



November 2011

Department of Resources Recycling and Recovery (CalRecycle)

# LOCAL GOVERNMENT WASTE TIRE ENFORCEMENT GRANT PROGRAM

## Application Guidelines and Instructions

19<sup>th</sup> Cycle (TEA 19) FISCAL YEAR (FY) 2011/12

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## GRANT CYCLE OVERVIEW

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

The Department of Resources Recycling and Recovery (CalRecycle) offers the Local Government Waste Tire Enforcement (TEA) Grant Program (Program) pursuant to Section 42889(b)(5) of the Public Resources Code. The purpose of the grant is to provide sufficient, stable and non-competitive funding to California jurisdictions for the enforcement of waste tire permitting, movement and storage laws.

### ELIGIBLE APPLICANTS

Eligible applicants are a city, county, or city/county who works closely with a managing entity to implement and oversee the Program. (See below for the definition of a managing entity.)

### New Applicants

New Applicants are those Applicants that did not receive a TEA Grant Award for Fiscal Year (FY) 2010/11 (TEA 18 Cycle). All counties may apply for this grant, and new Applicant cities must have 50 or more active\* businesses in their jurisdictions with Tire Program Identification (TPID) numbers, at time of application. New Applicants must be a City, County, or City and County.

New Applicants that are under the jurisdiction of an existing TEA Grantee that is also applying for a TEA Grant may apply for this Grant only if the new Applicant:

- Meets the eligibility requirements of this Grant;
- Notifies the existing Grantee and CalRecycle in advance of its intent to apply;
- Meets with the existing Grantee and CalRecycle;
- Demonstrates that complementary services are needed in its jurisdiction(s); and
- Is approved by CalRecycle.

\*"Active" means the *Business Status* is "Active" in CalRecycle's Waste Tire Management System.

### Reapplying Grantees

Reapplying Grantees are those Applicants that received a previous Grant Award. A reapplying Grantee must be a City, County, or City and County, and is eligible to apply for a TEA Grant if it satisfactorily performed in accordance with its TEA 17 Grant Agreement, including, but not limited to, the Terms and Conditions, Procedures and Requirements, Work Plan and Budget. CalRecycle will use joint field inspections and other performance measures to determine if a reapplying Grantee has satisfactorily performed in the TEA 17 Grant cycle.

The following are examples of performance measures and standards that may be reviewed to determine if a reapplying Grantee has performed satisfactorily in prior Grant cycles:

- Spending at least 80% of awarded funds on eligible and approved items and activities;
- Completing at least 80% of inspections estimated in Application;
- Submitting complete Performance Reports, Payment Requests, and other required Grant documents by the due date;
- Attending all mandatory training events;
- Complying with all requirements of the Grant Agreement.

CalRecycle staff will work closely with reapplying Grantees who are not performing satisfactorily. If a reapplying Grantee does not perform satisfactorily for two or more consecutive grant cycles, staff may recommend that the reapplying Grantee not receive TEA grant funding.

## **Managing Entity**

All Applicants must designate a managing entity to implement and oversee the Program. The managing entity must be one of the following:

- A Local Enforcement Agency (LEA);
- An Environmental Health Agency, department, office, etc.;
- A Code Enforcement Agency, department, office, etc.; or
- Another agency, department, office, that has inspection and code enforcement authority, experience and capability.

## **COLLABORATIVE APPLICATION REQUIREMENTS**

A Participating Collaborative Jurisdiction voluntarily allows an Applicant (Primary Collaborative Jurisdiction) to perform waste tire enforcement activities in its jurisdiction, despite the fact that the Participating Collaborative Jurisdiction does not fall within the Applicant's own jurisdictional boundaries. The following examples describe requirements to document different types of collaborative arrangements:

### County / County:

Two adjacent counties agree to collaborate, whereby one of the counties applies for a TEA grant. In this case, the Applicant will perform waste tire enforcement activities in the non-applicant County (or Participating Collaborative Jurisdiction).

- For the non-applicant County to become a Participating Collaborative Jurisdiction to the Applicant County's Primary Collaborative TEA Application, it would need a Resolution authorizing the Applicant County to perform these waste tire enforcement activities within its jurisdictional boundaries.
- The Applicant County must also submit a Resolution that authorizes it to act on its own behalf, as well as on behalf of the Participating Collaborative Jurisdiction.
- Both resolutions would need to be submitted with the TEA Application.

### Two Cities Within the Same County:

Two adjacent cities within the same county agree to collaborate, however only one of the cities is deemed the TEA grant Applicant. (The county in which the cities are located is also an active TEA grantee, but the county chooses not to perform waste tire enforcement activities in the non-applicant city.) The two cities agree that the non-applicant city will become a Participating Collaborative Jurisdiction whereby the Applicant City (the Primary Collaborative Jurisdiction) will perform waste tire enforcement activities in the Participating Collaborative Jurisdiction.

- For the non-applicant city to become a Participating Collaborative Jurisdiction to the Applicant city's Primary Collaborative TEA Application, it would need a Resolution authorizing the Applicant city to perform waste tire enforcement activities within its jurisdictional boundaries.
- The Applicant city must also submit a Resolution that authorizes it to act on its own behalf, as well as on behalf of the Participating Collaborative Jurisdiction(s).
- Both resolutions would need to be submitted with the TEA Application.

Additionally, the county within which the Collaborating Jurisdictions are located must specifically enumerate within its Resolution those jurisdictions for which it will provide waste tire enforcement activities. The list of covered jurisdictions must not include any of the Participating Collaborative Jurisdictions.

### City (ies) Collaborating With a Different County

Another scenario might be a county collaborating with a city from an adjacent county. It is possible that a city is not receiving waste tire enforcement services from their county in which it is located; therefore, the city may collaborate with another county or with another city outside the county to become Collaborative Jurisdictions.

- For the non-applicant city to become a Participating Collaborative Jurisdiction to the Applicant city or county's Primary Collaborative TEA Application, it would need to pass a Resolution authorizing the Applicant City or County to perform waste tire enforcement activities within its jurisdictional boundaries.
- The Applicant city or county must also submit a Resolution that authorizes it to act on its own

behalf, as well as on behalf of the Participating Collaborative Jurisdiction(s).

- A Letter of Permission from the County Administrator's Office stating that the county agrees that the Applicant City or County (Primary Collaborative Jurisdiction) may perform waste tire enforcement activities in the Participating Collaborative Jurisdiction(s) and that it will not be performing any such activities in the Participating Collaborative Jurisdiction(s).

Note: An incorporated city that is not an active TEA grantee is already within the jurisdiction of the county within which it is located for purposes of the TEA Grant Program. The city does not need to become a Collaborative Jurisdiction with its own county. (See section entitled "*Grantee's Authority*")

Refer to **APPLICATION DOCUMENTS** for examples of other documents that must be uploaded with the Application.

#### **GRANTEE'S AUTHORITY**

CalRecycle is responsible for performing all activities related to enforcing waste tire permit, hauling and storage laws and regulations. When a local jurisdiction receives a TEA Grant and becomes a Grantee, it is authorized to enforce waste tire laws and regulations under CalRecycle's authority, not its own. Some Grantees or managing entities have authority as Local Enforcement Agencies (LEA) or code enforcement agencies; however, that authority is not applicable to the waste tire enforcement program.

Under the TEA Grant:

- County Grantees may perform waste tire activities in the following areas:
  - the unincorporated area of its own county, and the incorporated areas of all cities within the boundaries of the county that are not TEA Grantees or Collaborative Jurisdictions on any other jurisdiction's TEA Grant Application; and,
  - the unincorporated and incorporated area of any Collaborative Jurisdiction(s).
- City Grantees may perform waste tire activities in the following areas:
  - the incorporated area of its own city; and,
  - the unincorporated and incorporated areas of any Collaborative Jurisdiction(s)
- City and County Grantees may perform waste tire activities in the following areas:
  - the unincorporated and incorporated areas of its own city and county; and,
  - the unincorporated and incorporated areas of any Collaborative Jurisdiction(s)

#### **AVAILABLE FUNDS**

- A total of \$7,775,000 is available for this grant cycle, FY 2011/12.
- Applicants may request up to and including the maximum award amount allowed for its qualifying population. The maximum Award for any Applicant is:
  - \$300,000 for Applicants with qualifying populations equal to or less than 900,000;
  - \$450,000 for Applicants with qualifying populations 900,001 through 2,000,000; and
  - \$600,000 for Applicants with qualifying populations of 2,000,001 or more.

#### **DETERMINING MAXIMUM AWARDS**

Qualifying populations for maximum award amounts are determined from the California Department of Finance (DOF) report, *E-1 Population Estimates for Cities, Counties and the State with Annual Percent Change*. The report is generally published in May of each year and may be found at <http://www.dof.ca.gov/research/demographic/reports/estimates/e-1/view.php>.

Following is a description of how an Applicant's qualifying population is determined:

- For a county Applicant, the qualifying population includes all of the following:
  - the population of the unincorporated area of the Applicant county and the population of all incorporated cities within the boundaries of the county that are not included on any other TEA Application; and,
  - the population of the unincorporated and incorporated areas of any Collaborative Jurisdiction(s)

- For a city Applicant, the qualifying population includes all of the following:
  - the population of the incorporated area of the Applicant city; and,
  - the population of the unincorporated and incorporated areas of any Collaborative Jurisdiction(s)
- For a city and county Applicant, the qualifying population includes all of the following:
  - the population of the unincorporated and incorporated areas of the Applicant city and county; and,
  - the population of the unincorporated and incorporated areas of any Collaborative Jurisdiction(s)

**GRANT TERM, GRANT PERFORMANCE PERIOD, AND REPORT PREPARATION PERIOD**

- The *Grant Term* starts on the date of the Notice to Proceed (NTP) and ends on **September 30 2013**.
- The “*Grant Performance Period*” starts when the Grantee receives a NTP from CalRecycle and ends on **June 29, 2013**. Eligible costs may be incurred only during the Grant Performance Period.
- The *Report Preparation Period* is the period between **June 30, 2013 and September 30, 2013**. ***Costs incurred to prepare the Final Performance Report and Payment Request are the only costs that are eligible for reimbursement during the Report Preparation Period.***

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

**ELIGIBLE ACTIVITIES/COSTS**

Eligible activities include the following: conducting and reporting on inspections of waste tire facilities to ensure compliance with current waste tire laws and regulations; investigating illegal tire disposal activities; identifying and issuing Notice of Violations to noncompliant entities; conducting and reporting surveillance, investigations and other enforcement activities to remediate waste tire disposal and hauling; referring all illegal and unregistered waste/used tire haulers to CalRecycle; and conducting program-related outreach and educational efforts with the general public and local businesses.

Eligible costs generally include approved costs necessary to perform the above eligible activities. To be considered for eligibility, costs must be reasonable, cost-effective and adequately supported; incurred during the “Grant Performance Period” which starts on date indicated in the “Notice to Proceed” that Grantee receives from CalRecycle and ends on June 29, 2013. See “Grant Grant Term, Grant Performance Period, and Report Preparation Period” and “Work Plan and Budget” for additional information.

**INELIGIBLE ACTIVITIES/COSTS**

Ineligible costs include, but are not limited to expenditures outside the Grantee’s jurisdiction(s) approved Work Plan and Budget, any costs not directly related to performing approved Grant work, and costs that the CalRecycle Grant Manager deems unreasonable, excessive, ineligible, inappropriate, duplicative or not related to the Grant. Examples of ineligible activities/costs are:

- Any costs that are not consistent with local, state, and federal laws, guidelines and regulations.
- Costs associated with Amnesty Day events, such as creating and distributing hauler exemption letters.
- Costs associated with activities related to the use of recycled products.
- Costs associated with the clean-up of illegally dumped waste tires.

**TENTATIVE TIMELINE FOR LOCAL GOVERNMENT WASTE TIRE ENFORCEMENT GRANT PROGRAM (TEA19), FY 2011/12**

<b>Date</b>	<b>Activity</b>
November 30, 2011	<p><b>APPLICATION DEADLINE</b></p> <ul style="list-style-type: none"> <li>• Applications must be submitted in GMSWeb by this date</li> <li>• Technical assistance will only be available until 5:00 p.m. on this date</li> </ul>
December 29, 2011	<p><b>IF RESOLUTION NOT SUBMITTED WITH THE APPLICATION APPROVED RESOLUTION MUST BE UPLOADED IN GMSWEB BY THIS DATE</b></p>
March 2012 (tentative)	<p><b>Grants Awarded</b> - CalRecycle considers funding recommendations, and if approved, awards grants</p>
Notice to Proceed – June 29, 2013	<p><b>Grant Performance Period</b> – Grantee may incur costs after the issuance of the Notice to Proceed to this date</p>
June 30, 2013 – September 30, 2013	<p><b>Report Preparation Period</b> – may only incur costs for preparation of Final Report and Final Payment Request</p>
June 30, 2012 – September 30, 2013	<p><b>Grant Term</b> – Includes the Report Preparation Period</p>

## 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 <https://secure.calrecycle.ca.gov/WebPass/>.

After logging into GMSWeb at <https://secure.calrecycle.ca.gov/Grants/SignIn>, select "Create a new grant application from the cycle search." Open grant cycles are displayed in a table. Find Local Government Waste Tire Enforcement Grant Program (TEA19) and select "Apply."

### APPLICATION CONTENTS AND INSTRUCTIONS

The components of the application are divided into tabs. To complete an application, click on each tab and fill out 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 an individual's 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 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. See GMSWeb instructions for more information.

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

For Collaborative Applications:

- Add the name of each eligible participating jurisdiction.

#### **Detail**

This tab contains several required elements of an application.

- Enter a dollar amount in the Grant Funds Requested field. Do not exceed the maximum grant award amount (see *Available Funds*). Please round all amounts to the nearest whole dollar.
- Matching Funds are not required for this grant, skip the Matching Funds field.

- Enter the Assembly District and Senate District for the Lead applicant. Only one Assembly District and Senate District can be selected for each application. If the applicant’s jurisdiction covers more than one district, select the district of the applicant’s headquarters office.
- Project Summary/Statement of Use: provide a brief summary of how grant funds will be expended and how these funds will augment your local/regional enforcement efforts.
- 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 CalRecycle Grant Manager will communicate.
Secondary Contact	A person authorized (by the Primary Contact or Signature Authority/Designee) as the alternate person with whom the CalRecycle 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-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. The consultants may manage the grant for the grantee 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 Work Plan and Budget document provided in GMSWeb. Transfer the total of each budget category from the document into the budget tab. The Work Plan and 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 for “Eligible Costs” 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 address. The budget amount or summary fields are not required for the payment address entry.

**Documents**

Application documents must be uploaded to the Documents tab in order 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 “Application Documents” section for more information about document requirements.*

**APPLICATION DEADLINE**

Applications must be submitted in GMSWeb no later than November 30, 2011. Technical assistance will only be available until 5:00 p.m. on the application due date.

## APPLICATION DOCUMENTS

Each applicant must upload certain documents in addition to completing the 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.

### WORK PLAN AND BUDGET

The following information is provided to assist the Applicant in the preparation of the TEA19 Work Plan and Budget. Review this information very carefully as eligible activities/costs are outlined within each Budget Category (formerly referred to as “Task”). The Applicant should refer to this information during the Grant Performance Period to ensure grant activities are in compliance with the Grant Agreement. Eligible activities may include, but are not limited to, the activities listed under the following Budget Categories. See Exhibit B (Procedures and Requirements) “Work Plan and Budget” for additional information. Applicants are encouraged to contact the CalRecycle Grant Manager if further clarification about whether or not certain activities are eligible or ineligible.

### INSPECTIONS

In general, all activities related to planning and performing inspections of active businesses with Tire Program Identification (TPID) numbers, preparing and submitting CalRecycle Survey and Inspection Forms (CalRecycle 181 and 182), and tracking inspection results, are eligible. The following are eligible activities/costs. Any activities not listed must be approved in writing by the CalRecycle Grant Manager to be eligible.

- Researching CalRecycle's Waste Tire Management System (WTMS) and the Grantee's own database of inspections, to develop a complete Plan of inspections to be performed during the Grant cycle.
- Gaining an understanding of how to perform inspections and preparing to conduct a specific inspection by researching sources such as: Grantee and CalRecycle databases; past inspections and enforcement activities; Grant requirements; and, waste tire permitting, hauling storage and disposal laws, regulations, policies, processes, procedures and protocols.
- Writing inspection-related planning, preparing, performing, and reporting policies, processes, procedures and protocols.
- Developing tools to track inspection-related activities.
- Discussing inspection related planning, preparing, performing and reporting with CalRecycle Inspectors and Grant Managers.
- Meeting with the Grantee's own tire enforcement staff to discuss inspection-related planning, preparing, performing and reporting, and applicable waste tire laws, regulations, policies, processes, procedures, etc. This may include on the job inspection training for new Grantee tire enforcement staff.
- Updating and correcting Survey and Inspection report data, and tire business information, in CalRecycle's WTMS and the Grantee's own database.
- Maintaining files of inspection report copies as needed.
- Correcting Survey and Inspection reports when returned by CalRecycle for correction of inaccurate information, or completion of missing information.
- Coordinating inspections with other Grantees when both a city and the county in which the city is located are TEA Grantees. This coordination is essential to ensure no duplication or gaps in inspections.
- Exchanging information with Collaborative Jurisdictions on complaints, referrals, inspections, and other inspection related activities.
- Attempting and completing an on-site inspection.

- Providing technical assistance to tire businesses on waste tire laws and regulations, and distributing educational brochures and information as needed. (This may occur during or after inspection, or when no inspection has been performed and a tire business has contacted the Grantee for information, assistance and guidance. This activity is also eligible under Education.)
- Performing inspections and completing all applicable sections of CalRecycle Survey and Inspection forms for each complete inspection.
- Completing a Referral form and gathering appropriate documentation when a tire business is referred to CalRecycle for enforcement action. (This activity is also eligible under Enforcement.)
- Submitting the survey, inspection and referral forms every month to:

Grantee's Location	Name	Address
Northern California	Barbara Strough	Department of Resources Recycling and Recovery Post Office Box 4025, MS 10A-17 Sacramento, CA 95812
Central California	Gerri Stryker	Department of Resources Recycling and Recovery Post Office Box 4025, MS 10A-17 Sacramento, CA 95812
Southern California	Frank Simpson	Department of Resources Recycling and Recovery 1955 Chicago Avenue, Suite 100 Riverside, CA 92507

### **ENFORCEMENT**

In general, all activities related to planning and performing waste tire enforcement activities are eligible. The following are eligible activities/costs. Any activities not listed must be approved in writing by the CalRecycle Grant Manager to be eligible.

- Researching, surveiling, identifying, and documenting:
  - illegal waste tire disposal sites and activities;
  - individuals responsible for illegal dumping of waste tires;
  - owners of private property on which illegal dumping of waste tire is occurring; and,
  - unregistered waste tire haulers. (Grantees must refer illegal haulers to CalRecycle within 30 days of identification.)
- Conducting and reporting on investigations, surveillance and other waste tire enforcement activities related to illegal waste tire hauling, storage and disposal.
- Making waste tire enforcement referrals to CalRecycle and local law enforcement, as appropriate.
- Gaining an understanding of allowable and appropriate waste tire enforcement activities and preparing enforcement actions or referrals. Researching sources such as: Grantee and CalRecycle databases; past enforcement activities; Grant requirements; and, waste tire permitting, hauling, storage and disposal laws, regulations, policies, processes, procedures and protocols.
- Participating in task forces, working groups, etc. actively involved in waste tire enforcement activities within the Grantee's jurisdiction.
- Providing waste tire storage, hauling and disposal awareness training to local law and code enforcement personnel within the Grantee's jurisdiction to encourage referrals or citations of illegal waste tire dump sites, illegal waste tire dumpers, and unregistered waste tire haulers. (Awareness training is generally limited to 1 hour per session.)
- Working with CalRecycle, the California Highway Patrol, and local law enforcement to establish checkpoints to identify unregistered waste tire haulers.
- Assisting CalRecycle with the investigation of waste tire referrals, complaints, violations, discrepancies, legal records searches, etc.

- Writing waste tire enforcement related planning, preparing, performing, and reporting policies, processes, procedures and protocols.
- Developing tools to track waste tire enforcement related activities, including maintaining appropriate enforcement and referral documents and files.
- Discussing waste tire enforcement related planning, preparing, performing, reporting, etc. with CalRecycle Inspectors and Grant Manager.
- Meeting with the Grantee's own tire enforcement staff to discuss waste tire enforcement related planning, preparing, performing and reporting, and applicable waste tire laws, regulations, policies, processes, procedures, etc. This may include on-the-job waste tire enforcement training for new Grantee tire enforcement staff.
- Investigation and enforcement activities pre-approved in writing by the CalRecycle Grant Manager, such as working with the local District Attorney (DA), attending administrative, court and/or CalRecycle hearings, and supporting case development.
- Reporting to CalRecycle all enforcement actions on waste tire-related cases, including any referrals to the DA's Office and any actions taken by the DA's Office on waste tire related cases.
- Preparing and submitting CalRecycle Surveillance forms.
- Coordinating waste tire enforcement activities with other Grantees when both a city and the county in which the city is located are TEA Grantees. This coordination is essential to ensure no duplication or gaps in inspections.
- Exchanging information with Collaborative Jurisdictions on waste tire enforcement related activities.
- Obtaining inspection and other warrants as needed, participating with local law enforcement activities, performing interviews and field investigations, developing enforcement cases, etc.
- Following-up in locations with known illegal waste tire dumping, or where complaints and referrals have been received. This is sometimes referred to as "field patrolling." This activity should be purposeful and should be focused on known areas of illegal waste tire dumping. Grantees should also be able to show substantive results from this activity, such as identification and citation of illegal waste tire dumpers or unregistered waste tire haulers, decreases in illegally dumped waste tires, etc.

## **EDUCATION**

In general, all activities related to informing waste tire businesses and the general public about waste tire hauling, storage, permitting, and disposal laws and regulations are eligible. All activities should be primarily directed to waste tire businesses. The following are eligible activities/costs. Any activities not listed must be approved in writing by the CalRecycle Grant Manager to be eligible.

- Researching Grant requirements and waste tire permitting, hauling, storage and disposal laws, regulations, policies, processes, procedures and protocols, and developing outreach materials, brochures and presentations.
- Identifying waste tire businesses, informing them of applicable waste tire laws and regulations, and distributing educational brochures and information as needed. This may include obtaining WTMS reports of newly issued TPIDs, or canvassing business areas to determine if new or established businesses perform waste tire activities.
- Obtaining TPIDs for businesses that perform waste tire activities that should be monitored.
- Providing waste tire information to the general public via large and small community events, and distributing educational brochures and information as needed.
  - Presentations to groups or at events consisting primarily of K-8 children are not eligible.
- Developing tools to track outreach activities.
- Providing outreach as requested by CalRecycle.
- Discussing outreach activities with CalRecycle Inspectors and Grant Manager.
- Meeting with the Grantee's own tire enforcement staff to discuss outreach planning, events and activities, reporting, etc. This may include on-the-job outreach training for new Grantee tire enforcement staff.
- Coordinating outreach with other Grantees when both a city is a Grantee, and the county in which it is located is also a Grantee. This coordination is essential to ensure no duplication or gaps in activities.

- Exchanging information with Collaborative Jurisdictions on outreach related activities.
- Reporting all outreach activities to CalRecycle.

### **TRAINING**

All training must be received by the Grantee's waste tire enforcement staff, must be directly related or beneficial to the enforcement of waste tire hauling, storage, permitting and disposal, and must be approved by CalRecycle's Grant Manager. The following are eligible activities/costs. Any activities not listed must be approved in writing by the CalRecycle Grant Manager to be eligible.

- Attending the following mandatory trainings (Grantees must send at least one representative to each of these events):
  - Basic and refresher health and safety classes to ensure that tire enforcement staff remains safe while performing waste tire field inspections, enforcement, etc. Grantees must send any inspector that is due for appropriate health and safety training.
  - CalRecycle-sponsored waste tire Round Tables
  - WTMS Training
  - The annual Training Symposium
- Attending eligible non-mandatory training such as:
  - CalEPA sponsored Enforcement Symposium
  - Basic Inspector Academy
  - Conducting Effective Interviews for Inspectors
  - Environmental Enforcement Training
- Providing training or participating in meetings and/or conferences as requested by CalRecycle. Coordinating and hosting Round Tables or other CalRecycle sponsored training events.
- Discussing eligible training classes with CalRecycle Inspectors and Grant Managers.

### **ADMINISTRATIVE COSTS**

In general, all activities related to managing the TEA Grant are eligible. The following are eligible activities/costs. Any activities not listed must be approved in writing by the CalRecycle Grant Manager to be eligible.

- Preparing and submitting TEA 19 Performance Reports, Payment Requests, and all other required documents, forms and information. Grantees are required to submit a Mid-Year and Final Performance Report and Payment Request.
- Discussing with CalRecycle Grant Managers eligible Grant activities, performance reporting, Payment Requests and supporting documentation, and Work Plan and Budget changes.
- Developing and maintaining an accurate system to capture and report waste tire enforcement staff time, activities and costs, and monitoring activities, costs, and systems for accuracy, completeness, and eligibility.
- Writing policies, processes and procedures for tracking and reporting staff time, activities and costs, and meeting with the Grantee's own tire enforcement staff to discuss these items.
- Maintaining files of documentation and records to support Grant activities and costs.
- Preparing and submitting the TEA 20 Grant Application.
- Cooperating with CalRecycle, California Department of Finance and California Bureau of State Audits auditors during the audit of any TEA grant cycles, and responding to audit reports and findings, as long as audits are not otherwise included in an approved overhead or indirect cost rate or Board of Supervisors or City Council approved rate already being charged to the Grant.
- Responding to CalRecycle questions about the Grantee's TEA 18 Final Performance Report, Payment Request, and supporting documentation.

## **EQUIPMENT**

In general, all equipment and supplies purchased to perform approved and eligible waste tire activities are eligible. The following are eligible items/costs. Any item not listed must be approved in writing by the CalRecycle Grant Manager to be eligible.

- Hand-held camera and standard accessories;
- Portable GPS;
- Range finder, tape measure, and other measuring devices;
- Cell phone and monthly service;
- Steel-toed work boots;
- Waterproof rain gear;
- Clinometer;
- Clipboard;
- Binoculars and case;
- Portable calculator;
- Hard Hat;
- Gloves;
- Disposable face mask;
- Safety glasses;
- Reflective safety vest, lightweight windbreaker, or logo/identification vest;
- Surveillance Camera and standard accessories, such as video recording equipment and tripod, if CalRecycle free cameras are regularly unavailable when requested;
- Ear plugs;
- Flashlight; and
- Batteries and battery charger.

## **TRANSPORTATION**

In general, all transportation costs incurred to perform approved and eligible waste tire activities are eligible. The following are eligible activities/costs. Any activities not listed must be approved in writing by the CalRecycle Grant Manager to be eligible.

Grantees must claim actual travel expenses and mileage at the State or Grantee rate, whichever is less. All travel costs must be in accordance with the California State Travel policies contained at <http://www.dpa.ca.gov/personnel-policies/travel/hr-staff.htm>. Reimbursable mileage and other travel expenses (per diem) may not exceed the State rates as set forth in the State Administrative Manual.

Grantees may also claim the cost of interdepartmental charges from the Grantees' pooled car or fleet maintenance group. These costs are not included as a component when determining the actual usage cost per mile.

### **QUESTIONS**

If you have any questions or concerns regarding the eligibility of an activity or application process, please consult the CalRecycle Grant Manager. While general inquiries may be verbal, any requests for authorization must be in writing and all approvals must be in writing prior to the activity being undertaken or the cost being incurred. When requesting a change, Grantees should submit a compelling justification for moving funds or revising the Work Plan. ***The CalRecycle Grant Manager will not approve changes that result in the reduction of the performance of core program functions for inspections, enforcement, or mandatory training. Additionally, requests that exceed established limitations will not be approved. Changes may be requested through April 30, 2013*** to allow the CalRecycle Grant Manager adequate time to review and respond to the request, and CalRecycle recommends that all requested changes be submitted via e-mail to the TEA Grant Manager. Reimbursement will not be approved if the CalRecycle Grant Manager determines that an activity or cost is unreasonable, excessive, ineligible, inappropriate, duplicative or not related to the Grant.

## **STAFF CONTACT INFORMATION**

Applicants are required to provide a list of all field staff, program supervisors, and managers that will work on the grant. Complete the contact information requested for each.

## **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, LETTER OF DESIGNATION, AND LETTER OF AUTHORIZATION INFORMATION AND EXAMPLES**

### **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 applicant needs additional time to obtain the Resolution, it must be uploaded no later than the secondary due date of **December 29, 2011** or the Application 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 5 years, during which the authorizations are valid. Five years is encouraged; however, periods of less than 5 years are 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.*

## 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.].

## COLLABORATIVE APPLICATIONS

- For grants that allow collaborative applications: The lead entity must submit an approved resolution that authorizes it to act as a lead for a collaborative program. This resolution authorizes submittal of a collaborative application on behalf of the lead entity and specifically named Participating Collaborative Jurisdictions, and includes authorization letters with **original signatures** dated within the last 12 months from the participating jurisdictions authorizing the 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 a) that the list of participants be provided as an attachment rather than embedded in the resolution, and b) that the Signature Authority be authorized to revise the list as necessary with each subsequent application (this allows a Signature Authority to add or remove collaborative participants with each new application without the necessity of obtaining a new resolution).
- For grants that allow collaborative applications: Participating Collaborative Jurisdictions subject to a governing body must provide a Letter of Permission, dated within the last 12 months, to the Primary Collaborative Jurisdiction authorizing the lead jurisdiction to act on its behalf for this cycle. Copies of the letters of authorization must be submitted with the Application.

### RESOLUTION (for Collaborative Applicants)

A Participating Collaborative Jurisdiction is a jurisdiction that voluntarily allows an Applicant (Primary Collaborative Jurisdiction) to perform waste tire activities in its jurisdiction. Cities or Counties may submit Collaborative Applications listing Participating Collaborative Jurisdictions, but their applications must include authorization from the other cities and/or counties joining as Participating Collaborative Jurisdictions. If a jurisdiction is listed as a Participating Collaborative Jurisdiction on an Application, it cannot apply individually or as part of another Collaborative Application.

In addition to the Resolution for the Primary Collaborative Jurisdiction, in which the Primary Collaborative Jurisdiction is authorized by its Governing Body to act on behalf of the Participating Collaborative Jurisdictions, the Application must also include the following authorization documents for each Participating Collaborative Jurisdiction:

1. A Resolution from each Participating Collaborative Jurisdiction authorizing the Primary Collaborative Jurisdiction to act on its behalf as both Applicant and Grant Administrator (entity that implements the Grant Program); and,
2. If the Participating Collaborative Jurisdiction is within the county of an active TEA Grantee and the Primary Collaborative Jurisdiction is a different county or located in a different county, a Letter of Permission from the County Administrator's office stating that it agrees that the Primary Collaborative Jurisdiction may conduct waste tire enforcement activities in the Participating Collaborative Jurisdiction and that it will not be performing such activities there.

The inclusion of the Participating Collaborative Jurisdiction(s) name(s) in the Primary Collaborative Jurisdiction's Resolution does not take the place of the required authorization document(s).

Following are Resolution and Letter of Permission examples that may be useful to Applicants.

Note: Resolutions for Collaborative Jurisdictions are valid for one year only and must be submitted yearly with each cycle application, as applicable.

## RESOLUTION EXAMPLE –FOR A PRIMARY COLLABORATIVE JURISDICTION

*The following language is presented as an example only. Applicants are advised to consult with their organization's attorney.*

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, funds are allocated and available from the CalRecycle for Grants to cities, counties, and cities and counties with regulatory authority within the city and county government to perform enforcement/compliance and surveillance activities at waste tire facilities; and

WHEREAS, CalRecycle has been delegated the responsibility for the administration of the Program within the State; and

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

WHEREAS, procedures established by the State and CalRecycle require each Applicant's governing body to certify by resolution its approval of the submittal of Grant Application to CalRecycle; and

WHEREAS, if awarded a Grant, the **(Name of Applicant)** for itself and on behalf of the participating jurisdictions will enter into an Agreement with CalRecycle for implementation of a regional waste tire enforcement program;

NOW, THEREFORE, BE IT RESOLVED that the **(Title of Governing Body)** authorizes the submittal of a Collaborative Application on behalf of the Participating Collaborative Jurisdictions (as shown by the attached authorizing Resolutions and Letters of Permission) to the California Department of Resources Recycling and Recovery for the Local Government Waste Tire Enforcement Grant.

BE IT FURTHER RESOLVED that the **(Title of Official)**, or its designee, is hereby authorized and empowered to execute in the name of the Participating Collaborative Jurisdictions all Grant-related documents, including, but not limited to, Applications, Payment Requests, Agreements, and Amendments necessary to secure Grant funds and to implement and carry out the purposes specified in the Grant Application.

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.].

## RESOLUTION EXAMPLE FOR A PARTICIPATING COLLABORATIVE JURISDICTION

*The following language is presented as an example only. Applicants are advised to consult with their organization's attorney.*

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, funds are allocated and available from the CalRecycle for Grants to cities, counties, and cities and counties with regulatory authority within the city and county government to perform enforcement/compliance and surveillance activities of entities and/or individuals involved with the waste tire industry; and

WHEREAS, CalRecycle has been delegated the responsibility for the administration of the Program within the State; and

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

WHEREAS, procedures established by the State and CalRecycle require each Applicant's governing body to certify by resolution its approval of the submittal of Grant Application to CalRecycle; and

WHEREAS, **(Name of Primary Collaborative Jurisdiction)** has agreed to perform waste tire activities on behalf of **(Name of Participating Collaborative Jurisdiction)**;

NOW, THEREFORE, BE IT RESOLVED that the **(Name of Participating Collaborative Jurisdiction)** authorizes the **(Name of Primary Collaborative Jurisdiction)** to submit to the California Department of Resources Recycling and Recovery a Collaborative Application for the Local Government Waste Tire Enforcement Grant, Fiscal Year 2011/12 on its behalf.

BE IT FURTHER RESOLVED that the **(Name of Primary Collaborative Jurisdiction)** is hereby authorized and empowered to execute all Grant-related documents, including, but not limited to, Applications, Payment Requests, Agreements, and Amendments necessary to secure Grant funds and to implement and carry out the purposes specified in the Grant Application.

BE IT FURTHER RESOLVED that the **(Name of Primary Collaborative Jurisdiction)** is hereby authorized to conduct waste tire enforcement activities within the jurisdictional boundaries of **(Name of Participating Collaborative Jurisdiction)** during the term of Fiscal Year 2011/12 Local Government Waste Tire Enforcement Grant.

## LETTER OF DESIGNATION FOR DELEGATION INFORMATION

*-for applicants who authorize their Signature Authority to delegate his/her authority*

This letter to CalRecycle is not an Application requirement; however, it is **required prior to the Designee's exercise of his/her authority**. The letter must be on the applicant's letterhead, dated within the last 12 months, and signed by the Signature Authority. The document with the original signature must be maintained in applicant/grantee grant file. The letter must identify the:

- job title of the Designee, and
- scope of the Designee's authority.

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

### LETTER OF DESIGNATION EXAMPLE

I am the designated Signature Authority for **(Name of Applicant/Grantee)**. I am authorized 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 the **Local Government Waste Tire Enforcement Grant Program (TEA19)**. I am authorized to delegate this authority. Accordingly, I hereby delegate this authority to the **(Job Title of Designee)**, who is specifically identified below.

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

### LETTER OF PERMISSION

The following language is presented as an example only for when a Participating Collaborative Jurisdiction is located within a county that is an active TEA Grantee and the Primary Collaborative Jurisdiction is a different county or is located in a different county.

*The following language is presented as an example only. Applicants are advised to consult with their organization's attorney.*

LETTERHEAD (Should include Applicant's address)

DATE

California Department of Resources Recycling and Recovery  
Local Government Waste Tire Enforcement Grant Program  
Financial Resources Management Branch, 9<sup>th</sup> Floor  
Post Office Box 4025  
Sacramento, CA 95812-4025

To Whom It May Concern:

The **(Name of County)** is an active Local Government Waste Tire Enforcement Grantee and agrees that **(Name of Primary Collaborative Jurisdiction)** may perform waste tire enforcement activities within **(Name of Participating Collaborative Jurisdiction)** and that the **(Name of County)** will not perform such activities in **(Name of Participating Collaborative Jurisdiction)** during Fiscal Year 2011/12.

Sincerely,

County Administrator

## 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 will be considered for award.

### GRANT AWARD PROCESS AND FUNDING

For qualifying applications, CalRecycle staff will develop funding recommendations for award. If total grant requests received exceed the allocated amount of \$7,775,000, the grant requests will be adjusted so the total of grant awards does not exceed the allocated amount. CalRecycle staff will initially consider the Applicant's qualifying population to set a potential base grant award as follows:

- \$70,000 for Applicants with qualifying populations less than or equal to 99,999;
- \$90,000 for Applicants with qualifying populations 100,000 through 499,999;
- \$130,000 for Applicants with qualifying populations 500,000 through 1,000,000; and,
- \$210,000 for Applicants with qualifying populations of 1,000,001 or more.

CalRecycle staff may also consider the following information to determine the recommended award amount for each Applicant:

- the number of active permitted sites and other businesses with TPIDs;
- known threats to public health and safety or the environment;
- the number of waste tire complaints and referrals received in previous grant cycles;
- the number of illegal waste tire dump sites identified in previous grant cycles;
- grant funds used and/or unused in previous grant cycles;
- the number of inspections completed in previous grant cycles; and
- enforcement and surveillance activities in previous grant cycles.

The award is tentatively scheduled to be announced in March 2012. CalRecycle reserves the right not to award any grant funds under this cycle.

### GRANT AWARD CONDITIONS

CalRecycle awards this Grant subject to two conditions: 1) the recommended Grantee's Signature Authority, or, where delegation is authorized, the 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, and/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 render the award null and void.***

## **GRANT PROGRAM ADMINISTRATION**

### **GRANT AGREEMENT PACKAGE**

The Grant Agreement package will be emailed to successful Applicants after Awards have been approved by CalRecycle. The Grant Agreement package will include:

- Award Cover Letter
- Grant Agreement Cover Sheet (CalRecycle 110).
- Exhibit A - Terms and Conditions, which contain legal requirements of all Grants.
- Exhibit B - Procedures and Requirements, which contain project, reporting, survey, and audit requirements
- Exhibit C - CalRecycle approved Work Plan and Budget
- Attachment I – Forms Guide
- Other documents as appropriate.

In addition, the following documents are incorporated by reference and are also a part of the Grant Agreement:

- CalRecycle approved Grant Application as submitted by the Grantee.
- The Application Guidelines and Instructions.

Applicants must sign and return the Grant Agreement Cover Sheet no later than 90 days from the date indicated on the CalRecycle Award Cover Letter. CalRecycle will send a Notice to Proceed letter to the Grantee after the signed Grant Agreement has been returned and executed. Expenditures under the Grant Award may begin after the date indicated in the Notice to Proceed letter.

### **REPORTING PROCESS**

Grantees are required to report on the progress of their Grant on a bi-annual basis. The Midyear Report is due March 29, 2013. The Final Report is due on September 30, 2013. Detailed reporting requirements are included in Exhibit B – Procedures & Requirements of the Grant Agreement Package.

### **PAYMENT REQUEST PROCESS**

Eligible costs are authorized for reimbursement upon the CalRecycle Grant Manager's approval of the Payment Request, and if required, the accompanying Progress/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 CalRecycle Grant Manager approves the Final Report, the Final Payment Request and all required supporting documentation. Failure to submit these final documents by the deadline specified in the Procedures & Requirements or failure to receive the CalRecycle Grant Manager's approval of these documents by September 30, 2013, may result in the nonpayment of otherwise eligible costs. Detailed payment information is included in Exhibit B – Procedures & Requirements of the Grant Agreement Package.

## **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.