertisements in support of the amnesty events. Any publicity or advertising for amnesty events must clearly state that the amnesty provided by the event is limited to 9 tires, or 20 with the appropriate written authorization from the LEA. Each advertisement must include:

- Tires will be accepted at no charge
- Whether tires on rims are accepted
- No tires from tire businesses will be accepted
- Number of tires allowed
 - up to 9 without an exemption
 - between 10 and 20 tires with an exemption
 - Explain exemption process or provide telephone number

It is no longer necessary to have each advertisement pre-approved by the Grant Manager. However, the Grantee shall maintain a copy of each advertisement in the grant file and submit a copy of each advertisement with the Final Report.

Cost Per Tire Calculation

Each grantee must calculate the cost per tire for the grant project. The cost per tire is calculated by dividing the total grant cost by the number of tires estimated to be collected at all amnesty events during the two year grant cycle. For those applicants who have had previous amnesty grants, the estimated number of tires to be collected should be determined by the actual number of tires collected at amnesty events for the past several years. This data is available upon request from your Grant Manager. CalRecycle reserves the right to reduce a Grant Budget that is unreasonable or disqualify a Grant Application altogether. **The cost per tire must not exceed \$5.00 per tire or the grant application will be disqualified.**

WORK PLAN

The Work Plan should consist of a step-by-step list of the tasks necessary to plan, advertise, conduct and report on the tire amnesty events.

Environmentally Preferable Purchasing and Practices Policy Requirement

Consistent with CalRecycle’s core values, all grant Applicants are required to have an existing Environmentally Preferable Purchasing and Practices (EPPP) Policy or a plan to develop and implement one for their organization. An Applicant must have an EPPP Policy in place by the secondary due date of March 5, 2013. Any Applicant who adopts an EPPP Policy prior to submitting its application must certify to this fact in the EPPP Policy Certification – Notification (Notification) document located in the Resource Documents section on the Summary tab of the application.

Any Applicant who does not have an EPPP Policy in place at application submittal may certify that it will adopt one and upload the Notification to CalRecycle. CalRecycle must receive the Notification by the secondary due date or the application will be disqualified.

The list below contains concepts/policies that CalRecycle encourages organizations to include in their EPPP Policies. To see examples of existing Environmentally Preferable Purchasing and Practices Policies, visit: Responsible Purchasing Network (www.responsiblepurchasing.org/purchasing_guides/all/policies/).

Producer Responsibility and Source Reduction
1. Products have an environmental standard issued by a third-party or government agency where available. (See California Department of General Services (www.green.ca.gov/EPP/Introduction/default.htm) for product-specific information).
2. Vendors or manufacturers agree to take back old product or packaging or cover the cost of recycling/disposal.
Recycled Content
3. Products contain recycled content that meet or exceed the California State Agency Buy Recycled Campaign requirements (http://www.ciwmb.ca.gov/BuyRecycled/StateAgency/Requires.htm).
4. Products contain recycled content that meet or exceed the guidelines in the US EPA’s Comprehensive Procurement Guidelines (http://www.epa.gov/epawaste/conserve/tools/cpg/products/index.htm), if higher than SABRC requirements
5. Products contain recycled content as recommended in the Buying Green Guide (http://www.dgs.ca.gov/buyinggreen/Home/BuyersMain.aspx)
Energy and Water Savings
6. Products are Energy Star certified, if a US EPA Energy Star certification is available, or products are in the upper 25% of energy efficiency as designated by the Federal Energy Management Program.
7. Products are Water Sense certified, if a US EPA Water Sense certification is available.
Toxicity and Pollution

8. Materials used in products are non-hazardous to the extent feasible.

9. Products do not emit harmful air emissions or volatile organic compounds to the extent feasible.

10. Products are readily bio-degradable and non-persistent in the environment after use, where practicable.

Buildings and Grounds

11. All building and renovations follow the green building practices for design, construction and operation, where appropriate, as described in the LEED TM Rating System.

Habitat Preservation

12. Raw materials used in products are sustainably harvested or contain recycled content, to the extent feasible.

13. Raw materials used in products are renewable resources (e.g., not based on a fossil fuel), to the extent feasible.

Continual Improvement

14. Training is provided to new and existing employees

15. Organization regularly evaluates and/or improves implementation of EPP policy

APPLICANT'S DOCUMENTS

The following provides information and examples of documents that you, as the Applicant, must provide. It is the Applicant's responsibility to ensure that the documents necessary to complete its application are uploaded to the Documents tab of GMSWeb.

Resolution Information

-for Applicants subject to a governing body, e.g., City Council, Board of Directors

A copy of the authorizing Resolution is a required application document. However, if the Applicant needs additional time to obtain the Resolution, it must be uploaded no later than the secondary due date of March 5, 2013 or the application will be deemed incomplete and will be disqualified.

Applicants that are subject to a governing body must submit a Resolution that specifically authorizes certain grant-related matters. The following identifies the required Resolution provisions:

- The Resolution must authorize submittal of an application for one or more specifically named CalRecycle grant(s) or for all CalRecycle grants for which the Applicant is eligible.
- The Resolution must identify the period of time, up to five years, during which the authorizations are valid. Five years is encouraged; however, a period of less than 5 years is acceptable. If a Resolution submitted to CalRecycle does not specifically identify a period of time, it will be considered valid for one year from the date of adoption.
- The Resolution must identify the job title of the person authorized to sign all grant-related documents necessary to implement and close-out the grant(s) (Signature Authority).

(Optional but encouraged) The Resolution should authorize the Signature Authority to delegate his/her signature authority to another person identified by job title. The Signature Authority must sign a Letter of Designation prior to the Designee's exercise of his/her authority.

Regional Applications:

- The Lead Applicant must submit an approved Resolution that authorizes it to act as a lead for a regional program. This Resolution authorizes submittal of a regional application on behalf of the Lead Applicant and specifically named regional participants, and includes authorization letters with original signatures dated within the last 12 months from the participating jurisdictions authorizing the Lead Applicant to act on their behalf for this cycle. (see example below)
- If the Resolution is valid for more than one year, it is highly recommended that a) the list of participants be provided as an attachment rather than embedded in the Resolution, and b) the Signature Authority be authorized to revise the list as necessary with each subsequent application (this allows a Signature Authority to add or remove regional participants with each new application without the necessity of obtaining a new Resolution).
- Regional participants subject to a governing body must provide a letter of authorization, dated within the last 12 months, to the Regional Lead authorizing the Lead Applicant to act on its behalf for this cycle. Copies of the letters of authorization must be submitted with the application.

Resolution Example

The following Resolution is for example purposes only. Please consult with your attorney to determine the Resolution language most appropriate for the application.

RESOLUTION OF THE **(Name Of The Governing Body)** APPROVING SUBMITTAL OF APPLICATION(S) FOR ALL CALRECYCLE GRANTS FOR WHICH **(Name Of Applicant)** IS ELIGIBLE

The following “Whereas” provisions are applicable to all CalRecycle grants; however, they are not required.

WHEREAS, Public Resources Code sections 40000 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle) to administer various Grant Programs (grants) in furtherance of the state of California’s (State) efforts to reduce, recycle and reuse solid waste generated in the State thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

WHEREAS, CalRecycle grant application procedures require, among other things, an Applicant’s governing body to declare by Resolution certain authorizations related to the administration of CalRecycle grants.

NOW, THEREFORE, BE IT RESOLVED that the **(Title of Governing Body)** authorizes the submittal of application(s) to CalRecycle for (choose one of the following options) 1) (names(s) of specific grants) or 2) all grants for which **(Name of Applicant)** is eligible. [Note: this provision is either/or; do not include both options]; and

BE IT FURTHER RESOLVED that the **(Job Title)**, or his/her designee is hereby authorized and empowered to execute in the name of the **(Name of Applicant)** all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project; and

BE IT FURTHER RESOLVED that these authorizations are effective for (*choose one of the following options*) 1) five (5) years from the date of adoption of this Resolution **or** 2) for a period less than five years (**insert Time Period: from Month, Day, Year through Month, Day, Year**). [Note: this provision is either/or; do not include both options.].

Letter of Commitment Information

-for Applicants not subject to a governing body

Applicants, who are not subject to a governing body, must upload with the application, a letter on Applicant’s letterhead, dated, and signed by a person with authority to contractually bind the Applicant. The document with the original signature must be maintained in Applicant/Grantee grant file. This letter must:

- authorize submittal of the (name of this Grant Program) application on behalf of applicant; and
- designate the job title of the person authorized to execute all grant documents necessary to secure grant funds and implement the approved grant project (Signature Authority); and
- authorize the Signature Authority to delegate this authority (*not required but encouraged*).

Letter of Commitment Example

The following letter is for example purposes only. Please consult with your attorney to determine the language most appropriate for the application

Date

I am **(Job Title)** of **(Name of Applicant)**. I am authorized to contractually bind **(insert Applicant Name)**. Pursuant to this authority, I hereby 1) authorize the submittal of an application for the (insert Grant Program Name); 2) authorize **(Job Title)** as our Signature Authority to execute all grant documents necessary to secure grant funds and implement the approved grant project; documents include, but are not limited to, applications, agreements, amendments and requests for payment; and, 3) authorize our Signature Authority to delegate this authority. The following information more specifically identifies our Signature Authority:

Name & Job Title
Mailing Address
City, State, Zip Code
Telephone Number

Letter of Designation

- A Letter of Designation (LOD) is required when the authorized Signature Authority delegates his/her authority to another person. The approved Resolution must indicate the Signature Authority's ability to delegate or designate his/her authority. The letter must be submitted prior to the Designee's exercise of his/her authority. If the Designee signs any document in the application, the letter must be submitted with the application. The letter must:

- be on the Applicant's letterhead
- be dated after the effective date of the approved Resolution
- identify the job title of the Designee
- identify the scope of the Designee's authority
- identify the period during which the Designee may exercise the authority. The Designee's authority may not extend beyond the effective date of the approved Resolution (for example, if the Resolution is effective until December 31, 2013, then the LOD may be effective only until December 31, 2013)
- be signed by the Signature Authority.

Letter of Designation Example

The following letter is for example purposes only. Please consult with your attorney to determine the language most appropriate for the application.

Date

Pursuant to the Resolution authorizing an application for Local Government Waste Tire Amnesty Grant Program. I am the designated Signature Authority for **(Name of Applicant/Grantee)**. I am authorized by the Resolution to execute on behalf of **(Name of Applicant/Grantee)** all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved Grant Project for this grant. The Resolution also authorizes me to delegate this authority. Accordingly, I hereby delegate this authority to the **(Job Title of Designee)**. This delegation is effective as long as the Resolution is in effect.

The current **(Job Title)** is identified below:

Name & Job Title
Mailing Address
City, State, Zip Code
Telephone Number

Letter of Authorization Information

A Letter of Authorization is a letter submitted by a jurisdiction (Regional Participant) to authorize another jurisdiction (Regional Lead) to apply for and to act on its behalf in the implementation and administration of the CalRecycle Grant/Program.

The letter must be on the participating jurisdiction's official letterhead and dated within 12 months prior to the application deadline. The letter must authorize the submittal of the regional grant/program application, designate the Applicant as the lead agency, and be signed by an individual authorized to contractually bind the Applicant. The document with the original signature must be maintained in Applicant/Grantee grant file.

Letter of Authorization Example

Date

I am **(Job Title)** of **(Name of Regional Participant)**. I am authorized to contractually bind **(Name of Regional Participant)**. Pursuant to this authority, I hereby authorize **(Name of Regional Lead Agency)** to submit a regional application and act as Lead Agency on behalf of **(Name of Regional Participant)**. The **(Name of Regional Lead Agency)** is hereby authorized to execute all documents necessary to implement the grant under the Local Government Waste Tire Amnesty Grant Program, TA1.

Signature

Name & Job Title

Mailing Address

City, State, Zip

GRANT REVIEW AND AWARD PROCESS

GRANT APPLICATION REVIEW PROCESS

After the close of the application period, CalRecycle Staff will review the applications for completeness and eligibility. Only complete applications can be considered for award. The Priority Ranking Criteria is used to rank each grant application. Any application with an overall cost exceeding \$5.00 per tire will be disqualified.

For FY 2013/14, amnesty events will be ranked as follows:

Rank 1 – Lowest cost per tire for amnesty events that use recycling as the end use for tires collected.

Rank 2 – Lowest cost per tire for amnesty events that use landfilling as the end use for tires collected.

GRANT AWARD PROCESS

For qualifying applications, CalRecycle Staff will develop funding recommendations and obtain approval from CalRecycle's Director, or her designee. Approval of qualifying applications is tentatively scheduled for April 2013. CalRecycle reserves the right to partially fund or fund individual phases of selected proposals, and CalRecycle may fund an amount less than requested. CalRecycle reserves the right to not award any grant funds under one or more cycles.

GRANT AWARDS CONDITIONS

When awarded, this Grant will be subject to two conditions: 1) the recommended Grantee's Signature Authority (or where delegation is authorized), his/her Designee must sign and return the Grant Agreement to CalRecycle within 90 days from the date of mailing by CalRecycle; and 2) the recommended Grantee must a) pay all outstanding debts due CalRecycle, or b) bring current outstanding payments owed to CalRecycle within 90 days from the date CalRecycle conditionally awarded the Grant.

Failure to comply with either requirement will nullify the grant award (i.e., the Applicant will not receive a grant).

CONDITION SUBSEQUENT

After the Grant Agreement has been executed by both parties, the Grant will be subject to the following condition subsequent: The Grantee may not file for protection under Chapter 9 of the U.S. Bankruptcy Code or declare a fiscal emergency any time within the Grant Performance Period.

GRANT PROGRAM ADMINISTRATION

GRANT AGREEMENT

Following CalRecycle's conditional approval of the Grant awards, Grantees will be emailed the following:

- Award letter
- Grant Agreement Cover Sheet (CalRecycle 110).
- Exhibit A – Terms and Conditions: contain CalRecycle standard legal requirements for Grants.
Note: See <http://www.calrecycle.ca.gov/tires/Grants/Cleanup/FY201314/default.htm> to download the Terms & Conditions.
- Exhibit B – Procedures and Requirements: contain specific requirements for administering this Grant, including but not limited to project, reporting, and audit requirements.
Note: See <http://www.calrecycle.ca.gov/tires/Grants/Cleanup/FY201314/default.htm> to download a draft of the Procedures & Requirements.
- Exhibit C – **Grantee's Approved** Application with revisions, if any, and any amendments*
- Exhibit D – Application Guidelines and Instructions

* The Work Plan and Budget are submitted with and are a part of the Grantee's Approved Grant Application, and are incorporated into the Grant Agreement by reference.

REPORTING PROCESS

Grantees are required to report on their Grant at the end of the grant term. The Final Report is due on September 30, 2015. Detailed reporting information is included in the Procedures & Requirements – Exhibit B of the Grant Agreement.

PAYMENT REQUEST PROCESS

Eligible costs are authorized for reimbursement upon the Grant Manager's approval of each Payment Request, and if required, the accompanying Final Report. Payment Requests must include itemized documentation of claimed expenses (e.g., itemized receipts and proof of payment of invoices). Ten percent (10%) of each approved Payment Request amount will be retained by CalRecycle until the Grant Manager approves the Final Report, the Final Payment Request and all required supporting documentation. Failure to submit these final documents by September 30, 2015, may result in the nonpayment of otherwise eligible costs. Detailed payment information is included in the Procedures & Requirements – Exhibit B of the Grant Agreement.

GRANT AGREEMENT PROVISIONS

AUDIT REQUIREMENTS AND WAIVER OF PERSONAL JURISDICTION

As with all Grant Agreement provisions, the following provisions are non-negotiable. Submittal of an application constitutes acceptance of the provisions.

1. **Audit/Records Access:** The Grantee agrees that CalRecycle, the Bureau of State Audits, or their designated representative(s) shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. The Grantee agrees to maintain such records for possible audit for a minimum of three years after final payment or the end of the Grant Term, whichever is later, unless a longer period of records retention is stipulated, or until completion of any action and resolution of all issues which may arise as a result of any litigation, dispute or audit, whichever is later. The Grantee agrees to allow the designated representative(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, the Grantee agrees to include a similar right of the State to audit records and interview staff in any contract or subcontract related to performance of this Agreement.
2. **Waiver of Personal Jurisdiction:** Should CalRecycle seek reimbursement of costs paid to a Grantee as a result of an audit finding, the Grantee hereby waives any jurisdictional defenses and expressly waives tribal sovereign immunity as a defense to any action in any court of the State of California for the recovery of such funds.