



October 2012

Department of Resources Recycling and Recovery (CalRecycle)

# TIRE-DERIVED PRODUCT GRANT PROGRAM APPLICATION GUIDELINES & INSTRUCTIONS

Fiscal Year (FY) 2012/13

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## GRANT CYCLE OVERVIEW

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

The Department of Resources Recycling and Recovery (CalRecycle) offers the Tire-Derived Product Grant pursuant to Sections 42872, 42873, and 42889 of the Public Resources Code. The purpose of the grant is to promote markets for recycled-content products derived from California-generated waste tires and to decrease the adverse environmental impacts created by the unlawful disposal and stockpiling of waste tires.

### ELIGIBLE APPLICANTS

Eligible applicants include public entities and qualifying Indian Tribes.

Public entities include: California cities, counties, public school districts, public colleges and universities, special districts, park or recreational districts, and state agencies (including offices, departments, bureaus, and boards).

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.

### ELIGIBLE PROJECTS

Only one application per qualifying entity will be accepted and only for projects within California. A minimum of 2,500 California-generated waste tires must be used per application. Multiple products/projects may be combined to achieve this minimum. Project(s) must not have previously received CalRecycle grant funds.

Playground Projects:

A playground is defined as an improved outdoor area designed, equipped, and set aside for children’s play that is not intended for use as an athletic playing field or athletic court, and shall include any playground equipment, fall zones, surface materials, access ramps, and all areas within and including the designated enclosure and barriers.

Additional requirements and unfunded costs apply to playground projects. Projects involving playgrounds are subject to various local, state and federal requirements. It is the grantee’s responsibility to comply with all requirements. The following information identifies some of the state and federal requirements associated with playground construction and modifications. Note: this list is not all inclusive.

For information regarding playground safety and standards please go to the [California Department of Public Health website \(http://www.cdph.ca.gov/HealthInfo/injviosaf/Pages/PlaygroundSafety.aspx\)](http://www.cdph.ca.gov/HealthInfo/injviosaf/Pages/PlaygroundSafety.aspx)

In addition to other requirements, California law requires that a Playground Inspector, certified by the National Playground Safety Institute (NPSI), conduct an inspection for compliance with standards set forth by the American Society for Testing and Materials (ASTM) and the playground-related guidelines set forth by the United States Consumer Product Safety Commission (CPSC).

Examples of playground inspection documents are provided on the [California Park & Recreation Society \(CPRS\) website \(http://www.cprs.org/\)](http://www.cprs.org/). Scroll down to the Resources link and go to Information and Referral, click on Playground to access the Safety Inspector Worksheets. For

playground surfacing projects, see the Surfacing Worksheet. These documents are referenced for information purposes only.

The Department of Justice recently promulgated new ADA standards for playground surfacing, specifically, § 1008.2.6 provides requirements for access routes, clear floor or ground spaces and turning requirements. The section incorporates the American Society for Testing and Materials (ASTM) standards, specifically, ASTM F 1292 - 09 Standard Specification for Impact Attenuation of Surfacing Materials within the Use Zone of Playground Equipment, and ASTM F 1951 for compliance with inspection and maintenance activities. For information related to the 2010 ADA standards, please go to the [2010 ADA Standards for Accessible Design \(http://www.ada.gov/regs2010/2010ADAStandards/2010ADASTandards.htm\)](http://www.ada.gov/regs2010/2010ADAStandards/2010ADASTandards.htm)

**Submittal of the Payment Request for playground projects constitutes certification by the Grantee that all local, state and federal playground requirements have been met including, but not limited to, certification by a NPSI certified Playground Inspector. Submittal of compliance documents is not required. Expenses associated with inspection and certifications are not reimbursable under the Grant.**

### **ELIGIBLE PRODUCTS**

Tire-derived products (TDP) must be made from 100% California-generated waste tires. The waste tire material must be processed and manufactured into a final product in California. For the purposes of this grant program, tire-derived products generally fall into three categories: agriculture/landscape, recreation, and transportation. Eligible products include, but are not limited to:

Mulch, bark, weed abatement coverings, tree care products, horse stall mats, arenas, playgrounds, tracks, sidewalks/pathways, sport surfacing, guard rails or components, railroad ties, sound barriers, and traffic safety products.

CalRecycle makes no warranty, express or implied, and assumes no liability for any tire-derived product(s) funded by this Grant. It is the Applicant's responsibility to determine the appropriateness of the product(s) for its purpose(s).

### **AVAILABLE FUNDS**

- A total of \$2,800,000 is available for this grant cycle, Fiscal Year (FY) 2012/13, subject to funding availability.
- \$150,000 is the maximum available for individual grant awards.

### **REIMBURSEMENT GRANT**

This is a reimbursement grant. Grantee must pay grant-related costs and comply with reimbursement requirements prior to receiving grant funds. For information regarding Payment Requests and withholds See *Grant Payment Information* in the Procedures and Requirement, Exhibit B on the [Fiscal Year 2012/13 webpage \(http://www.calrecycle.ca.gov/Tires/Grants/Product/FY201213/default.htm\)](http://www.calrecycle.ca.gov/Tires/Grants/Product/FY201213/default.htm)

### **GRANT TERM**

The "Grant Term" starts when the Grantee receives a "Notice to Proceed" (NTP) from CalRecycle and ends on April 1, 2015. The NTP, which is issued after the Grantee and CalRecycle have both signed the Grant Agreement, is a formal notification from CalRecycle that authorizes the Grantee to begin the Grant Project and incur costs.

The Final Report, Final Payment Request, and Request for 10% Withhold are due to CalRecycle no later than April 1, 2015, which is the end of the Grant Term.

### **UNFUNDED COSTS**

Only those costs described in **ELIGIBLE COSTS** below are reimbursable. Other grant-related costs are not eligible for funding, these include, but are not limited to, signage and playground inspection certification. All Grantees must install a permanent sign at the Project site upon completion of the Project, no later than April 1, 2015. For additional signage information, see the Procedures and

Requirements, Exhibit B on the [Fiscal Year 2012/13 webpage](http://www.calrecycle.ca.gov/Tires/Grants/Product/FY201213/default.htm) (<http://www.calrecycle.ca.gov/Tires/Grants/Product/FY201213/default.htm>) For playground projects, unfunded costs include those associated with playground inspection certification.

**ELIGIBLE COSTS**

Eligible costs may be incurred only during the “Grant Term” which starts when the Grantee receives a NTP from CalRecycle and ends on April 1, 2015. Costs incurred prior to receipt of the NTP and after April 1, 2015 are not eligible for reimbursement.

Eligible costs are limited to the actual cost of the tire-derived material of the product, tax, and shipping up to a maximum of five dollars (\$5) per passenger tire equivalent (PTE). This cost is exclusive of truck tire buffings. The TDP material must be processed and manufactured into a final product in California.

\*Truck tire buffings may be used in the product, but they are not an eligible cost.

*\* Truck tire buffings are derived from the truck tire retreading process. Specifically, the buffing process removes the worn tread from an old truck tire and the particles of rubber that are produced are referred to as "buffings" or "buffing dust."*

Cost/funding levels are determined based on the following calculation, not to exceed the maximum award amount of \$150,000.

|   |   |  |   |  |   |   |   |                      |
|---|---|--|---|--|---|---|---|----------------------|
| <b>Product Weight in lbs.</b><br>(CA Waste Tires) | / | <b>Passenger Tire Equivalent (PTE)</b><br>(Use 12 lbs. or 20 lbs.) | = | <b>Number of Tires Diverted</b><br>(In PTEs) | x | <b>Cost Per Tire</b><br>(CalRecycle will reimburse up to \$5 per tire diverted – may include shipping & tax, not to exceed \$5) | = | <b>Material Cost</b> |
|---|---|--|---|--|---|---|---|----------------------|

*Passenger tire equivalent is the weight of waste tires or parts of waste tires equivalent to the average weight of one waste passenger tire. If a TDP contains less than 30% (by weight) of the original fiber and steel that was in the whole tire, then use 12 lbs. to calculate the number of PTEs. If a TDP contains 30% or more (by weight) of the original fiber and steel that was in the whole tire, then use 20 lbs. to calculate the number of PTEs.*

**INELIGIBLE COSTS**

Ineligible costs include, but are not limited to:

- Any cost other than the actual cost of the tire-derived material of the product (exclusive of truck tire buffings), tax, and shipping up to a maximum of five dollars (\$5) per PTE.
- Costs that exceed the cap of \$5 per PTE.
- Any costs incurred prior to the receipt by the Grantee of the NTP or after April 1, 2015.
- Materials made from non-California-generated waste tires or from truck tire buffings.
- Materials made from waste tires not processed in California or the final product not produced in California.
- Equipment, installation, signage, playground inspection costs, and labor costs.

*For additional information regarding costs and payments see Exhibit B – Procedures & Requirements of the Grant Agreement on the [Fiscal Year 2012/13 web site](http://www.calrecycle.ca.gov/Tires/Grants/Product/FY201213/default.htm) (<http://www.calrecycle.ca.gov/Tires/Grants/Product/FY201213/default.htm>) to download a draft of the Procedures & Requirements.*

**QUESTION-AND-ANSWER PROCESS**

If you have any questions regarding the TDP Grant, including but not limited to, questions about the application, Applicant and project/product eligibility, and the Grant Agreement and its requirements, the Applicant must submit the question(s) by email to [grants@calrecycle.ca.gov](mailto:grants@calrecycle.ca.gov), no later than November 21, 2012. Questions received by any other method or after November 21, 2012, will not be accepted.

Periodically during the Question and Answer (Q&A) period, Qs&As will be posted on the [Q&A webpage](http://www.calrecycle.ca.gov/Tires/Grants/Product/FY201213/Apply/QandA.htm) (<http://www.calrecycle.ca.gov/Tires/Grants/Product/FY201213/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 one week after the deadline and are subject to updates. It is the Applicant’s responsibility to check this website for the latest information.

**PROPOSED TIMELINE FOR TDP GRANT PROGRAM TDP12th Cycle, FY 2012/13**

| <b>Date</b>                                   | <b>Activity</b>  |
|---|--|
| Application release date to November 21, 2012 | <p><b>Question and Answer Period</b></p> <ul style="list-style-type: none"> <li>• Questions must be submitted by email</li> </ul>  |
| November 30, 2012                             | <ul style="list-style-type: none"> <li>• All answers will be posted (tentative)</li> </ul>   |
| December 11, 2012                             | <p><b>Application Due Date</b></p> <ul style="list-style-type: none"> <li>• Applications must be submitted in GMSWeb by this date</li> <li>• Customer service will only be available until 5:00 p.m. on this date</li> </ul>   |
| January 17, 2013                              | <p><b>Secondary Due Date</b></p> <p><b>If Resolution or Letter of Commitment is not submitted with the application</b></p> <ul style="list-style-type: none"> <li>• Approved Resolution or Letter of Commitment must be uploaded in GMSWeb by this date</li> </ul> <p><b>If Applicant does not have an EPPP policy at time of application</b></p> <ul style="list-style-type: none"> <li>• EPPP Policy must be adopted and Notification must be uploaded in GMSWeb by this date</li> </ul> |
| March 2013 (tentative)                        | <p><b>Grants Awarded</b></p> <ul style="list-style-type: none"> <li>• CalRecycle considers funding recommendations, and if approved, conditionally awards grants</li> </ul>  |
| Notice to Proceed – April 1, 2015             | <p><b>Grant Term – may incur eligible program or project costs</b></p>   |
| April 1, 2015                                 | <p><b>Final Report, Final Payment Request, and Request for 10% withhold Deadline</b></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 [CalRecycle WebPass site \(https://secure.calrecycle.ca.gov/WebPass/\)](https://secure.calrecycle.ca.gov/WebPass/). After logging into [GMSWeb \(https://secure.calrecycle.ca.gov/Grants\)](https://secure.calrecycle.ca.gov/Grants), select "Grant Application Search" on the left. Open grant cycles are displayed in a table. Find Tire-Derived Product Grant Program, TDP12: 2012/13 and select "Apply."

### APPLICATION CONTENTS AND INSTRUCTIONS

The online application is divided into tabs. To complete an application, click on each tab and fill out the sections as required. General directions are on the top of each tab and additional information is provided 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 will be 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.

#### **Detail**

This tab contains several required elements of the application.

- Enter a dollar amount in the Grant Funds Requested field. Do not exceed the maximum grant award amount of \$150,000. 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 Districts and Senate Districts. To select more than one district hold the "Ctrl" key while selecting the numbers.
- Project Summary/Statement of Use: Provide a brief description (3-5 sentences) identifying the proposed project(s). Select the appropriate option for the Resolution or Letter of Commitment Requirement and optional Letter of Designation. *Please see Applicant's Documents section for more information about documentation for Signature Authorities.*

#### **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 his/her individual CalRecycle WebPass to 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 (Grant Manager) will communicate.  |
| Secondary Contact   | A person authorized (by the Primary Contact or Signature Authority/Designee) as the alternate person with whom the Grant Manager will communicate. (Not required)   |
| Signature Authority | The person(s) authorized to sign CalRecycle grant-related documents, such as the grant application, the grant agreement, etc. This person is authorized by a Resolution, Letter of Commitment or Letter of Designation (if applicable).<br><i>Please see Applicant's Documents section for more information about documentation for Signature Authorities.</i>                    |
| Consultant          | A professional who provides advice in a particular area of expertise. If the Applicant is awarded a grant, a consultant 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. (Consultant costs are not eligible costs under this grant.) (Not required) |

### **Budget**

Enter a dollar amount in each applicable budget category. The total budgeted amount **must equal the Grant Funds Requested amount**. In addition, the budget cannot exceed the total material cost from the Tire Derived Product Certification form (CalRecycle 227).

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

### **Address/Site(s)**

#### **Address**

All applications must contain a payment address. The following information must be entered in each field under the Address/Site(s) tab:

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

See example below:

The screenshot shows a web form with the following fields and values:

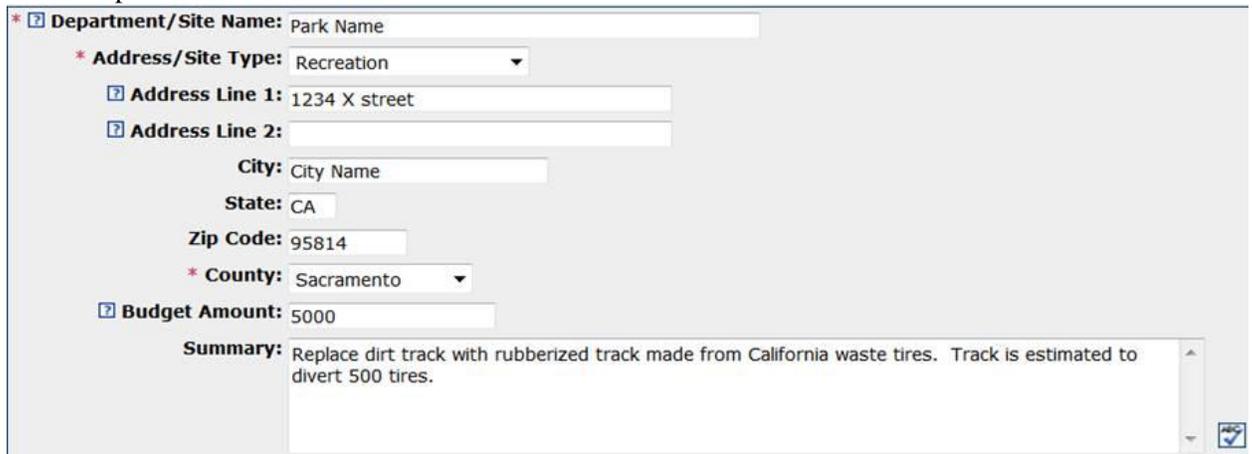
- \* Department/Site Name:** Public Works Department
- \* Address/Site Type:** Payment Address
- Address Line 1:** 1234 5th Street
- Address Line 2:** Mailstop 1A
- City:** Sacramento
- State:** CA
- Zip Code:** 95812
- \* County:** Sacramento
- Budget Amount:** (empty field)
- Summary:** (empty text area)

## Site

Applicants must enter project site(s) information for the proposed project in each field under the Address/Site Type tab section of the application. Applicants, who have multiple project sites, must provide complete information for each site. **Failure to provide complete information for each site may result in loss of funding for those sites.** To complete this section:

- Enter the Site Name(s).
- Select the appropriate Site Type: Agricultural/Landscape, Recreation, or Transportation.
- Provide complete address information for the project site(s).
- Under the Budget Amount tab, enter the requested grant amount for each site. If you have multiple project sites, the total for all projects sites should equal the total requested amount.
- Under the Summary tab, provide a brief summary for each proposed project site.

See example below:



\* Department/Site Name: Park Name

\* Address/Site Type: Recreation

Address Line 1: 1234 X street

Address Line 2:

City: City Name

State: CA

Zip Code: 95814

\* County: Sacramento

Budget Amount: 5000

Summary: Replace dirt track with rubberized track made from California waste tires. Track is estimated to divert 500 tires.

See Grant Cycle Overview section entitled “Eligible Projects” for further information.

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

## APPLICATION DEADLINE

Applications must be submitted in GMSWeb no later than **December 11, 2012**. Customer Service 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. The application is not complete until all required documents have been uploaded to the Documents tab of the GMSWeb application.

### CALRECYCLE DOCUMENTS

You can locate the CalRecycle documents on the Summary tab, in the Application Documents section. To complete the documents: click on the link, open it up, fill it out, save it to your computer, and then upload it to the Documents tab.

The following provides background information to help you comply with the Environmentally Preferable Purchasing and Practices Policy Requirement and complete the Tire-Derived Product Certification and the Proposed Work Plan.

### Environmentally Preferable Purchasing and Practices Policy Requirement

Consistent with CalRecycle's core values, all grant Applicants are required to have or adopt and implement an Environmentally Preferable Purchasing and Practices (EPPP) Policy for their organizations. The EPPP Policy must be in place by the secondary due date of January 17, 2013.

Applicants who have an EPPP Policy in place prior to submitting their application must certify to this fact in the EPPP Policy Certification – Notification (Notification) document located in the Resource Documents section on the Summary tab of the application.

Applicants who do not have an EPPP Policy in place prior to submitting their application must certify that they will adopt one and provide CalRecycle the Notification by the secondary due date of January 17, 2013. Failure to provide this information in a timely manner will disqualify the application. The list below contains concepts/policies that CalRecycle encourages organizations to include in their EPPP Policies. [Examples of existing Environmentally Preferable Purchasing and Practices Policies \(www.responsiblepurchasing.org/purchasing\\_guides/all/policies/\)](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 the <a href="http://www.dgs.ca.gov/buyinggreen">California Department of General Services (http://www.dgs.ca.gov/buyinggreen)</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="http://www.calrecycle.ca.gov/BuyRecycled/StateAgency/Requires.htm">State Agency Buy Recycled Campaign requirements (http://www.calrecycle.ca.gov/BuyRecycled/StateAgency/Requires.htm)</a> .  |
| 4. Products contain recycled content that meet or exceed the guidelines in the <a href="http://www.epa.gov/epawaste/consERVE/tools/cpg/products/index.htm">US EPA's Comprehensive Procurement Guidelines (http://www.epa.gov/epawaste/consERVE/tools/cpg/products/index.htm)</a> , if higher than SABRC requirements |
| 5. Products contain recycled content as recommended in the <a href="http://www.dgs.ca.gov/buyinggreen/Home/BuyersMain.aspx">Buying Green Guide (http://www.dgs.ca.gov/buyinggreen/Home/BuyersMain.aspx)</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% of energy efficiency as designated by the Federal Energy Management Program.   |
| 7. Products are Water Sense certified, if a US EPA Water Sense certification is available.   |
| <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 TM 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  |

**Tire-Derived Product Certification**

The Tire-Derived Product Certification has several purposes. For Applicants, it provides required application information on which the price quote and certification of product eligibility are based. For Grantees it supports project or personnel Modification Requests and Payment Requests.

Applicants are required to maintain the confidentiality of the price quote and other proprietary information contained in the TDP Certification. By signing the Application, the Signature Authority for Applicant acknowledges that as a condition to applying for this Grant, the Applicant and its representatives will treat all information contained in the Certification document as confidential.

Applicants must submit a TDP Certification (CalRecycle 227) completed and signed by a tire-derived product supplier, with the Price Quote box checked. See TDP Certification for instructions to complete the form. See **TDP CERTIFICATION EXAMPLE BELOW** - for example purposes only.

State of California  
 Department of Resources Recycling and  
 Recovery (CalRecycle)  
 CalRecycle 227 (Revised 10/12)

**Tire-Derived Product (TDP) Certification**

|   |  |  |
|---|--|--|
| <b>Applicant or Grantee Name:</b>   |  |  |
| <b>Grant # (if applicable):</b>   |  |  |
| <b>Price Quote</b> <input type="checkbox"/><br>Submit with the Grant Application. | <b>Modification Request</b> <input type="checkbox"/><br>Submit with a request to change the Product Provider/subcontractor or modify or revise the approved Project. | <b>Payment Request</b> <input type="checkbox"/><br>Submit with Final Payment Request for verification of tire and product origin and cost of material described below. |

|  |                                       |   |                                     |
|--|---------------------------------------|---|-------------------------------------|
| PLEASE CHECK APPROPRIATE BOX:                              | <input type="checkbox"/> MANUFACTURER | <input type="checkbox"/> PRODUCT SUPPLIER/ VENDOR | <input type="checkbox"/> CONTRACTOR |
| MANUFACTURER, PRODUCT SUPPLIER/VENDOR, OR CONTRACTOR NAME: |                                       | PHONE:  | FAX:                                |
| CONTACT NAME:  |                                       | EMAIL:  |                                     |
| ADDRESS:   |                                       | WEBSITE:  |                                     |

Product Manufacturer, Supplier/Vendor, or Contractor (also referred to in this document as “Product Provider”): please provide the information requested below. This form must be signed by a representative of your company who is authorized to contractually bind your company and certify to the truth of the information provided.

Applicant/Grantee: please submit this form completed and signed by the Product Provider, as described in the adjacent boxes.

| Specify Product Description and Material Type. Provide site name(s). | Product Weight in lbs. (CA Waste Tires) | / (divided) | Passenger Tire Equivalent (PTE) (Use 12 lbs. or 20 lbs.) | = | Number of Tires Diverted (In PTEs) | X | Cost Per Tire | = | Material Cost |
|--|---|-------------|--|---|------------------------------------|---|---------------|---|---------------|
| Mulch – Rubber - ABC Project   | Example 115,500 lbs.                    | /           | 12 lbs. = 1 tire   | = | 9,625 PTEs                         | X | \$ 3.79       | = | \$ 36,478     |
| Mats – Rubber – DEF Playground                                       | Example 90,000 lbs.                     | /           | 12 lbs.  | = | 7,500 PTEs                         | X | \$ 3.79       | = | \$ 28,425     |
|  |   | /           |  | = |                                    | X | \$            | = | \$            |
| Totals:  | 205,500                                 | /           | 12 lbs.  | = | 17,125                             | X | \$ 3.79       | = | \$ 64,903     |

**For Price Quote or Modification:** Under the laws of California, I certify under penalty of perjury that I am legally authorized to contractually bind and make the following representations on behalf of the above-named Product Provider, and pursuant to that authorization I further certify under penalty of perjury: 1) that all information provided herein is true and correct; 2) that the tire material in the Product(s) described above is from 100% California-generated waste tires; 3) that the waste tires were or will be processed and manufactured into a final product in California; and, 4) that the total amount of the “Material Cost” quote excludes the cost of truck tire buffings, if any.

**For Payment Request:** Under the laws of California: I certify under penalty of perjury that I am legally authorized to contractually bind and make the following representations on behalf of the above-named Product Provider, and pursuant to that authorization I further certify under penalty of perjury: 1) that all information provided herein is true and correct; 2) that the tire material in the Product(s) described above and sold to the above named Grantee is from 100% California-generated waste tires; 3) that the waste tires were processed and manufactured into a final product in California; 4) that the above named Grantee and CalRecycle can rely on this certification for purposes of incurring and reimbursing costs, respectively; 5) that the above-named Product Provider acknowledges that if the tire material in the Product(s) cannot be verified to be 100% California-generated waste tires and/or that the waste tires were not processed and manufactured into a final product in California, the Product Provider will be considered for placement on the CalRecycle Unreliable List (14 CRR § 17050 et seq.), in addition to any other action(s) the Grantee and/or CalRecycle may have against the Product Provider; and, 6) that the total amount of the “Material Cost” excludes the cost of truck tire buffings, if any.

|   |             |        |       |
|---|-------------|--------|-------|
| <b>Signature of Representative of the above named Product Provider:</b> | Print Name: | Title: | Date: |
|---|-------------|--------|-------|

**Instructions:**

1. Applicant/Grantee Name: Enter full legal name as it appears on the TDP Application or Grant Agreement Cover Sheet.
2. Grantee’s Grant Number: Enter Grantee’s grant number as shown on the TDP Grant Agreement Cover Sheet.
3. Price Quote, Modification Request, or Payment Request: Check the appropriate box to reflect the purpose of this document.
4. Final Report Supporting Documentation: The Product Manufacturer, Supplier/Vendor, or Contractor (Product Supplier) must attach documentation that verifies that the tire material in the Product(s) described above and sold to the Grantee is from 100% California-generated waste tires and that the waste tires were processed and manufactured into a final product in California. Documentation must verify the flow of the California-generated waste tire material from the California processor to the final product manufacturer (if different) to the Supplier/Vendor or Contractor (if different) to the Grantee and include: 1) a Certificate of Origin (completed by the Processor) or Bill of Lading(s) and 2) invoices, as applicable.
5. Multiple project site(s): For multiple project sites, list each individually and identify by site name. Utilize additional TDP Certification forms as needed.
6. Number of tires diverted: Convert the total number of tires diverted for this project into Passenger Tire Equivalents (PTEs). PTEs: if a TDP contains less than 30% (by weight) of the original fiber and steel that was in the whole tire, then use 12 lbs. to calculate the number of PTEs. If a TDP contains 30% or more (by weight) of the original fiber and steel that was in the whole tire, then use 20 lbs. to calculate the number of PTEs.
7. Cost per Tire: CalRecycle will reimburse Grantee up to a cap of \$5 per tire diverted. The total cost can include shipping and tax not to exceed the \$5 cap.

8. **Material Cost:** Use the formula to calculate the product material cost eligible for grant funding. Truck tire buffings may be used in the product/project but the cost associated with the buffings will not be reimbursed.
  
9. **Signature of Authorized Representative for Product Manufacturer, Supplier/Vendor, or Contractor (Product Provider):** This form must be signed under penalty of perjury by a representative of the Manufacturer, Product Supplier/Vendor, or Contractor (Product Provider) who is authorized to contractually bind and certify on behalf of the Product Provider to the truth of the information and documentation provided.

**Proposed Work Plan**

Identify in phases each activity, task, subtask and timelines necessary to complete the proposed project(s). **The project must begin after the projected NTP date (see timeline) and completed by April 1, 2015.** See PROPOSED WORK PLAN EXAMPLE BELOW - for example purposes only.

| <b>PROPOSED WORK PLAN EXAMPLE</b>  |  |                             |                          |
|--|--|-----------------------------|--------------------------|
| List the individual activities, tasks or subtasks, and timelines necessary to complete the project(s). <b>The timeframe must be within the grant term.</b> |  |                             |                          |
| <i>Note: If additional space is needed, the Work Plan Task Form may be reproduced as necessary.</i>  |  |                             |                          |
| <b>Pre-Installation Phase</b>  |  |                             |                          |
| Task #   | Task Description                           | Product or Results          | Timeframe<br>(use dates) |
| 1.   | Develop & Advertise Contractor Bid Package | Playground Designer Secured | April – May 2013         |
| 2.   | Design Project Site                        | Project Site Designed       | June 2013                |
| <b>Installation Phase</b>  |  |                             |                          |
| Task #   | Task Description                           | Product or Results          | Timeframe<br>(use dates) |
| 3.   | Site Preparation                           | Demolition & Curbing        | July 2013                |
| 4.   | Install Surfacing                          | Surfacing Installed         | July – August 2013       |
| 5.   | Monitor Project                            | Project Success             | April 2013 – April 2015  |
| <b>Post-Installation Phase</b>   |  |                             |                          |
| Task #   | Task Description                           | Product or Results          | Timeframe<br>(use dates) |
| 6.   | Hire Playground Inspector                  | Playground tested           | August 2013              |
| 7.   | Purchase & Install Signage                 | Signage Installed           | September 2013           |
| 8.   | Evaluate Project                           | Project Evaluation          | March 2014               |
| 9.   | Develop Final Report                       | Final Report                | March – April 2015       |

## APPLICANT'S AUTHORIZATION DOCUMENTS

Applicants must provide documentation authorizing the submittal of a grant application and related matters. For Applicants subject to a governing authority, the authorization must be in the form of a Resolution. Applicants who are not subject to a governing body must evidence their authority in a Letter of Commitment. The following provides information about and examples of these documents. It is the Applicant's responsibility to upload their required document to the Documents tab of GMSWeb.

### Resolution Information

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

Applicants subject to a governing authority are required to submit a signed and dated authorizing Resolution as part of their application. If an Applicant cannot obtain their resolution prior to the application deadline, the Applicant may submit the document any time prior to the secondary due date of January 17, 2013. If the Applicant does not upload the Resolution by the secondary deadline, its application will be deemed incomplete and will be disqualified.

The following information, as appropriate, must be included in the Resolution:

- 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 and submit a Letter of Designation (see below) prior to the Designee's exercise of his/her authority.*

CalRecycle staff can perform a courtesy review of a draft Resolution if you upload it with the submittal of your application. Draft Resolutions are not required. A final approved Resolution must be uploaded no later than the secondary due date of January 17, 2013.

### Resolution Example

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the **(Title of Governing Body)** authorizes the submittal

of application(s) to CalRecycle for (choose one of the following options) 1) (names(s) of specific grants) or 2) all grants for which (**Name of Applicant**) is eligible. [Note: this provision is either/or; do not include both options]; and

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

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

## Letter of Commitment Information

### **-for Applicants not subject to a governing body**

Applicants, who are not subject to a governing body, are required to submit a Letter of Commitment (Letter). The Letter is valid only for this grant and grant cycle. The Letter must be on Applicant's official letterhead, dated and signed by a person with authority to contractually bind the Applicant. If the Applicant cannot upload the Letter prior to the application deadline, the Applicant may upload it any time prior to the secondary due date of January 17, 2013. If the Applicant does not meet the secondary due date, its application will be deemed incomplete and will be disqualified. The Letter with the original signature must be maintained in Applicant/Grantee grant file.

This letter must:

- authorize submittal of an application for the Tire Derived Product Grant Program.
- identify the job title of the person authorized to sign all grant-related documents necessary to secure grant funds and implement the approved grant project (Signature Authority); and
- authorize the Signature Authority to delegate this authority (*not required but encouraged*).

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

### **LETTER OF COMMITMENT EXAMPLE**

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

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

## Letter of Designation Information

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

The LOD must:

- be on the Applicant's official letterhead
- be dated after the effective date of the approved Resolution or Letter of Commitment
- identify the job title of the Designee
- identify the scope of the Designee's authority
- identify the period during which the Designee may exercise the authority. For Applicants submitting a Letter of Commitment, the Designee's authority is limited to this grant cycle.
- For Applicants submitting a Resolution, the Designee's authority may not extend beyond the effective date of the approved Resolution (for example, if the Resolution is effective until December 31, 2013, then the LOD may be effective only until December 31, 2013)
- it must be signed by the Signature Authority.

## Letter of Designation Example

*The following letter is for example purposes only. It must be customized according to whether Applicant's authority is based on a Resolution or a Letter of Commitment. Please consult with your attorney to determine the language most appropriate for the application.*

Date

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

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

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

## **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 the consideration and approval of CalRecycle's Director, or her designee; this is tentatively scheduled for March 2013. Funding amounts will be determined pursuant to the calculation set forth in the ***ELIGIBLE COSTS*** section above. 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.

Based on past grant cycles, it is expected that more grant funds will be requested than are available, therefore, an application ranking order has been implemented. Those Applicants who were awarded a TDP Grant in the previous three fiscal years, but either withdrew their grant or used less than 50 percent of their grant funding, will be considered only after all other eligible Applicants have been awarded. Additionally, the random selection process will be conducted and CalRecycle will allocate grant funds by lottery in rank order.

CalRecycle reserves the right to not award any grant funds under this cycle. Award of funding is contingent on the availability of funding.

### **GRANT AWARDS CONDITIONS**

Award of this grant is 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, 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 condition will disqualify the recommended Grantee from receiving funding.***

### **CONDITION SUBSEQUENT**

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

***If you believe that either of these events is likely to occur in your jurisdiction during the Grant Term, please consult your attorney.***

## GRANT PROGRAM ADMINISTRATION

### GRANT AGREEMENT

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

- Award letter
- Grant Agreement Cover Sheet (CalRecycle 110)
- Exhibit A – Terms and Conditions: contain CalRecycle standard legal requirements for Grants.  
*Note: See [Fiscal Year 2012/13 Webpage](http://www.calrecycle.ca.gov/Tires/Grants/Product/FY201213/default.htm) (<http://www.calrecycle.ca.gov/Tires/Grants/Product/FY201213/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 [Fiscal Year 2012/13 Webpage](http://www.calrecycle.ca.gov/Tires/Grants/Product/FY201213/default.htm) (<http://www.calrecycle.ca.gov/Tires/Grants/Product/FY201213/default.htm>) to download a draft of the Procedures & Requirements*
- Exhibit C - Grantee's Approved Application with revisions, if any, and any amendments\*
- Exhibit D – Application Guidelines and Instructions

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

### REPORTING PROCESS

Grantees are required to report on the progress of their Grant on an annual basis. The Final Report is due on April 1, 2015. Detailed reporting information is included in Procedures & Requirements – Exhibit B of the Grant Agreement.

### PAYMENT REQUEST PROCESS

Eligible costs are authorized for reimbursement upon the Grant Manager's approval of the Payment Request, and other required documents, including but not limited to the Progress/Final Report. Payment Requests must include itemized documentation of claimed expenses (e.g., itemized receipts and proof of payment of invoices). Where more than one Payment Request is submitted, ten percent (10%) of each approved Payment Request amount will be retained by CalRecycle until the Grant Manager approves the Final Report, the Final Payment Request and all required supporting documentation.

Failure to submit these final documents by the deadline specified in the Procedures & Requirements or failure to receive the Grant Manager's approval of these documents by April 1, 2015, may result in the nonpayment of otherwise eligible costs. Detailed payment information is included in Procedures & Requirements – Exhibit B of the Grant Agreement. See the [TDP fiscal year 2012/13 webpage](http://www.calrecycle.ca.gov/Tires/Grants/Product/FY201213/default.htm) (<http://www.calrecycle.ca.gov/Tires/Grants/Product/FY201213/default.htm>).

### GRANT AGREEMENT PROVISIONS

Prior to submitting an application, Applicants should review the Terms and Conditions, Exhibit A, the Procedures and Requirements Exhibit B, as the provisions in these documents are non-negotiable and will be made a part of the Grant Agreement. Submittal of an application constitutes acceptance of all provisions in those documents, including the Audit Requirements and Waiver of Personal Jurisdiction set out below. To download the terms and conditions and procedures and requirements, See the [TDP fiscal year 2012/13 webpage](http://www.calrecycle.ca.gov/Tires/Grants/Product/FY201213/default.htm) (<http://www.calrecycle.ca.gov/Tires/Grants/Product/FY201213/default.htm>).

### AUDIT REQUIREMENTS AND WAIVER OF PERSONAL JURISDICTION

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.