

ATTACHMENT 2 – REQUIREMENTS FOR FUNDED PROPOSALS

Once a proposal is selected for funding, applicants will be expected to comply with the following additional requirements. These requirements should be budgeted into each proposal, as necessary. These requirements will be part of the project's grant agreement.

Work Commences Only When Funding Agreement is Signed by Granting Agency

Preparation of grant, cooperative, or land acquisition agreements will begin as soon as projects are approved by the appropriate State or Federal authority, depending on the source of funds. Depending on the complexity of each grant agreement and the readiness of the applicant, it may take considerable time (from four to six months) to develop and finalize the grant agreements or cooperative agreements for the successful proposals. Applicants should not commence work on their projects until an agreement is signed. Work performed prior to the signing of a funded agreement is done at the risk of the applicant and without expectation of reimbursement. Funded agreements are not final until signed by the appropriate granting agency, and may require the approval of the Department of General Services. Depending on available funds, some monies may be allocated later in the fiscal year or may be spread through several fiscal years depending upon the number of years approved for each project.

Proposal Complies with Applicable Laws and Regulations

All proposals must comply with applicable laws and regulations, including the National Environmental Policy Act (NEPA), the California Environmental Quality Act (CEQA), and other environmental permitting requirements. For proposals that include actions subject to NEPA and CEQA, funding for implementation is contingent upon the applicant providing copies of completed compliance documents. Project compliance is the responsibility of the project proponent, and proposals may include in their budgets the funding necessary for compliance with legal and regulatory requirements. Recipients will be required to submit copies of NEPA/CEQA and other environmental compliance and permitting documents before work begins.

Permission for Access

Projects proposed on private property or that require access to private property owned by someone other than the applicant must provide written permission from the property owner. Projects conducted in the field for which specific locations have not been identified in the proposal will be required to provide access needs and permission for access shortly after notification of approval.

Standard Grant Agreement Terms and Conditions

Successful applicants must comply with the California standard contracting terms and conditions. All applicants must state in their proposal that they will agree to State of California standard contracting terms, or clearly identify any term(s) with which they cannot agree. All applicants must agree that the prevailing law that will govern the project agreement shall be that of the State of California and the venue for settling any disputes, if any, shall be in Sacramento County, California. The funding agencies reserve the right to refuse to alter the standard terms. Information on standard California contracting terms is contained in Attachment 3.

Completion of Grant Agreement Forms

Depending on the source(s) of funding awarded to a successful applicant, the applicant may be required to complete certain forms after receiving an award letter from the funding agency. The award letter will identify the source(s) of funding and what forms will be required.

Some of State of California Forms and/or Required Documents

- Nondiscrimination Compliance Statement (for public, private, and nonprofit applicants only)
- Proof of Contractor's License (for private and nonprofit applicants proposing construction projects)
- Non-Collusion Affidavit (for public, private, and nonprofit applicants proposing construction projects)
- Bidders Bond (for private and nonprofit applicants proposing construction projects)
- If subcontractors and/or subconsultants are not identified in the proposal, proof of competitive bidding methods and documentation for selecting subcontractors, consultants, or subconsultants may be required by the funding agency.

Performance Measures/Project Monitoring

All proposals are required to include a performance evaluation and monitoring plan. The plan must be adequate and provide specific information to determine the success of the project in relation to its objectives and its contribution to CALFED Bay-Delta Program goals as well as the projects relevance and contribution to meeting Ecosystem Restoration Program (ERP) objectives and goals. Successful applicants shall submit, at a minimum, annual project reports presenting findings and addressing project progress. Data for research, monitoring and restoration projects should be submitted annually in hard copy, as a .PDF file and in an electronic format compatible with Microsoft Access. Staff will work with successful proponents to ensure appropriate measures have been identified and to assist with consistency of nomenclature, units, and measurements.

Project Presentations

Successful applicants may be required to make oral presentations at annual review meetings. The purposes of the meetings will be to present project status, discuss working hypotheses and project data, discuss how projects are contributing to improved ecosystem health, and to share information amongst all the funded recipients. Newsletter articles and other summary documents may also be requested for purposes of distributing information on project status or for posting on CALFED Bay-Delta Program's website.

Semi-annual Reporting

Successful applicants will be required to submit semi-annual fiscal and programmatic reports. The information required to describe the financial and programmatic status report for each semi-annual report shall include: (1) total amount awarded for the entire project; (2) the amount invoiced to the granting agency; (3) the amount invoiced to cost-share partners; (4) a description of activities performed during the six months being reported; (5) the percentage of each task completed; (6) the deliverables produced for the period of the report; (7) problems and delays encountered; (8) a description of any amendments or modifications to the grant agreement.

Rights in Data, Acknowledgements, and Peer Review

All data and information obtained and/or received under the grant agreement shall be in the public domain, including both draft and final data.

Successful applicants shall have the right to disclose, disseminate, and use, in whole or in part, any final form data and information received, collected, and developed under each grant agreement.

Successful applicants must obtain prior approval from the CALFED Bay-Delta Program to use draft data and must acknowledge that the data are preliminary and subject to change. Permission to use draft data will not be unreasonably withheld and may be granted for some uses (i.e., university or department-sponsored events) at the outset of the project.

Successful applicants must include appropriate acknowledgement of credit to the granting agency, to the CALFED Bay-Delta Program, and to all cost-sharing partners for their financial support when using data and/or information developed under this grant agreement. All presentations, posters, publications, web sites, or other forums for sharing information must provide appropriate acknowledgment to the CALFED Bay-Delta Program.

Successful applicants shall not sell or grant rights to a third party who intends to sell such product as a profit-making venture.

Consulting Services

Completed resumes for each participant who will exercise a consultant role or provide a major administrative role and identified as a contractor, shall be attached to the grant agreement and shall become an integral part of the grant agreement. Applicants must advise the funding agency of proposed consultant staff changes and the funding agency reserves the right to decline or accept applicant's proposed change or require that the applicant provide other alternatives. Use of subcontractors or additional consultants and subconsultants cannot be substituted without the written consent of the funding agency.

If subcontractors and/or subconsultants are not identified in the proposal, applicants are required to competitively bid all consultant and subconsultant services performed under each grant agreement. Competitive bidding and selection methods must comply with State of California contracting and bidding rules and regulations.

Upon award of the project, applicant must submit within ninety (90) days of execution of a subcontract a copy of the executed subcontract to the funding agency. For audit or reporting purposes, the granting agency reserves the right to request copies of bidding and selection documentation from the applicant for each subconsultant or subcontractor selected to participate in the project.

Travel and Reimbursement Guidelines

Successful applicants shall be reimbursed for necessary travel in accordance with the current State of California Travel and Reimbursement Guidelines not to exceed those applicable to non-represented State employees under the current and prevailing Department of Personnel Administration (DPA) rules and regulations. Out-of-state travel requires prior written approval from the grant management and funding agencies representative. Requests for reimbursement must be sufficiently documented with copies of supporting receipts attached to Travel Reimbursement Report form.

Insurance Requirements

When required, the grant recipient shall furnish to the granting agency a certificate of insurance, stating that there is liability insurance presently in effect for the contractor of not less than \$1,000,000 per occurrence for bodily injury and property damage liability combined.