

**EXHIBIT B**  
**PROCEDURES AND REQUIREMENTS**  
**Local Enforcement Agency Grant Program**  
**Fiscal Year 2009/10 – 20<sup>th</sup> Cycle**

**INTRODUCTION**

Public Resources Code Section 43230 mandates the administration of grants to local enforcement agencies to carry out their solid waste facilities permit and inspection programs. These Procedures and Requirements, which are incorporated by reference into the Grant Agreement as Exhibit B, include but are not limited to, the instructions for obtaining payment of the grant, the reporting requirements, and the fiscal control procedures to be followed in implementing the Local Enforcement Agency (LEA) Grants. These Procedures and Requirements and the accompanying Terms and Conditions (Exhibit A) shall remain in effect for purposes of implementing the LEA Grants during any interim period between the end of the EA 20 LEA Grant Cycle on June 30, 2010, and the execution of a new Grant Agreement governing the EA 21 LEA Grant Cycle for Fiscal Year (FY) 2010/11.

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

The Grant Performance Period begins on July 1, 2009 and ends on June 30, 2010. Eligible Grant expenditures may start no earlier than July 1, 2009. In all cases, all eligible Program costs must be incurred no later than June 30, 2010.

The Grant Term starts on the same date as the Grant Performance Period and ends on October 30, 2010, the date the Final Report and Final Payment Request are due to the CIWMB. The period from July 1, 2010 to October 30, 2010 is referred to as 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.*

**REPORTING REQUIREMENTS**

The Grantee must submit all final reporting documentation based on the schedule below.

Grant Performance Period	Report Preparation Period / Due Date
July 1, 2009 - June 30, 2010	July 1, 2010 - October 30, 2010

Failure to comply with these reporting requirements may result in termination of this Grant Agreement or suspension of any or all outstanding Payment Requests and may jeopardize future grant awards.

**PRIOR TO COMMENCING WORK**

**GRANT SELF ASSESSMENT CHECKLIST FORM:**

Prior to commencing work under this Grant the Grantee's Grant Manager and authorized Signature Authority should review the Grant Self Assessment Checklist Form so as to identify key administrative requirements. Evaluation of the Grantee's compliance with these requirements is a major part of all grant audit reviews.

As set forth more fully in the Terms and Conditions (Exhibit A), the Grantee shall submit with its Final Report a completed and signed Form. To obtain the Grant Self Assessment Checklist Form (CIWMB 641) see <http://www.ciwmb.ca.gov/Grants/Forms/CIWMB641.doc> or contact your Grant Manager.

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RELIABLE CONTRACTOR DECLARATION:

Prior to authorizing a contractor(s) to commence work under this Grant, the Grantee shall submit to the CIWMB Grant Manager a declaration from the contractor(s), signed under penalty of perjury, stating that within the preceding three (3) years, none of the events listed in Section 17050 of Title 14, California Code of Regulations, Natural Resources, Division 7, has occurred with respect to the contractor(s) and the subcontractor(s), respectively. See [www.ciwmb.ca.gov/Regulations/Title14/ch1.htm#ch1a5](http://www.ciwmb.ca.gov/Regulations/Title14/ch1.htm#ch1a5)

If a (sub)contractor is placed on the CIWMB Unreliable List after award of this Grant, the Grantee may be required to terminate that contract.

To obtain the Reliable Contractor Declaration form (CIWMB 168) see <http://www.ciwmb.ca.gov/Grants/Forms/CIWMB168.doc>

**PAYMENT  
INFORMATION**

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The Grantee will receive a base grant of \$15,000 plus an additional amount based on the population of the jurisdiction served by the Grantee and the number of active, permitted solid waste facilities located within the jurisdiction. This amount will be calculated by your CIWMB Grant Manger and will be reflected on your Grant Agreement.

Grant payments will only be made to the Grantee. It is the Grantee's responsibility to pay all product manufacturers, suppliers/vendors, contractors and subcontractors for purchased goods and services.

**PAYMENT OPTIONS &  
PROCESS**

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Grantees may request on their application either an advance payment or reimbursement payment, as described below.

1. Advance Payment-

- Grantees may request an advance payment up to ninety percent (90%) of the grant award, as approved in the Grantee's LEA Grant Budget Report, (CIWMB 166), at the discretion of the CIWMB Grant Manager.
  - To be considered for the ninety percent (90%) advance payment, the Grantee must return the following:
    - Signed Grant Agreement within ninety (90) days from the date mailed by the CIWMB.
    - Completed Grant Payment Request form, (CIWMB 87).
    - Completed LEA Budget Report - Proposed, (CIWMB 166).
  - Ten percent (10%) of each Payment Request will be withheld and retained until all conditions stipulated in the Grant Agreement have been satisfied. Reimbursement of the 10% retention must be requested in the final Payment Request.
  - The remaining ten percent (10%) shall be reimbursed to the grantee upon satisfactory completion of the Grant Agreement.
  - Upon receipt of advanced grant funds, the Grantee shall deposit and maintain until expended all grant funds in an interest-bearing account within a federally insured financial institution. Grantee shall maintain a separate accounting system for the grant funds including the earned interest. Any earned interest must be tracked for reporting purposes as discussed in the *INTEREST* section below.
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- Payment must be spent in the following order:
    1. Advance payment
    2. Reimbursement payment [ten percent (10%) withhold]
    3. Interest earned on advance payment, if approved by the CIWMB Grant Manager.
  - Any unspent grant funds or unspent earned interest must be returned to the CIWMB by the end of the Grant Term.

## 2. Reimbursement Payment-

- Grantees may request a reimbursement payment for the grant award as approved in the Grantees LEA Grant Budget Report, (CIWMB 166).
- Reimbursement payment will be made to the grantee once all conditions stipulated in the Grant Agreement have been satisfied.

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### ELIGIBLE COSTS

Eligible costs may be incurred only during the Grant Performance Period which begins July 1, 2009, and ends on June 30, 2010. All costs must be directly related to the implementation of the solid waste facilities permit and inspection programs as set forth in the approved projected budget report. Costs must be reasonable and cost-effective. Eligible costs include, but are not limited to:

- Staffing;
- Training;
- Education;
- Travel within the State;
- Consulting services; and
- Purchase of equipment or materials.

Travel and per diem reimbursement is limited to a maximum of the State rate as described in the *California State Administrative Manual*. Please consult the CIWMB Grant Manager for guidance.

Personnel expenditures must be computed on the actual time spent on grant-related activities. For calculating total personnel expenses for each employee, the expenditures should be broken out by the classification(s) of the employee(s), the hourly wage, fringe benefits rate, and number of hours worked on grant-related activities. These records must be available for audit purposes.

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### INELIGIBLE COSTS

Any costs not directly related to the implementation of the facilities permit and inspection programs as set forth in the approved budget are ineligible. Ineligible costs include, but are not limited to, the following:

- Costs incurred prior to or after the Grant Performance Period
  - Costs currently covered or incurred under another CIWMB loan, grant, grant cycle or contract
  - Purchasing or leasing of vehicles for non-governmental entities
  - Overtime costs (except for local government staffing during specially scheduled evening or weekend events that have been pre-approved in writing by the Grant Manager when law or labor contracts REQUIRE overtime compensation or when such staffing and/or costs are pre-approved in writing by the Grant Manager);
  - Out-of-state travel, unless pre-approved in writing by the CIWMB Grant Manager
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- Any food or beverages (e.g., as part of meetings, workshops, training, or events)
- Any costs that are not consistent with local, state, and federal statutes, ordinances and/or regulations
- Overhead and indirect costs
- Cleanup of illegal dumping
- Landfill operations
- Any personnel costs incurred as a result of time an employee assigned to the solid waste program does not actually work on the solid waste program (e.g. use of accrued vacation, sick leave, etc.);
- Any pre-paid expenditures for future goods or services delivered after the end of the Grant Performance Period. (Exemption: The CIWMB Grant Manager may consider approving products purchased in full before the end of the Grant Performance Period but delivered after the Grant Performance Period if the delay is caused solely by the supplier and not the Grantee. The Grantee must request an exemption in writing and receive written approval from the CIWMB Grant Manager.)
- Any other costs not deemed reasonable or related to the purpose of the grant by the CIWMB Grant Manager.

*Note: All expenditures are subject to audit. Please contact the CIWMB Grant Manager if you have any questions concerning eligible costs.*

**CHANGES TO BUDGET**

The Grantee must obtain written pre-approval from the CIWMB Grant Manager for all changes to the approved budget. Please retain all approvals in your grant file for audit purposes.

**FINAL BUDGET REPORT & PAYMENT**

The Grantee must submit the final following documents for their final Budget Report and Payment Request:

1. LEA Grant Budget Report - Final, (CIWMB 166)
2. Payment Request form, (CIWMB 87)
3. Self Assessment Checklist, (CIWMB 641)

These forms can be found at [www.ciwmb.ca.gov/LEACentral/GrantsLoans/LEA/](http://www.ciwmb.ca.gov/LEACentral/GrantsLoans/LEA/).

Payment Requests will be processed as promptly as fiscal procedures permit. The Grantee can typically expect payment within four weeks from the date a Payment Request is approved by the Grant Manager.

*Note: Payment Requests may not be submitted by E-mail or FAX. See the RECORDS AND AUDIT\_REQUIREMENTS section below and the AUDIT/RECORD ACCESS section in Exhibit A (Terms and Conditions) for audit information.*

**INTEREST**

Grantees that request an advance payment must account for all interest accrued and received. All interest accrued and received from the grant funds shall be used only for eligible expenses related to the performance of this Agreement. All purchases made using accrued interest must be pre-approved in writing by the CIWMB Grant Manager. Expenditures of earned interest must be included in the LEA Grant Budget Report for approval by the CIWMB Grant Manager.

Interest earned may not be spent until the full grant award has been expended. The earned interest must be reported in the final Budget Report. If no interest was accrued during the fiscal cycle, a written explanation must be submitted. All unused interest or unspent grant funds must be returned to the CIWMB at the end

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of the Grant Performance Period.

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**RECORDS AND AUDIT  
REQUIREMENTS**

As more fully described in the attached Terms and Conditions "Audit/Records Access" provision, this grant is subject to a desk or field audit. The Grantee must retain all financial and grant program documents including, but not limited to, statistical records, supporting documents, source documents, expenditure ledgers, payroll register entries, time sheets, paid warrants, contracts, change orders, invoices, and canceled checks that substantiate the expenditures claimed. These documents must be available at the time of an audit.

If an audit reveals that the CIWMB funds are not being expended, or have not been expended in accordance with this Agreement, in addition to any other rights of the CIWMB, the Grantee may be required to forfeit the unexpended portion of the funds, and/or repay the CIWMB for any improperly expended monies. Additionally, future grant awards to the Grantee may be jeopardized.

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**REPORT SUBMITTAL**

Please submit correspondence and reports to:  
California Integrated Waste Management Board  
Grant and Loan Resources Branch, MS 9  
LEA Grant Program  
1001 I Street, P.O. Box 4025  
Sacramento CA 95812-4025

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