

# RUBBERIZED PAVEMENT GRANT PROGRAM APPLICATION GUIDELINES & INSTRUCTIONS

1<sup>st</sup> Cycle (TRP1) - Fiscal Year (FY) 2011/12



## Table of Contents

<b>Grant Cycle Overview .....</b>	<b>2</b>
Eligible Applicants .....	2
Eligible Projects/Products .....	2
Regional Application Requirements .....	3
Available Funds .....	3
Grant Performance Period and Grant Term .....	4
Eligible Costs .....	4
Ineligible Costs .....	4
Question-and-Answer Process .....	5
Timeline for Rubberized Pavement Grant Program TRP1, FY 2011/12 .....	5
Question and Answer Period .....	5
Application Deadline .....	5
<b>Application Instructions .....</b>	<b>6</b>
Application Access .....	6
Application Contents and Instructions .....	6
Application Deadline .....	8
<b>Application Documents .....</b>	<b>9</b>
CalRecycle Documents .....	9
Calculation for Requested Grant Amount (Information and Example) .....	9
Project Summary & Calculation Example .....	10
Resolution, Letter of Designation, and Letter of Authorization Information and Examples .....	11
Letter of Designation for Delegation Information .....	13
Letter of Authorization .....	14
Environmentally Preferable Purchases and Practices Policy Information .....	15
EPPP Policy – Secondary Deadline Notification .....	16
<b>Grant Review And Award Process .....</b>	<b>17</b>
Grant Application Review Process .....	17
Grant Award Process .....	17
Grant Awards Conditions .....	17
<b>Grant Program Administration .....</b>	<b>18</b>
Grant Agreement Package .....	18
Reporting Process .....	18
Payment Request Process .....	18
Grant Agreement Provisions .....	19

## GRANT CYCLE OVERVIEW

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 Rubberized Pavement (Pavement) Grant Program (formerly called the Rubberized Asphalt Concrete [RAC] Grant Program) pursuant to Sections 42872 and 42873 of the Public Resources Code.

The purpose of the grant is to promote markets for rubberized pavement products derived from one-hundred percent (100%) recycled California-generated waste tires. The program is designed to encourage first-time or limited users of rubberized pavement in two project types – RAC and Chip Seal.

**Rubberized Asphalt Concrete (RAC) Project(s):** Grant awards are based on the differential cost of using RAC versus conventional asphalt concrete and the tonnage of RAC used. This was formerly known as the Targeted Rubberized Asphalt Concrete Incentive Grant.

**Rubberized Chip Seal (Chip Seal) Project(s):** Grant awards are based on a fixed dollar amount per square yard of material used. This was formerly known as the Rubberized Asphalt Concrete Chip Seal Grant.

### ELIGIBLE APPLICANTS

- “Local Governments” (cities and counties) as defined in Public Resources Code Section 48617
- Qualifying Indian Tribes. 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 establish that it is a government entity and which meets the criteria of the grant program.

*If you have received three total grants under the Targeted RAC Incentive Grants and/or the discontinued RAC Use Grants, you are no longer eligible to apply for RAC projects but may be eligible for Chip Seal projects. If you have received four total grants under the RAC Chip Seal grants, you are no longer eligible to apply for Chip Seal projects but may still be eligible for RAC projects. If you have reached the limit for both types of project, you are no longer eligible to receive RAC grants from CalRecycle.*

### ELIGIBLE PROJECTS/PRODUCTS

All projects are subject to the following requirements:

- One hundred percent (100%) California-generated waste tires must be used in the rubber portion of the project(s).
- The project(s) must be located in California.
- Reimbursement will not exceed the amount stated on the Grant Agreement Cover Sheet (CalRecycle 110).
- Construction of the RAC portion of any project must commence on or after the date indicated in the Notice to Proceed and be completed by April 1, 2014.
- The binder material must contain a minimum of 300 pounds (equivalent to 15 percent by weight) of the tire-derived crumb rubber per ton of rubberized binder.

Additionally, the following are project requirements specific to the project type indicated:

- RAC Project: Project(s) must use a minimum of 3,500 tons of RAC.
- Chip Seal Project: Project(s) must use a minimum area of 35,000 square yards of RAC chip seal material.

### **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.

CalRecycle understands that it may be beneficial for two (or more) jurisdictions to combine road pavement projects in order to achieve economies of scale and a lower overall cost to taxpayers. Accordingly, an eligible applicant (local government or Qualifying Indian Tribe) may apply for a RAC and/or Chip Seal project(s) to perform work in its (Lead) jurisdiction as well as another eligible (Participating) jurisdiction if:

- The work is performed subject to a written agreement (Memorandum of Understanding – MOU) between the Lead and Participating jurisdictions (an executed copy of the MOU and authorizing Resolution [if applicable] must be provided to CalRecycle)
- The Participating jurisdiction must provide a Letter of Authorization from the City Manager (or other authorized individual) to participate in the project subject to the MOU
- The Participating jurisdiction is encouraged, but not required, to have in place (or adopt, as appropriate) an Environmentally Preferable Purchases and Practices Policy
- The Lead jurisdiction is responsible for compliance with all terms and conditions of the grant, including but not limited to construction/paving activities within the Participating jurisdiction
- Grant reimbursement will be made (based on the percentage of differential cost for RAC project(s) or reimbursement per square yard for Chip Seal projects) to the Lead jurisdiction and shall not be greater than if the Lead and Participating jurisdictions applied separately

### **AVAILABLE FUNDS**

- A total of \$8,745,000 (\$5,445,000 and \$3,300,000 for Fiscal Years [FY] 2011/12 and 2012/13, respectively) is available this grant solicitation, FY 2011/12, subject to funding availability. If FY 2012/13 funding is used for FY 2011/12 applications, the grant solicitation for FY 2012/13 may be cancelled.

The funding of project(s) is based on the amount of RAC material used and number of previous CalRecycle RAC grants received. The maximum grant award for both RAC and Chip Seal project(s) is \$250,000. Applicants that apply to use both RAC and Chip Seal material are eligible for a maximum grant award of \$375,000.

The maximum grant award, if applying as a Regional Applicant, shall not be greater than the maximum grant award for an individual applicant. Applicants that have been awarded RAC Grants are not eligible to apply in the following fiscal year. Accordingly, those who received FY 2010/11 funding under the RAC Grant Program cannot apply until FY 2012/13 or FY 2013/14 if the grant solicitation for FY 2012/13 is cancelled.

Reimbursement and eligibility will be based on the following:

Grant Category*	Number of Previous RAC or Chip Seal Grants	Grant Award Basis
RAC - 1	0	Total grant award is based on a 100% differential cost between rubberized asphalt and conventional asphalt
RAC - 2	1	Total grant award is based on a 70% differential cost between rubberized asphalt and conventional asphalt
RAC - 3	2	Total grant award is based on a 40% differential cost between rubberized asphalt and conventional asphalt
Chip Seal - 1	0-1	\$1.00 per square yard
Chip Seal - 2	2-3	\$0.50 per square yard

\* To prioritize funding decisions, if an applicant requests funding for both RAC and Chip Seal projects, the material type used which represents the greatest dollar amount shall determine the grant category. If amounts are equal, the application will be considered in the appropriate RAC category.

#### **GRANT PERFORMANCE PERIOD AND GRANT TERM**

Eligible costs may be incurred only during the “Grant Performance Period” which starts when the Grantee receives a “Notice to Proceed” from CalRecycle and ends on April 1, 2014. 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 the Grant Project and incur costs.

The Grant Term starts on the same date as the Grant Performance Period and ends on April 1, 2014, the date the Final Report and Payment Request are due to CalRecycle.

#### **ELIGIBLE COSTS**

Eligible costs may be incurred only during the “Grant Performance Period” which starts when the Grantee receives a “Notice to Proceed” from CalRecycle and ends on April 1, 2014. (*see “Grant Performance Period and Grant Term” for additional information*).

Eligible costs include expenditures incurred during the grant term that directly related to the project(s) rubberized paving material and its installation.

#### **INELIGIBLE COSTS**

Ineligible costs include, but are not limited to:

- Costs incurred for projects that start construction of the RAC paving prior to the NTP date, or end construction after April 1, 2014;
- Projects utilizing tire rubber material that is not made from 100% California waste tires or that use truck tire buffing material;
- Projects using less than the required amount of crumb rubber, tonnage of RAC or yardage of chip seal material, as specified in Project Requirements;
- Binder material not meeting the minimum 300 pounds (equivalent to 15 percent by weight) of tire-derived crumb rubber per ton of rubberized binder;
- Testing Cost;
- Personnel costs, including fringe benefits;
- Overhead and/or indirect costs; and
- Any other costs deemed unreasonable or unrelated to the purpose of the grant by the CalRecycle Grant Manager.

Detailed cost information is included in Exhibit B – Procedures & Requirements of the Grant Agreement. See <http://www.calrecycle.ca.gov/Tires/Grants/Pavement/FY201112/default.htm> to download a draft of the Procedures & Requirements.

**QUESTION-AND-ANSWER PROCESS**

Questions regarding the Application and its requirements must be in writing and received by October 3, 2011 via email at: [grants@calrecycle.ca.gov](mailto:grants@calrecycle.ca.gov).

Questions received by any other method or after October 3, 2011, 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/Pavement/FY201112/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.

**TIMELINE FOR RUBBERIZED PAVEMENT GRANT PROGRAM TRP1, FY 2011/12**

Date	Activity
Application release date to October 3, 2011	<b>Question and Answer Period</b> <ul style="list-style-type: none"> <li>• Questions must be submitted by email</li> </ul>
October 10, 2011	<ul style="list-style-type: none"> <li>• All answers will be posted (tentative)</li> </ul>
October 25, 2011	<b>Application Deadline</b> <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>
November 29, 2011	<b>If a Resolution not submitted with the application</b> Approved Resolution must be uploaded in GMSWeb by this date <b>If applicant does not have an EPPP policy at time of application</b> <ul style="list-style-type: none"> <li>• EPPP Policy must be adopted and Notification must be <b>uploaded in GMSWeb</b> by this date</li> </ul>
January 2012	<b>Grants Awarded</b> <ul style="list-style-type: none"> <li>• CalRecycle considers funding recommendations, and if approved, awards grants (tentative)</li> </ul>
Notice to Proceed – April 1, 2014	<b>Grant Performance Period—may incur program or project costs</b>
April 1, 2014	<b>Final Report, Final Payment Request and Request for 10% withhold Deadline</b>

## 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.aspx>, select "Create a new grant application from the cycle search." Open grant cycles are displayed in a table. Find Cycle Name: Rubberized Pavement Grant; Cycle Code: TRP1 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 Regional 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. To determine amount, complete the Project Summary & Calculation document, found on the Summary tab, in the Resource Documents section. Do not exceed the maximum grant award amount of \$250,000.00 for using either RAC or Chip Seal project or \$375,000.00 for using both projects. 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 description of the proposed RAC and/or Chip Seal project(s), proposed construction date, and the amount of RAC material that will be used.
- 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 individual 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**

Enter a dollar amount in the Materials budget category. Total budgeted amount must equal the Grant Funds Requested amount, which is calculated in the Project Summary & Calculation document, located on the Summary tab, in the Resource Documents section.

*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 October 25, 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.

#### **Program Requirements**

#### **Project Summary & Calculation**

#### **Project Summary & Calculation Example**

### **PROGRAM REQUIREMENTS, PROJECT SUMMARY & CALCULATION INFORMATION AND EXAMPLE**

#### **Program Requirements Information**

*- for all applicants*

This is a required document, detailing additional program requirements. Complete all sections.

#### **Project Summary & Calculation Information**

*- for all applicants*

This is a required document, detailing project summaries and determining the requested grant amount. Complete sections, as appropriate.

The document contains five sections. Within each section, fill out white areas only, as appropriate. For each project row, do the following:

- If applying for RAC only, complete sections 1a, 2, and 3 only.
- If applying for Chip Seal only, complete sections 1b, 2, and 4 only.
- If applying for RAC and Chip Seal, complete all sections (1a, 1b, 2, 3, and 4).

*See table in the Available Funds section for determining “Grant Category”.*

More instructions can also be found within the document.

#### **Calculation for Requested Grant Amount (Information and Example)**

The document is designed to automatically calculate the grant amount based on required entries (e.g. for RAC project: grant category, AC and RAC cost, amount of RAC material; for Chip Seal project: grant category and amount of RAC material). Below is for informational purposes only.

#### *RAC Project*

The sample calculation below is to help determine the requested amount of grant funds; the final grant reimbursement will be determined by the actual project cost, not to exceed the grant award amount. For calculation purposes, historical, estimated, and/or actual bid costs can be used.

Table 1: Calculation for Requested Grant Amount Example: ((A \* B) \* C) = D

	A		B		C		D
Grant Category	Amount of RAC* (Tons)	X	Differential Cost** of RAC* (\$/Ton)	X	Differential Reimbursement Rate	=	Total
RAC - 1	9,000	X	(\$100 - \$75) = \$25	X	100%	=	\$225,000
RAC - 2	13,000	X	(\$100 - \$75) = \$25	X	70%	=	\$227,500
RAC - 3	22,000	X	(\$100 - \$75) = \$25	X	40%	=	\$220,000

\*Definitions:

RAC = Rubberized Asphalt Concrete  
AC = Asphalt Concrete

\*\*Formula for Differential Cost:

RAC Cost minus AC Cost

### Chip Seal Project

The sample calculation below is to help determine the requested amount of grant funds; the final grant reimbursement will be determined by the actual total RAC chip seal square footage used for all projects multiplied by the reimbursement rate of one dollar per square yard (\$1.00/yd<sup>2</sup>) for category “Chip Seal – 1”; and/or fifty cents per square yard (\$.50/yd<sup>2</sup>) for category “Chip Seal – 2”, not to exceed the actual grant award.

Table 2: Calculation for Grant Amount: (A \* B) = C

	A		B		C
Grant Category	Amount of RAC Chip Seal (yd <sup>2</sup> )	X	Reimbursement Rate (\$/yd <sup>2</sup> )	=	Total
Chip Seal - 1	230,000	X	\$1.00	=	\$230,000
Chip Seal - 2	500,000	X	\$.50	=	\$250,000

## PROJECT SUMMARY & CALCULATION EXAMPLE

For your convenience, a sample spreadsheet has been provided on the Summary tab, in the Resource Documents section.

### 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 **November 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.*

#### Regional Applications:

- For grants that allow regional applications: The lead entity 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 entity and specifically named regional participants, 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 regional participants with each new application without the necessity of obtaining a new Resolution).
- For grants that allow regional applications: 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 jurisdiction 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 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
- identify the 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 **Rubberized Pavement Grant Program, 1<sup>st</sup> Cycle**. 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 AUTHORIZATION

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 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

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 **Rubberized Pavement Grant Program, 1<sup>st</sup> Cycle**.

Signature

Name & Job Title

Mailing Address

City, State, Zip

## ENVIRONMENTALLY PREFERABLE PURCHASES AND PRACTICES POLICY INFORMATION

Consistent with CalRecycle’s core values, all grant applicants are required to have an existing or to develop and implement Environmentally Preferable Purchasing and Practices (EPPP) Policy for their organization. An applicant must have an EPPP Policy in place by the secondary due date of **November 29, 2011**. Any applicant who adopts an EPPP Policy prior to submitting its application must certify to this fact in the EPPP 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 when it submits its application may certify in its application that it will adopt one and upload the EPPP Policy – Secondary Deadline Notification (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: [www.responsiblepurchasing.org/purchasing\\_guides/all/policies/](http://www.responsiblepurchasing.org/purchasing_guides/all/policies/).

<b>Producer Responsibility and Source Reduction</b>
1. Products have an environmental standard issued by a third-party or government agency where available. (See <a href="http://www.green.ca.gov/EPP/Introduction/default.htm">www.green.ca.gov/EPP/Introduction/default.htm</a> for product-specific information).
2. Vendors or manufacturers agree to take back old product or packaging or cover the cost of recycling/disposal.
<b>Recycled Content</b>
3. Products contain recycled content that meet or exceed the California <a href="#">State Agency Buy Recycled Campaign requirements</a>
4. Products contain recycled content that meet or exceed the guidelines in the <a href="#">US EPA’s Comprehensive Procurement Guidelines</a> , if higher than SABRC requirements
5. Products contain recycled content as recommended in the <a href="#">California Environmentally Preferable Purchasing Best Practices Manual</a>
<b>Energy and Water Savings</b>
6. Products are Energy Star certified, if a US EPA Energy Star certification is available, or products are in the upper 25% 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.
<b>Toxicity and Pollution</b>
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.
<b>Buildings and Grounds</b>
11. All building and renovations follow the green building practices for design, construction and operation, where appropriate, as described in the LEED™ Rating System.
<b>Habitat Preservation</b>
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.
<b>Continual Improvement</b>
14. Training is provided to new and existing employees.
15. Organization regularly evaluates and/or improves implementation of EPP policy.

**EPPP POLICY – SECONDARY DEADLINE NOTIFICATION**

Applicants who do not have an EPPP Policy in place when they submit their application, may certify in their application that they will adopt one by the secondary due date of **November 29, 2011**, and will upload the Notification (below) in the GMSWeb application. CalRecycle must receive the Notification by the secondary due date of **November 29, 2011**, or the application will be disqualified.

APPLICANT INFORMATION	
GRANT PROGRAM NAME:	
APPLICANT / ORGANIZATION NAME:	
PRIMARY CONTACT NAME:	TITLE:
TELEPHONE NUMBER:	FAX NUMBER:
EMAIL ADDRESS:	
Check box	
<input type="checkbox"/>	Yes, our entire organization has an Environmentally Preferable Purchases and Practices Policy.
	DATE ADOPTED: _____ BY: (E.G., GOVERNING BODY NAME, EXECUTIVE OFFICER, ETC.) _____
<i>Certification: I declare, under penalty of perjury, under the laws of the State of California, that the above information is true and correct to the best of my knowledge.</i>	
X	
<i>Signature Authority - as authorized in Resolution or Letter of Commitment; or Authorized Designee - as authorized in submitted Letter of Designation</i>	
<i>Date</i>	
<i>Print Name</i>	
<i>Print Title</i>	

## **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.

Applicants may request funding for multiple projects (RAC or Chip Seal) in a single application. Movement from one priority category to the next is based on the number of CalRecycle-funded grants, not necessarily the number of individual projects.

If CalRecycle receives more requests for funding than provided for with available monies (i.e., if the program is oversubscribed), staff will use the following process to prioritize funding decisions for eligible applicants:

- a. Applicants who did not receive funding in FY 2009/10
- b. Applicants that propose to use the greatest amount of crumb rubber material in their project(s)

Applicants who were awarded any rubberized asphalt concrete grant in the previous three FYs, but either withdrew their grant or used less than 50% of their grant award, will be considered only after all other eligible applications have been awarded.

### **GRANT AWARD PROCESS**

For qualifying applications, CalRecycle Staff will develop funding recommendations for the consideration and approval of CalRecycle's Director, or his designee; this is tentatively scheduled for January 2012. CalRecycle reserves the right to partially fund or fund individual phases of selected proposals, and with the applicant's prior approval, 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**

CalRecycle awards this Grant 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 disqualify applicant from receiving the grant award.***

## GRANT PROGRAM ADMINISTRATION

### GRANT AGREEMENT PACKAGE

Following CalRecycle's conditional approval of the Grant awards, grantees will be mailed a Grant Agreement Package that contains the following:

- Award cover 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/Pavement/FY201112/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/Pavement/FY201112/default.htm> to download a draft of the Procedures & Requirements.*
- Exhibit C – Project Summary & Calculation
- Attachment – Forms Guide: CalRecycle forms to be used throughout the Grant Performance Period.  
*Note: See <http://www.calrecycle.ca.gov/Grants/Forms/> to download the forms.*

The Grant Agreement consists of the following items:

- Grant Agreement Cover Sheet (CalRecycle 110)
- Items incorporated by reference as specified on the Grant Agreement Cover Sheet
- Exhibit A – Terms and Conditions
- Exhibit B – Procedures and Requirements
- Exhibit C – Project Summary & Calculation

### REPORTING PROCESS

Grantees are required to report on the progress of their Grant:

- A Progress Report is due April 1, 2013.
- A Final Report is due April 1, 2014.

Detailed reporting information is 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 April 1, 2014, 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;  
INCLUDING 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.