

EXHIBIT B
PROCEDURES AND REQUIREMENTS

SOLID WASTE DISPOSAL AND CODISPOSAL SITE CLEANUP GRANT PROGRAMS
FISCAL YEAR 2012/13

SECTION I

- 1.01 Notification Prior to Initiation of Cleanup Activities. At least two weeks prior to the initiation of the cleanup activities of each site, Grantee shall send to the Department of Resources Recycling and Recovery (CalRecycle) Grant Manager written notification of the scheduled start date. Cleanup activities may not commence unless and until Grantee has received a Notice to Proceed, which shall be issued by the Grant Manager upon receipt of a fully executed Grant Agreement.
- 1.02 Grant Term, Grant Performance Period and Report Preparation Period. The Grant Performance Period begins on the date indicated in the Notice to Proceed letter that the Grantee will receive from CalRecycle. Grant-eligible Program expenditures may start no earlier than the date indicated in the Notice to Proceed. In all cases, all eligible Program costs must be incurred no later than May 15, 2015.
- The Grant Term starts on the same date as the Grant Performance Period and ends on June 30, 2015, the date the Final Report and Final Payment Request are due to CalRecycle. The period from May 16, 2015, to June 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.***
- 1.03 Public Information. All documents submitted in relation to the Grant, including, but not limited to, Payment Requests and Reports, become the property of CalRecycle and are subject to disclosure under the Public Records Act. Do not submit confidential information.
- 1.04 Site Access. Grantee shall allow CalRecycle and other State Agency representatives to inspect the site cleanup and related work being performed at any time during the performance of the work, and shall provide full access to all project records.
- 1.05 Change of Financial Condition. The Grantee agrees to immediately notify the Grant Manager of any changes in the financial condition or circumstances that would make the owner and/or responsible party financially able to accomplish the required site cleanup without CalRecycle funds. This notification shall be required during the term of this Agreement. Changes in the financial condition of the owner and/or responsible party may negate the need for grant funds.
- 1.06 Interdepartmental Agreements. Agreements between departments or divisions of the same local jurisdiction or between jurisdictions participating in a regional grant agreement will not be recognized as subcontracts.
- 1.07 Cost Recovery. The Grantee agrees to pursue cost recovery for funds expended on private properties to the extent possible, unless waived by CalRecycle. The Grantee agrees to repay CalRecycle any funds collected through cost recovery, sale of liened properties, special tax assessments, or other methods of collection, less any reasonable administrative costs incurred by the Grantee in obtaining repayment.

- 1.08 Sale of Property. If any of the public property(ies), remediated with grant funds, are sold within twelve (12) months of completion of the cleanup, a portion of the proceeds from the sale shall be remitted to CalRecycle in an amount commensurate with that expended by CalRecycle to remediate the site.

SECTION II

- 2.01 Reliable Contractor Declaration. Prior to authorizing a contractor(s) to commence work under this Grant, the Grantee shall upload to GMSWeb 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.calrecycle.ca.gov/Laws/Regulations/title14/ch1.htm#ch1a5 to access the text of the regulation.

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

To obtain the Reliable Contractor Declaration form (CalRecycle 168) see, www.calrecycle.ca.gov/Grants/Forms.

To upload the Reliable Contractor Declaration to GMSWeb, follow the instructions in Section 2.05 below.

- 2.02 Work Plan and Budget/Eligible Costs. Eligible costs include, but are not limited to:

- Waste removal and disposal;
- Security measures such as fences, barriers, and warning signs;
- Site grading and drainage controls to minimize erosion;
- Slope and foundation stabilization;
- Excavation, consolidation, and capping of waste areas;
- Installation of landfill gas and leachate control systems;
- Field and laboratory testing; and
- Health and safety measures required for eligible project work.

Note: It is the Grantee's responsibility to review all documents, letters, e-mails, and other information updates supplied by CalRecycle.

- 2.03 Ineligible Costs. Ineligible costs include, but are not limited to:

- Costs incurred prior to receipt of the Notice to Proceed letter or after May 15, 2015.
- Expenses for services rendered or goods purchased prior to issuance of Notice to Proceed, or any expenses incurred after the end of the Grant Performance Period;
- Overhead or indirect costs (unless pre-approved in writing by the Grant Manager, but in no event an amount in excess of 10% of the amount approved for reimbursement);
- Costs explicitly for the profit of the Grantee;
- Bonus payments for early completion of grant project or any phase of the grant project;
- Any portion of a program currently covered or incurred under any other CalRecycle contract, loan or grant or grant cycle;

- 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);
- Cellular phones, personal digital assistants, personal electronic devices, pagers, and similar electronic and telecommunications devices;
- Programs that are not cost effective, as determined by the Grant Manager;
- Travel and per diem expenses (unless pre-approved in writing by the Grant Manager)(See Terms and Conditions, attached as Exhibit A, subsection (e) under Payment);
- Any food or beverages (e.g. as part of meetings, workshops, training, events, etc.);
- Equipment or other materials that are not primarily used to implement the approved project;
- Staff training that is not directly related to the implementation of the approved project;
- Interest charges or other payments on bonds or indebtedness required to finance the project;
- Any personnel costs incurred as a result of time an employee assigned to the project funded by the grant does not actually work on the project (e.g. use of accrued vacation, sick leave, etc.);
- Costs connected with contractor claims/liens against the Grantee;
- Fines or penalties due to violation of federal, state or local laws, ordinances, or regulations;
- Permit, inspection and use fees;
- Closure activities as defined by 27 CCR § 20164;
- Ground water remediations;
- Operation and maintenance of monitoring systems;
- Postclosure maintenance activities;
- Preparation of closure and/or postclosure maintenance plans;
- Improvements to property for postclosure land uses;
- Removal, abatement, and cleanup or otherwise handling of only hazardous substances as defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980 [42 U.S.C. § 9601(14)] not codisposed with nonhazardous waste; and
- Any other costs not deemed reasonable or related to the purpose of the grant by the Grant Manager.

2.04 Overhead on Subcontracts. Overhead may only be paid on the first \$25,000 for each subcontract and is limited to a rate of 10% of the amount approved for reimbursement.

2.05 Grants Management System Web (GMSWeb). GMSWeb is CalRecycle’s web-based grant application and grant management system. Access to GMSWeb is secure. Grantees must log in using a WebPass. WebPass accounts are created for individuals, not organizations, and will be tied to your specific email address. If an email address changes, or if it becomes inactive, the Grantee must create a new WebPass account to continue accessing GMSWeb. Establish or manage a CalRecycle WebPass at: www.calrecycle.ca.gov/Grants/GMS/.

Email the assigned Grant Manager for all changes to contacts and web passes to ensure continued access to the system.

Accessing the grant.

Grantees must log into GMSWeb using their web pass at: <https://secure.calrecycle.ca.gov/Grants>. After log-in, locate the grant in the Associated Grant Applications table and select the Grant Management link. The Grant Management module includes the following sections:

- Budget Summary - shows approved budget, paid and remaining amounts. (This section is available to the Grantee in Read-only mode.)

- Payment Request Transactions - requests reimbursement.
- Report and Other Grant Documents – uploads required reports and other grant documents that are not considered supporting documents to a payment request.

Follow the instructions in GMSWeb to work in the system. Use the information in the following sections to determine what reports, transactions, and supporting documents are required.

2.06 Payment Requests. Not more than once per month, Grantee shall submit a Grant Payment Request via GMSWeb. To submit a Grant Payment Request:

1. Go to the **Payment Request Transactions** section in the Detail tab.
2. Click on the **Create a Reimburse/Advance Reconciliation** button.
 - a. Choose **Reimburse** for the Transaction Type and enter the amount spent in each budget sub category.
3. When the transaction is complete, click the **Save** button.
4. After the transaction is saved, the **Upload Supporting Documentation** button will appear in the lower right corner. Upload all required supporting documents as listed immediately below.

- a. A scanned copy of the signed Grant Payment Request form (CalRecycle 87).

Mail only the **original** Grant Payment Request form (CalRecycle 87), with the original signature of the signatory or his/her designee.

Via standard mail:	Via courier/personal delivery:
Department of Resources Recycling and Recovery Grant Manager Engineering Support Branch Compliance and Enforcement Division P.O. Box 4025 Sacramento, CA 95812-4025	Department of Resources Recycling and Recovery Grant Manager Engineering Support Branch Compliance and Enforcement Division 1001 I Street Sacramento, CA 95814

The Payment Request shall be signed by the person authorized by Grantee's Resolution. Grantee must use CalRecycle Payment Request form (CalRecycle 87), available at www.calrecycle.ca.gov/Grants/Forms or from your Grant Manager. Faxed Payment Requests will not be accepted.

- b. Payment Request shall be accompanied by additional supporting documentation. Types of acceptable documentation include, but are not limited to:
 - **Invoices:** should include the name of the vendor, vendor's telephone number and address, a description of goods or services purchased, amount due, and date.
 - **Receipts:** should include the same information as invoices.
 - **Purchase orders with proof of payment:** should include the same information as invoices. Purchase orders must be accompanied by proof of payment (e.g., copies of cancelled checks).
 - **Personnel Expenditure Summary Form:** must document these costs based on actual time spent on grant related activities; form available at www.calrecycle.ca.gov/Grants/Forms. (NOTE: These forms are not required if you have an alternate time reporting method pre-approved in writing by the Grant Manager).

- 2.07 Property Purchased With Grant Funds. CalRecycle will require that Grantees secure their obligations under the Grant Agreement by executing a security agreement that provides for CalRecycle to receive a purchase money security interest in any equipment or fixtures acquired with grant funds. Grantees must execute all documents required to complete CalRecycle's security interest prior to any payment of grant funds. (See "Real and Personal Property Acquired With Grant Funds" section in Exhibit A – Terms and Conditions for more information.)
- 2.08 Payment Verification. The Grant Manager will verify Payment Requests for completeness and accuracy, and adjust as necessary. Payments will be computed at 100 percent of the amount approved by CalRecycle staff for payment, less 10 percent to be retained by the State until Grantee has satisfied all conditions stipulated in this Agreement. After CalRecycle staff approval, Payment Requests will be forwarded to the State Controller's Office for issuance of payment warrants.
- 2.09 Payment Processing. The State will make payments to Grantee as promptly as fiscal procedures permit. Payment is typically made to Grantee approximately 45 calendar days from the date the completed Payment Request is approved by the Grant Manager. Payment shall be made only to the Grantee.

SECTION III

- 3.01 Reporting Requirements. The reports must be current, include all required sections and documents, and must be approved by the Grant Manager before any Payment Request can be processed. Failure to comply with the specified reporting requirements may result in the termination of this Agreement or rejection of the Payment Request and/or forfeiture by the grantee of claims for costs incurred that might otherwise have been eligible for grant funding. Any problems or delays must be reported immediately to the Grant Manager.

All reports must be uploaded in GMSWeb. To upload a report:

1. go to the **Report and Other Grant Documents** section in the **Detail tab**,
2. click on the **Upload a Document** button,
3. type a title, i.e. Final Report, then click the **Browse** button to search and upload the document, and then
4. click the **Save** button.

- 3.02 Progress Reports. The Grant Manager may request a Progress Report at any time during the grant term.

- 3.03 Final Report. Upon completion of the project the Grantee shall complete and upload a Final Report that documents the cleanup activities performed under this grant. At a minimum, the Final Report shall contain the following:

- a. Introduction
 1. Disclaimer: **"The statements and conclusions of this report are those of the Grantee and not necessarily those of the Department of Resources Recycling and Recovery, its employees, or the State of California. The State makes no warranty, express or implied, and assumes no liability for the information contained in the succeeding text."**
 2. Report Purpose
- b. Project Information
 1. Site Location

2. Site Background
 3. Project Participants
- c. Construction/Cleanup Activities
 1. Project Scope of Work
 2. Reference Documents (if applicable)
 3. Summary of Construction/Cleanup Activities
 4. Sampling and Analyses (if applicable)
 5. As-Built Plans and Specifications
 - d. Operations and Maintenance Plans to ensure ongoing compliance with applicable CalRecycle State Minimum Standards (include as stand alone documents or incorporate documents submitted previously by reference)
 - e. Summary of Expenditures
 - f. Statement that all contractors and subcontractors have completed the Reliable Contractors Declaration (CalRecycle 168) see www.calrecycle.ca.gov/Grants/Forms.
- 3.04 Untimely Final Report and Payment Request. Failure to submit the Final Payment Request and Final Report, with appropriate documentation, by June 30, 2015, may result in rejection of the Payment Request and/or forfeiture by the Grantee of claims for costs incurred that might otherwise have been eligible for grant funding.