



2023 Community Infrastructure Fund: Notice of Funding Availability for Project Grants Executive Summary

NOFA Release Date: April 24, 2023

Proposal Due Date: Annual Rolling Cycle

The Delta Regional Authority (DRA) is publishing this Notice of Funding Availability (NOFA) to solicit applications for grants under the 2023 Community Infrastructure Fund (CIF).

The CIF aims to target federal resources toward communities in the Mississippi River Delta and Alabama Black Belt regions. CIF provides direct investment into community-based and regional projects that address the DRA's congressionally mandated infrastructure funding categories (Basic Public Infrastructure and Transportation Infrastructure) and flood control projects.

Under Federal law, at least 75 percent of DRA funds must be invested in [economically distressed counties and parishes](#) and isolated areas of distress in the region.

This NOFA is organized to provide a general overview of the grant program and the specific requirements needed to complete an application. Additional background information on CIF is available here: [Critical Infrastructure - Delta Regional Authority \(dra.gov\)](#).

Table of Contents

- DRA OVERVIEW 3**
- PROGRAM DESCRIPTION 3**
 - Program Overview 3
 - 2023 CIF Grants..... 3
 - 2023 CIF Priorities, Objectives, and Funding Principles..... 4
- AWARD INFORMATION 7**
 - Availability of Funding..... 7
 - Period of Performance 8
- ELIGIBILITY INFORMATION 8**
 - Eligible Applicants..... 8
 - Documentation of Economic Impact 9
 - Cost Sharing or Matching..... 10
- APPLICATION AND SUBMISSION INFORMATION 10**
 - How to Apply 10
 - Content and Form of the Grant Application 10
 - Application Submission Instructions..... 12
- APPLICATION REVIEW INFORMATION 12**
 - Criteria 12
 - Review and Selection Process 17
- AWARD ADMINISTRATION 18**
- DRA CONTACT INFORMATION..... 18**
- GENERAL DISCLOSURES..... 18**
- Appendix I..... 19**
- Appendix II 28**
- Appendix III..... 32**

A. DRA OVERVIEW

The DRA is a federal agency whose mission is to spur growth and economic development within its eight-state region. Established by an act of Congress through the Delta Regional Authority Act of 2000 (7 U.S.C. § 2009aa1-13), DRA makes strategic investments of federal appropriations into the critical and human infrastructure of Delta communities. DRA is composed of the governors of the eight Delta states and a federal co-chair, who is appointed by the president and approved by the U.S. Senate. Local participation is also provided through 45 multi-county Local Development Districts (LDDs). DRA serves the 10 million people residing in the 252 counties and parishes, including parts of Alabama, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee.

(An interactive map of the DRA region can be found [here](#).)

B. PROGRAM DESCRIPTION

1. Program Overview

Strategic investments in the 252 counties and parishes served by the DRA are helping to improve the quality of life and boost economic development opportunities. One investment tool the DRA uses is the CIF, which provides direct investment into community-based and regional projects that address DRA's congressionally mandated infrastructure funding categories (Basic Public Infrastructure and Transportation Infrastructure) and flood control projects.

The DRA works closely with the 45 LDDs in the DRA footprint, serving as front-line project managers to ensure community-relevant project development and investment. CIF investments emphasize job creation, regional collaboration, and funding partnerships in communities.

To best build the foundations for long-term economic development and to complement other federal and state resources in the region, federal funds shall be focused on the activities in the following order or priority:

- Basic public infrastructure in distressed counties and isolated areas of distress
- Transportation infrastructure for the purpose of facilitating economic development in the region
- Projects that address flood control

A comprehensive list of other federal administrative requirements can be found in Appendix I.

2. 2023 CIF Grants

The 2023 CIF competitive grant program is administered as follows:

Funding Availability Begins: April 24, 2023

All applications received will be reviewed monthly and screened for eligibility. Applications that meet the eligibility criteria will be reviewed and scored. Top-scoring applications may be selected to receive a 2023 CIF grant. Applications not selected for funding can be revised and resubmitted pending the availability of federal funds.

Applicants are encouraged to contact their LDD for additional information about the 2023 CIF application submission requirements and assistance in developing their applications. Technical questions about the NOFA should be directed to sedap.cif@dra.gov with the subject line: CIF NOFA. Include the contact's name, applicant organization, and phone number in the body of your email.

In addition to the requirements described in this NOFA and online at [Critical Infrastructure - Delta Regional Authority \(dra.gov\)](https://www.dra.gov/critical-infrastructure), all applications must meet the general requirements for DRA funding and be consistent with [DRA's Regional Development Plan IV](#).

3. 2023 CIF Priorities, Objectives, and Funding Principles

This section provides information describing the 2023 CIF investment priorities and objectives. Potential applicants should review this information thoroughly before submitting a project proposal.

Background on DRA's Strategic Investment Goals

As described in the agency's strategic plan, [Navigating the Currents of Opportunity: DRA Regional Development Plan IV](#), as the theme of this plan underscores, the DRA's strategic goals reflect the Authority's fourfold commitment to advancing infrastructure, job creation, business expansion, and local economies. They are related and, to an extent, interdependent in that they support one another. Also, each goal aims to enact specific strategies. For example, infrastructure investments that reinforce resilience and stewardship of resources preserve the region's natural attractiveness. Investments that contribute to residents' health and well-being enable the stability and effectiveness of the workforce.

- **Goal 1 - Invest in public infrastructure:** Expand and invest in the resiliency of the region's public infrastructure to improve residents' quality of life and increase economic opportunity
- **Goal 2 - Nurture local workforce ecosystems:** Improve networks of agencies, organizations, businesses, and educational institutions providing workforce development opportunities
- **Goal 3 - Promote business growth and entrepreneurship:** Continue to

strengthen the competitiveness of the region's employers and attract new employers to the region

- **Goal 4 - Support community placemaking and capacity-building:** Expand efforts to enhance sustainable and inclusive local placemaking, quality of life, and community capacity

CIF Investment Priorities

The 2023 CIF Investment Priorities build upon DRA's Strategic Investment Goals and are summarized and described below. Ultimately, the focus of CIF is on investments that are local or regional, industry and community-driven, and transformational to help revitalize Delta communities and spur economic development in DRA's eight-state region. In general, DRA's Investment Priorities are meant to advance economic development strategies. Within this broad focus, DRA is targeting investments focused on nine key priorities:

- **MOVE TOWARD EQUITY:** Encourage stakeholders to enact programmatic and policy-related changes to prioritize equity across the DRA's programs to reflect DRA's commitment to prioritizing equity in its grants and programs. Enhance regional sensitivity by responding to the unique needs, opportunities, and cultural contexts presented across the region's 252 counties and parishes.
- **ELEVATE RURAL COMMUNITIES:** Prioritize investments in economically distressed communities and in support of inclusive, sustainable rural communities. Support the efforts of local grassroots organizations engaged in furthering progress on DRA strategic goals, including promoting access to services, funding, and programs that enable career stability, such as health care, housing, education, and food security.
- **FOSTER TRUE COLLABORATION:** Encourage productive partnerships by prioritizing collaboration among states, economic development districts, institutions of higher learning, the private sector, philanthropic organizations, and DRA region residents.
- **ADOPT LEADING PRACTICES:** Promote efficiency and effectiveness by implementing collaborative, innovative, and evidence-based practices to rapidly reinvest taxpayer dollars in the communities the DRA serves. This includes being accountable for performance targets and driving partners and grant recipients to shoulder shared responsibility for meeting those targets.
- **MEASURE OUTCOMES:** Use data to inform decisions regarding grants and investments and track outcomes from those initiatives. Facilitate thought leadership and data-sharing in order to promote transparency while monitoring emerging challenges and ongoing progress.
- **LOOK TO THE LONG TERM:** Prioritize investments that address the challenges and needs of the DRA region not only today but in the future. Also, promote investments in resilient infrastructure that ameliorate environmental impact.
- **EVIDENCE OF RESILIENT CONSTRUCTION METHODS AND MATERIALS TO BE USED:** The applicant must demonstrate through architectural and/or engineering

specs that resilient construction methods and materials will be utilized during the construction of the project in order to protect against natural disasters.

- **DEMONSTRATION OF PROJECT ACTIVITIES WHICH PROMOTE SUSTAINABLE CLEAN ENERGY AND/OR ADDRESS THE EFFECTS OF CLIMATE CHANGE:** The applicant must demonstrate innovative approaches to delivering energy efficient and/or clean power, which are clean energy demonstration projects, which support weatherization and other energy efficiency improvements to reduce energy costs, and which include clean energy manufacturing and workforce development.
- **DEMONSTRATION OF INCREASING HISTORICALLY UNDERSERVED COMMUNITIES' ACCESS TO AFFORDABLE HEALTHY FOODS:** The applicant must demonstrate project initiatives with a direct connection between economic development and healthy food access.

Projects that do not fit this list of investment priorities may be considered for funding, but all applications will be scored on their ability to address one or more of these priority areas.

Applicants should incorporate these investment priorities vigorously into their proposed projects. Applicants are also strongly encouraged to contact their LDD for specific guidance pertaining to the eligible use of CIF funds.

4. Reporting Requirements

All projects supported with Bipartisan Infrastructure Law (BIL) funding shall be expected to begin reporting project-level data in July 2023. For more reporting requirements, see Appendix III.

The programs and projects that fall within the scope are those that are funded through BIL grants and cooperative agreements that support the construction, modernization, or major alteration and renovation to support the structures, facilities, and equipment in the United States are considered within the scope of this requirement. These include:

- roads, highways, and bridges
- public transportation
- dams, ports, harbors, and other maritime systems
- intercity passenger and freight railroads
- freight and intermodal facilities
- airports
- water systems; including drinking water and wastewater systems
- electrical transmission facilities and systems
- utilities

- broadband infrastructure
- buildings and real property

DRA's outcome indicators will combine both quantitative and qualitative measures:

- **Indicator 1** – DRA, through reporting requirements as well as with the support of our Monitoring and Compliance Program and our Delta Research Program (funded by USDA RCAP), will assess the extent to which members of the public receive job training, as applicable, through the project
- **Indicator 2** – DRA, through reporting requirements as well as with the support of our Monitoring and Compliance Program and our Delta Research Program (funded by USDA RCAP), will assess the extent to which jobs are created and/or jobs are retained, as applicable, through the project
- **Indicator 3** – DRA, with the support of our Delta Research Program (funded by USDA RCAP), a continuation of community engagement opportunities and utilizing publicly available data sets, will assess the numerical changes as well as the perceptions and experiences of the community members impacted by the investment

DRA has defined benefits as:

- Jobs created
- Jobs retained
- Families affected (by improved infrastructure investment)
- People trained

The Authority tracks the accrual of these benefits to disadvantaged communities on the county/parish level via grantee reporting. For some projects, the Authority tracks these benefits on more granular geographic levels, such as the local jurisdiction.

DRA definition(s) of “disadvantaged community:”

Delta Regional Authority defines, pursuant to its statute, 7 U.S.C. § 2009aa-5, a disadvantaged community as a distressed county – one which is “the most severely and persistently distressed and underdeveloped and have high rates of poverty or unemployment.” This definition is applicable to all of DRA’s covered programs. DRA has also applied to some of its human infrastructure program grants the USDA definition of persistent poverty to define disadvantaged communities. “Persistent poverty counties are counties that have had poverty rates of 20% or greater for at least 30 years.” USDA Economic Research Service

C. AWARD INFORMATION

1. Availability of Funding

2023 CIF grant funds are available as follows:

DRA is making **\$29,515,600** available for CIF project grants. CIF funding is provided by the BIL (\$14,723,675; Infrastructure Investment and Jobs Act, P.L. 117-58) and the Consolidated Appropriations Act, 2023 (\$14,791,925; P.L. 117-328).

In general, DRA expects to allocate funding to each of the eight states based on an allocation formula, which has been approved by the Authority. In general, project awards will range from \$500,000 to \$2,000,000, depending on the type of project, application score, and available funds.

DRA reserves the right to negotiate the budget costs with the applicants that have been selected to receive awards, which may include requesting that the applicant remove or adjust certain proposed costs.

Projects must serve and benefit a portion of the Delta region as defined by the Delta Regional Authority Act of 2000, as amended. The Delta region includes certain counties and parishes in Alabama, Arkansas, Illinois, Kentucky, Louisiana, Missouri, Mississippi, and Tennessee. If projects extend beyond the DRA region, only that portion within the region is eligible for DRA funding. A map of the Delta region is available online at [States - Delta Regional Authority \(dra.gov\)](https://dra.gov).

DRA will not be held responsible for proposal or application preparation costs. Publication of this NOFA does not obligate DRA to award any specific grant or cooperative agreement nor to obligate all or any part of available funds.

2. Period of Performance

Applicants can determine the required time period necessary to meet the objective of their project. However, the period of performance for awards made under this program will be no more than 24 months, with a start date indicated in the Notice to Proceed.

D. ELIGIBILITY INFORMATION

1. Eligible Applicants

Eligible applicants include:

1. Counties/parishes, cities, or other political subdivisions of a state, including a special purpose district of a state or local government engaged in economic or community development activities or a consortium of political subdivisions
2. Public or private nonprofit organizations or associations
3. Regional development organizations
4. Economic development organizations

5. Workforce investment boards
6. Unions/labor organizations
7. Community-based organizations
8. Faith-based organizations
9. Public Institutions of higher education or a consortium of institutions of higher education
10. Minority-serving institutions
11. Trade/technical schools
12. Historically Black Colleges & Universities, and
13. Federally recognized Tribes

1. Eligible Activities (examples)

Applicants may propose projects that include any of the types of activities found in Appendix II.

2. Documentation of Economic Impact

Eligible CIF projects must be located within the Delta region as defined by the Delta Regional Authority Act of 2000, as amended, and be targeted toward communities or regions that have been recently impacted or can reasonably demonstrate that they will be impacted in the near future, by the loss of employment in a locally- or regionally-significant industry sector, or identify opportunities for improving the competitiveness of a locally- or regionally-significant industry sector through improved infrastructure assets.

Complete applications for a CIF grant must provide appropriate third-party economic and demographic statistics for the applicable community or region to document the extent to which contractions in a regionally significant industry sector have negatively impacted the community, workforce, region or identify evidence-based opportunities to support existing business(es) or industry clusters. The applicant will need to cite the data source used to demonstrate impact. Economic indicators, labor market analyses, official announcements made by local and regional industries and firms, demographic or industry data, and peer-reviewed scholarly articles and publications are strong sources of data to demonstrate these impacts. Applicants are encouraged to provide data (median household income, unemployment rate, etc.) from federal sources that may include, but are not limited to, the following sources:

- U.S. Department of Agriculture
 - Economic Research Service (ERS): <https://www.ers.usda.gov>
- U.S. Department of Commerce

- Bureau of Economic Analysis (BEA): <http://www.bea.gov/>
- U.S. Census Bureau, American Community Survey (ACS): <https://www.census.gov/programs-surveys/acs/>
- U.S. Economic Development Administration (EDA): <https://www.eda.gov>
- U.S. Department of Labor, Bureau of Labor Statistics (BLS): <http://www.bls.gov/>
- U.S. Department of Treasury, Internal Revenue Service (IRS): <https://www.irs.gov/>
- Federal Reserve Bank:
 - St. Louis: <https://www.stlouisfed.org/>
 - Atlanta: <https://www.frbatlanta.org/>
 - Dallas: <https://www.dallasfed.org/>

3. Cost Sharing or Matching

For all applications received prior to and until the declaration of the end of the National Emergency Concerning the Coronavirus Disease, anticipated on May 11, 2023, applicants are not required to demonstrate non-federal cost-share during this grant cycle. This waiver of 7 USC2009aa-3(b)(1) is pursuant to Pub. L. 116-260, div. D, title V, §505(a), December 27, 2020, in response to economic distress directly related to the impacts of the Coronavirus Disease (COVID-19). Any application received after the end of the National Emergency must demonstrate a 10 percent cost share. The cost share must be non-federal unless allowed by statute. The cost share shall not apply to a project providing transportation or basic public services to residents of one or more distressed counties or isolated areas of distress in the region. Higher amounts of cost share will be given priority consideration.

¹ In general, DRA has the ability to accept other federal dollars as a matching contribution. However, some federal agencies and/or specific projects may have limitations on the use of other and/or total federal funding. Prospective applicants are encouraged to consult with DRA program staff prior to submission if planning to use other federal funds as a source to meet the matching funds' requirement.

E. APPLICATION AND SUBMISSION INFORMATION

1. How to Apply

The electronic grant application will be available on April 24, 2023. Applicants may access the application electronically at: funding.dra.gov.

2. Content and Form of the Grant Application

CIF is administered in accordance with DRA's standard application policies and procedures.

Application Sections:

- Project Name
- Project Summary
- Project Description
- Project Purpose
- Project Output and Outcomes
- Community Demand
- Employer Engagement (Participation Agreement (preferred))
- Budget and Budget Narrative

The completion of federal forms and other supporting documentation will be required when an application is selected for funding. Supplemental resources and additional guidance about project application requirements are provided online at www.dra.gov.

3. Submission Dates and Times

The submission dates and times for the 2023 CIF grant competition are as follows:

2023 Community Infrastructure Fund

Funding Availability Begins: April 24, 2023

Applications will be reviewed and scored, and funding decisions will be made on a monthly basis, pending availability of funds.

Potential applicants are encouraged to contact DRA [Programs staff](#) or their LDD office (<https://dra.gov/resources/local-development-districts/>) for additional information about the 2023 CIF application submission requirements or assistance in completing applications.

In addition to the requirements described in this NOFA and online at [Community Infrastructure Fund \(CIF\) - Delta Regional Authority \(dra.gov\)](#), all applications must meet the general requirements for DRA funding and be consistent with DRA's strategic plan.

Technical Assistance

LDDs serve as technical assistance providers for DRA funding programs. In addition, DRA staff is also available to discuss pre-award eligibility concerns as well as post-award requirements.

Additionally, DRA will provide technical assistance to unfunded applicants who send a request to sedap.cif@dra.gov at the conclusion of the funding cycle.

4. Application Submission Instructions

Project applications (with related attachments) must be submitted electronically via the CIF portal available at: funding.dra.gov.

After an application is submitted, it undergoes a validation process during which the application may be accepted or rejected due to errors, incomplete information, or eligibility disqualifications. Applications that do not include required information or contain critical errors will not be reviewed or evaluated for CIF funding.

F. APPLICATION REVIEW INFORMATION

1. Criteria

DRA has instituted a technical review process to provide for an objective review of applications. The evaluation criteria are based on the program’s priorities, objectives, and funding principles outlined in Section B: Program Description of this NOFA.

Criterion	Points (maximum)
Project Information	Section Total 75 Points
I. Project Description	25 Points
a. Description of Project Service Area	7
b. Project Design	10
c. Demonstration of Inclusion in a Distressed County/Parish and Isolated Areas of Distress in the Region	3
d. Demonstration of Inclusion in a Persistent Poverty County/Parish	1
e. Project Timeline	4
II. Project Purpose	25 Points
a. Description of Need	12
b. Alignment with DRA’s Strategic Investment Goals	3

c. Alignment with CIF Federal Priorities	7
d. Alignment with Local Economic Development Priorities	3
III. Project Outputs and Outcomes	13 Points
a. Demonstration of Realistic and Attainable Outcomes	8
b. Demonstration of Job Created or Retained, Families Affected, or People Trained	5
IV. Management Team and Partners	12 Points
a. Local and Regional Collaboration	5
b. Demonstration of Local and Regional Partnerships (to include Community Colleges, Unions, Training Providers, etc.)	4
c. Demonstration of Partnership(s) with Historically Black Colleges and Universities (HBCUs), Minority Serving Institutions (MSIs), and/or Federally Recognized Tribe	3
Evidence of Community Demand or Employer Needs	Section Total 15 Points
I. Demonstration of Community Demand for Proposed Project	5
II. Evidence of Employer Engagement	3
a. Inclusion of a Participation Agreement Guaranteeing Job Creation or Retention	7
Funding Information	Section Total 5 Points
I. Budget/Budget Narrative Alignment	5

Project Information – 75 Points

Project Description – 25 Points

The applicant should demonstrate how the proposed activities support community and/or industry-driven economic development in the DRA Region. To be considered for full points, the applicant must include a description of the project service area, alignment with strategic plans, project design and approach, and declare if project activities will occur in a distressed county/parish and designated persistent poverty county/parish.

- a. **Description of Project Service Area and Community Needs (7 Points)**

The extent to which the applicant describes the project service area and target population to be served by the proposed project. Applicants should describe the service area's socioeconomic challenges, including the service area's population, median household income, unemployment rate, and labor force participation rate.

b. Project Design (10 Points)

The extent to which the applicant describes a coherent and feasible approach for successfully addressing the identified needs of the community, employers, job seekers, and workers. The project design must describe all grant activities by demonstrating how the applicant will implement its proposed project. This section must also clearly be reflected in the Work Plan, Project Timeline, Budget, and Budget Narrative. The applicant must address factors that could impact the project's success and a related contingency plan, especially programmatic impacts stemming from the coronavirus pandemic.

c. Demonstration of Inclusion in a Distressed County/Parish and Isolated Areas of Distress in the Region (3 Points)

Pursuant to statute, DRA is authorized to fund up to 75 percent of its projects based on their location or impact within a distressed area. If funds remain available, we may fund projects in non-distressed areas. By statute, DRA defines distress at the county/parish level. For isolated areas within non-distressed areas, as approved by the federal co-chair and state members as required in statute, we define distress at the census tract level.

d. Demonstration of Inclusion in a Persistent Poverty County/Parish (1 Point)

The applicant must demonstrate that project activities take place in at least one or more persistent poverty county/parish.

e. Project Timeline (3 Points)

Inclusion of a realistic project timeline beginning with the award announcement to completion of the proposed project activities.

Project Purpose – 30 points

The applicant must describe why the project is necessary, including the specific needs of local residents and/or employers addressed by the proposed project. To be considered for full points, the applicant must demonstrate how the project aligns with DRA's Strategic Investment Goals and CIF Investment Priorities. Additionally, the applicant must describe how the proposed project aligns with local, regional, or statewide economic and/or workforce development plans and priorities.

a. Description of Need (12 Points)

The extent to which the applicant describes the economic and/or workforce to be addressed by the proposed project. Further, applicants should describe

how these needs are being addressed for residents, job seekers, and/or workers that are proposed to be served by the project.

- b. Alignment with DRA's Strategic Investment Goals (3 Points)**
The extent to which the applicant demonstrates alignment with one or more of DRA's Strategic Investment Goals outlined in the agency's [Regional Development Plan IV](#).
- c. Alignment with CIF Investment Priorities (12 Points)**
The extent to which the applicant demonstrates alignment with one or more of CIF's Investment Priorities.
- d. Alignment with Local Economic Development Priorities (3 Points)**
The applicant must identify and describe how the project aligns with an existing local, regional, or state economic development plan(s) and/or workforce strategy. Applicants must demonstrate how the project advances relevant goals or addresses a component, need, or action item outlined in the identified plan(s). Further, applicants must demonstrate how the project activities and anticipated results address, support, or advance specifically identified portions of the plan(s). DRA will accept the inclusion of any plan published or produced by local public bodies, regional development organizations, workforce investment boards, economic development organizations, chambers of commerce, relevant state agencies, or related organizations.

Project Outputs and Outcomes – 13 Points

- a. Demonstration of Realistic and Attainable Outcomes (8 Points)**
The applicant must provide specific, measurable, achievable, and reasonable project outcomes to be accomplished during the period of performance. To be considered for full points, the applicant must identify outcomes/outputs that align with the needs, gaps, and challenges identified in the Project Description and Project Purpose. At a minimum, the applicant must include the number of communities served, individuals trained, jobs created/retained, and industry/businesses served as anticipated project outcomes/outputs.
- b. Demonstration of Jobs Created or Retained, Families Affected, or People Trained (5 Points)**
To be considered for full points, the applicant must identify project outputs that result in at least one of the following achievable metrics: jobs created, jobs retained, families affected, or people trained.

Management Team and Partners – 12 Points

The applicant must identify key members of the project team and describe their roles and responsibilities as a part of the project. To be considered for full points,

the applicant must demonstrate the project team has relevant experience and the organizational capacity to manage and implement the proposed project, including, but not limited to, prior experience in or demonstrated capacity for managing complex federal grant requirements. Staff resumes and/or job descriptions (for positions the applicant is proposing to fill with grant funds) must be included as attachments to the application.

a. Local and Regional Collaboration (5 Points)

The applicant must demonstrate local and/or regional collaboration with public and private partners. To be considered for full points, the applicant must describe the role and responsibilities of each partner and identify any leveraged resources (i.e., cash, in-kind, other).

b. Demonstration of Local and Regional Partnerships (to include Community Colleges, Unions, Training Providers, etc.) (4 Points)

The extent to which the applicant demonstrates partnerships with local and regional entities representing the public, private, and nonprofit sectors. To be considered for full points, the applicant must provide letters of support from engaged partners. Letters of support must describe the extent of each partner's engagement with the proposed project.

c. Demonstration of Partnership(s) with Historically Black Colleges and Universities (HBCUs), Minority Serving Institutions (MSIs), and/or Federally Recognized Tribe (3 Points)

The extent to which the applicant demonstrates substantial involvement of at least one (1) HBCU, MSI, and/or Federally Recognized Tribe. To receive full points, applicants must provide letter(s) of engagement from at least one (1) HBCU, MSI, and/or Federally Recognized Tribe. Letters of engagement must describe how the HBCU, MSI, and/or Federally Recognized Tribe will be involved in the proposed project, the extent to which a partnership between them and the applicant has evolved, and how it will be strengthened.

Evidence of Community Demand or Employer Needs - 15 Points

The applicant must provide some evidence of community demand or employer needs, including letters of support. To be considered for full points, the applicant must provide a detailed work plan for the entire period of performance, which may not exceed 24 months.

Demonstration of Community Demand for Proposed Project - 5 Points

The extent to which the applicant describes the community and/or industry demand for the proposed project.

Evidence of Employer Engagement - 3 Points

The extent to which the applicant demonstrates employer engagement, with the proposed project, whether directly or indirectly.

a. Inclusion of a Participation Agreement (PA) Guaranteeing Job Creation and/or Retention – (7 Points)

To receive full points, the applicant must include a PA from at least one employer for a reasonable number of jobs to be created or retained within a 5-year period from the start of the project.

Funding Information – 5 Points

The applicant must provide the total amount of funding being requested from DRA and any matching funds from non-DRA funding sources unless the project is an infrastructure project in a distressed county/parish within the DRA region. The applicant must provide information about the source(s) of the matching funds, including a letter of commitment or other supporting documentation as evidence from each source. To be considered for full points, the applicant must provide a detailed categorical budget narrative for both DRA and non-DRA funds and describe how these costs align with the proposed project. Projects with more cost share will be prioritized.

Budget and Budget Narrative Alignment – 5 Points

The applicant must complete a budget narrative form. Either Budget Form SF424A (non-construction) or SF424C (construction), as applicable. In preparing the Budget Form, you must provide a concise narrative explanation to support the budget request. The Budget Narrative must provide a description of costs associated with each line item on the budget form. The Budget Narrative should also include a section describing any leveraged resources provided (as applicable) to support grant activities. Leveraged resources are all resources, both cash and in-kind, in excess of this award. Each category (personnel, travel, equipment, supplies, other) should include the total estimated cost for the period of performance.

Review and Selection Process

Applications submitted to DRA within the 2023 CIF funding cycle will first be pre-screened to determine eligibility and completeness. Once project eligibility has been determined, DRA program staff will conduct a preliminary review to ensure the project scope is compatible with program guidelines established in this NOFA. Once the preliminary review process is complete, DRA program staff will review and score each application based on the criteria set forth in Section F: Application Review Information.

DRA reserves the right to negotiate all budget costs with applicants that have been selected to receive awards, which may include requesting that the applicant remove or adjust certain proposed costs. Additionally, DRA may request that the applicant modify objectives or work plans and provide supplemental information pertaining to any aspect of the application. DRA also reserves the right to reject an application where information is uncovered that raises a reasonable doubt about the applicant's ability to successfully fulfill the objectives and requirements of the grant award.

Under its complete and sole discretion, DRA may select for award some, all, or none of the applications received under this competitive solicitation for an award. The award decision made by DRA is final.

G. AWARD ADMINISTRATION

Please see Appendix I for award administration requirements.

Administration of DRA awards is subject to the same regulations, restrictions, and requirements as other federal awards. These include, but are not limited to, administrative requirements and cost principles, the Freedom of Information Act (FOIA), past performance and non-compliance, environmental and historic preservation, and the Americans with Disabilities ACT (ADA) requirements.

H. DRA CONTACT INFORMATION

DRA strongly encourages interested applicants to contact DRA Programs staff and their respective [LDDs](#) with any questions they have about the CIF program in general, as well as with any specific questions they have about the use of agency funds to support projects in Delta communities and regions. Applicants with additional questions are encouraged to submit these to sedap.cif@dra.gov.

I. GENERAL DISCLOSURES

The 2023 CIF program awards will be made only to the extent that funds are available. Publication of this NOFA does not obligate DRA to award any specific grant or cooperative agreement or to obligate all or any part of available funds. Applicants intending to contract with a specific individual, consulting group, or organization with DRA funding must have a competitive procurement policy in place.

This NOFA does not commit DRA to award a contract, to procure, or to contract for services or supplies. Notwithstanding any other provisions of the NOFA, DRA reserves the right to award grants, cooperative agreements or contracts to communities or regions that best meet the requirements of the NOFA, and not necessarily to the lowest cost proposers. DRA solely reserves the right to accept or reject any or all responses received as a result of this NOFA; to negotiate with all qualified sources; or to cancel in part or in its entirety this NOFA if it is in the interests of DRA to do so.

Appendix I

DELTA REGIONAL AUTHORITY: AWARD ADMINISTRATION

1. Administrative Program Requirements

All grantees will be subject to all applicable Federal laws and regulations, including the OMB Uniform Guidance and the terms and conditions of the award. The grant(s) awarded under this NOFA will be subject to the following administrative standards and provisions.

- i. Non-Profit Organizations, Educational Institutions, For-profit entities, and State, Local, and Indian Tribal Governments–2 CFR Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards)
- ii. All recipients must comply with the applicable provisions of the Workforce Innovation and Opportunity Act (WIOA), Public Law No. 113-328, 128 Stat. 1425 (codified as amended at 29 U.S.C. 3101 et. seq.) and the applicable provisions of the regulations at 20 CFR Part 675 et. seq. Note that 20 CFR Part 683 (Administrative Provisions) allows unsuccessful applicants to file administrative appeals.
- iii. All entities must comply with 29 CFR Part 93 (New Restrictions on Lobbying), 29 CFR Part 94 (Government-wide Requirements for Drug-Free Workplace (Financial Assistance)), 2 CFR Part 180 (OMB Guidance to Agencies on Government-wide Debarment and Suspension (Non-procurement)), and, where applicable, 2 CFR Part 200 (Audit Requirements).
- iv. All entities must comply with the Infrastructure Investment and Jobs Act (IIJA) and the Build America, Buy America Act (the Act), Pub. L. No. 117-58, §§ 70901-52, as well as the Executive Memorandum M-22-11, dated April 18, 2022, Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

The Act requires the following Buy America preference:

- (1) All iron and steel used in the project are produced in the United States. This means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
- (2) All manufactured products used in the project are produced in the United States. This means the manufactured product was manufactured in the United States, and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation.

(3) All construction materials are manufactured in the United States. This means that all manufacturing processes for the construction material occurred in the United States.

Pursuant to Section 70914(c) of the Act, DRA may waive the application of a Buy America preference under an infrastructure program in any case in which the FCC of DRA finds that—

(1) applying the domestic content procurement preference would be inconsistent with the public interest (a “public interest waiver”);

(2) types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality (a “nonavailability waiver”); or

(3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent (an “unreasonable cost waiver”).

Before applying a Buy America preference to a covered program that will affect Tribal Communities, DRA will follow the consultation policies established through Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, and consistent with policies set forth in the Presidential Memorandum of January 26, 2021, on Tribal Consultation and Strengthening Nation-Nation Relationships.

i. Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance.

ii. Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance from the DRA pursuant to the Age Discrimination Act of 1975, as amended. The Act prohibits discrimination on the basis of age by recipients of Federal financial assistance and in Federally assisted programs or activities but permits the use of certain age distinctions and factors other than age that meet the requirements of the Act and this part.

iii. Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance pursuant to Title IX of the Education Amendments of 1972, as amended (except sections 904 and 906 of those Amendments) ([20 U.S.C. 1681](#), [1682](#), [1683](#), [1685](#), [1686](#), [1687](#), [1688](#)), which is designed to eliminate (with certain exceptions) discrimination on the basis of sex in any education program or activity receiving Federal financial assistance, whether or not such program or activity is offered or sponsored by an educational institution as defined in these Title IX regulations.

iv. Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act.

v. Labor Standards for the Registration of Apprenticeship Programs, and Equal Employment Opportunity in Apprenticeship and Training, as applicable.

vi. DRA will follow the procedures outlined in the agency's Freedom of Information Act (FOIA) policy. If DRA receives a FOIA request for your application, the procedures in DRA's FOIA policies for responding to requests for commercial/business information submitted to the government will be followed, as well as all FOIA exemptions and procedures. See generally 5 U.S.C. § 552

vii. DRA is supportive of the Presidential Administration's comprehensive approach to advancing equity for all in line with Executive Order 13985. As an identified agency with covered programs, DRA will comply with the actions required of agencies that manage covered Justice40 programs. These actions include identifying the benefits of covered programs, determining how covered programs distribute benefits, and calculating and reporting on reaching the 40-percent goal of the Justice40 Initiative. Benefits include direct and indirect investments (and program outcomes) that positively impact disadvantaged communities. Therefore, all entities must comply with reporting, data collection, and evaluation necessary for DRA to comply with Justice40 Initiative requirements as outlined in M21-28 Interim Implementation Guidance for the Justice40 Initiative and EO 14008.

2. Other Legal Requirements

a. Religious Activities

DRA notes that the Religious Freedom Restoration Act (RFRA), 42 U.S.C. § 2000bb, applies to all Federal law and its implementation. If an applicant organization is a faith-based organization that makes hiring decisions on the basis of religious belief, it may be entitled to receive Federal financial assistance under this grant solicitation and maintain that hiring practice. Religious organizations are eligible, on the same basis as any other organization, to seek DRA support or participate in DRA programs for which they are otherwise eligible.

b. Lobbying or Fundraising the U.S. Government with Federal Funds

In accordance with Section 18 of the Lobbying Disclosure Act of 1995 (Public Law 104-65) (2 U.S.C. § 1611), non-profit entities incorporated under Internal Revenue Service Code section 501(c)(4) that engage in lobbying activities are not eligible to receive Federal funds and grants. No activity, including awareness-raising and advocacy activities, may include fundraising for, or lobbying of, U.S. Federal, state, or local governments (see 2 CFR 200.450 for more information).

c. Transparency Act Requirements

You must ensure that you have the necessary processes and systems in place to comply with the reporting requirements of the Federal Funding Accountability and Transparency Act of 2006 (Pub. Law 109-282, as amended by the Government Funding Transparency Act of 2008, Pub. Law 110-252, Title VI, Chap. 2, Sec. 6202),

as follows.

- i. Except for those excepted from the Transparency Act under subparagraphs 1, 2, and 3 below, you must ensure that you have the necessary processes and systems in place to comply with the subaward and executive total compensation reporting requirements of the Transparency Act, should you receive funding.
- ii. Upon award, you will receive detailed information on the reporting requirements of the Transparency Act, as described in 2 CFR Part 170, Appendix A, which can be found at <https://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf>.

The following types of awards are not subject to the Federal Funding Accountability and Transparency Act.

- a. Federal awards to individuals who apply for or receive Federal awards as natural persons (e.g., unrelated to any business or non-profit organization he or she may own or operate in his or her name);
- b. Federal awards to entities that had a gross income, from all sources, of less than \$300,000 in the entities' previous tax year; and
- c. Federal awards, if the required reporting would disclose classified information.
- d. Safeguarding Data Including Personally Identifiable Information (PII)
Applicants submitting applications in response to this NOFA must recognize that confidentiality of PII and other sensitive data is of paramount importance to the Delta Regional Authority and must be observed except where disclosure is allowed by the prior written approval of the Grant Officer or by court order. By submitting an application, you are assuring that all data exchanges conducted through or during the course of performance of this grant will be conducted in a manner consistent with applicable Federal law and TEGL 39-11 (issued June 28, 2012). All such activity conducted by recipient(s) will be performed in a manner consistent with applicable state and Federal laws.

By submitting a grant application, you agree to take all necessary steps to protect such confidentiality by complying with the following provisions that are applicable in governing the handling of confidential information: You must ensure that PII and sensitive data developed, obtained, or otherwise associated with DRA funded grants is securely transmitted.

- i. To ensure that such PII is not transmitted to unauthorized users, all PII and other sensitive data transmitted via e-mail or stored on CDs, DVDs, thumb drives, etc., must be encrypted using a Federal Information Processing Standards (FIPS) 140-2 compliant and National Institute of Standards and

Technology (NIST) validated cryptographic module. You must not e-mail unencrypted sensitive PII to any entity, including DRA or contractors.

ii. You must take the steps necessary to ensure the privacy of all PII obtained from participants and/or other individuals and to protect such information from unauthorized disclosure. You must maintain such PII in accordance with the DRA standards for information security and any updates to such standards we provide to you. Grantees who wish to obtain more information on data security should contact their Federal Project Officer.

iii. You must ensure that any PII used during the performance of your grant has been obtained in conformity with applicable Federal and state laws governing the confidentiality of information.

iv. You further acknowledge that all PII data obtained through your DRA grant must be stored in an area that is physically safe from access by unauthorized persons at all times and the data will be processed using recipient-issued equipment, managed information technology (IT) services, and designated locations approved by DRA. Accessing, processing, and storing of DRA grant PII data on personally owned equipment, at off-site locations, (e.g., employee's home), and non-recipient managed IT services, (e.g., Yahoo mail), is strictly prohibited unless approved by DRA.

v. Your employees and other personnel who will have access to sensitive / confidential / proprietary / private data must be advised of the confidential nature of the information, the safeguards required to protect the information, and that there are civil and criminal sanctions for noncompliance with such safeguards that are contained in Federal and state laws.

vi. You must have policies and procedures in place under which your employees and other personnel, before being granted access to PII, acknowledge their understanding of the confidential nature of the data and the safeguards with which they must comply their handling of such data, as well as the fact that they may be liable to civil and criminal sanctions for improper disclosure.

vii. You must not extract information from data supplied by DRA for any purpose not stated in the grant agreement.

viii. Access to any PII created by the DRA grant must be restricted to only those employees of the grant recipient who need it in their official capacity to perform duties in connection with the scope of work in the grant agreement.

ix. All PII data must be processed in a manner that will protect the confidentiality of the records/ documents and is designed to prevent unauthorized persons from retrieving such records by computer, remote

terminal, or any other means. Data may be downloaded to, or maintained on, mobile or portable devices only if the data are encrypted using NIST-validated software products based on FIPS 140-2 encryption. In addition, wage data may be accessed only from secure locations.

x. PII data obtained by the recipient through a request from DRA must not be disclosed to anyone but the individual requestor, except as permitted by the Grant Officer or by court order.

xi. You must permit DRA to make onsite inspections during regular business hours for the purpose of conducting audits and/or conducting other investigations to assure that you are complying with the confidentiality requirements described above. In accordance with this responsibility, you must make records applicable to this Agreement available to authorized persons for the purpose of inspection, review, and/or audit.

xii. You must retain data received from DRA only for the period of time required to use it for assessment and other purposes, or to satisfy applicable Federal records retention requirements, if any. Thereafter, you agree that all data will be destroyed, including the degaussing of magnetic tape files and deletion of electronic data.

e. Record Retention

You must follow Federal guidelines on record retention, which require that you maintain all records pertaining to grant activities for a period of at least three years from the date of submission of the final expenditure report. See 2 CFR 200.333-.337 for more specific information, including information about the start of the record retention period for awards that are renewed quarterly or annually and when the records must be retained for more than three years.

f. Use of Contracts and Subawards

You must abide by the following definitions of contract, contractor, subaward, and subrecipient.

Contract: Contract means a legal instrument by which a non-Federal entity (defined as a state or local government, Indian tribe, institution of higher education (IHE), non-profit organization, for-profit entity, foreign public entity, or a foreign organization that carries out a Federal award as a recipient or subrecipient) purchases property or services needed to carry out the project or program under a Federal award. The term as used in this NOFA does not include a legal instrument, even if the non-Federal entity considers it a contract, when the substance of the transaction meets the definition of a Federal award or subaward (see definition of Subaward below).

Contractor: Contractor means an entity that receives a contract as defined above in Contract.

Subaward: Subaward means an award provided by a pass-through entity (defined as a non-Federal entity that provides a subaward to a subrecipient to carry out part of a Federal program) to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

Subrecipient: Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

You must follow the provisions at 2 CFR 200.330-.332 regarding subrecipient monitoring and management. Also see 2 CFR 200.308(c)(6) regarding prior approval requirements for subawards. When awarding subawards, you are required to comply with provisions on government-wide suspension and debarment found at 2 CFR Part 180 and codified at 2 CFR Part 2998.

g. Closeout of Grant Award

- i. Any entity that receives an award under this Announcement must close its grant with DRA at the end of the final year of the grant.
- ii. The goal of the Grants Oversight and New Efficiency (GONE) Act is to close out expired grants. The GONE Act requires the Office of Management and Budget (OMB) to instruct each agency, in coordination with the Department of Health and Human Services (HHS), to submit to Congress and HHS by December 31 of the first calendar year beginning after this Act's enactment a report that:
 - a) Lists each Federal grant award held by such agency,
 - b) Provides the total number of Federal grant awards, including the number of grants by time period of expiration, the number with zero-dollar balances, and the number with undisbursed balances,
 - c) Describes the challenges leading to delays in grant closeout, and,
 - d) Explains, for the 30 oldest Federal grant awards, why each has not been closed out.

The covered grants are those within an agency's cash payment management system that have been expired for two or more years and have not been closed out. No later than one year after the head of an agency submits its report, the agency head will notify HHS whether the agency has closed out

the covered grants discussed in its report. HHS is required to compile this information and provide it to Congress.

3. Other Administrative Standards and Provisions

Except as specifically provided in this NOFA, our acceptance of an application and an award of Federal funds to sponsor any programs(s) does not provide a waiver of any grant requirements and/or procedures. For example, the OMB Uniform Guidance requires that an entity's procurement procedures ensure that all procurement transactions are conducted, as much as practical, to provide full and open competition. If an application identifies a specific entity to provide goods or services, the award does not provide the justification or basis to sole-source the procurement (i.e., avoid competition).

4. Special Program Requirements

a. DRA Evaluation

As a condition of a grant award, grantees are required to participate in an evaluation, if undertaken by DRA. The evaluation may include an implementation assessment across grantees, an impact and/or outcomes analysis of all or selected sites within or across grantees, and a benefit/cost analysis or assessment of return on investment. Conducting an impact analysis could involve random assignment (which involves random assignment of eligible participants into a treatment group that would receive program services or enhanced program services, or into control group(s) that would receive no program services or program services that are not enhanced). We may require applicants to collect data elements to aid the evaluation. As a part of the evaluation, as a condition of award, grantees must agree to:

- (1) make records available to the evaluation contractor on participants, employers, and funding;
- (2) provide access to program operating personnel, participants, and operational and financial records, and any other relevant documents to calculate program costs and benefits; and
- (3) in the case of an impact analysis, facilitate the assignment by lottery of participants to program services, including the possible increased recruitment of potential participants; and
- (4) follow evaluation procedures as specified by the evaluation contractor under the direction of DRA.

b. Performance Goals

Please note that applicants will be held to outcomes provided, and failure to meet those outcomes may result in technical assistance or other intervention by DRA and

may also have a significant impact on decisions about future grants with DRA.

5. Definitions

Construction Materials:

Construction materials include an article, material, or supply – other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives – that is or consists primarily of:

- non-ferrous metals;
- plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
- glass (including optic glass);
- lumber; or
- drywall.

Domestic content procurement preference means all iron and steel used in the project are produced in the United States; the manufactured products used in the project are produced in the United States; or the construction materials used in the project are produced in the United States.

Infrastructure:

Infrastructure includes, a minimum, the structure, facilities, and equipment for, in the United States (1) roads, highways, and bridges; (2) public transportation; (3) dams, ports, harbors, and other maritime systems; (4) intercity passenger and freight railroads; (5) freight and intermodal facilities; (6) airports; (7) water systems; including drinking water and wastewater systems; (8) electrical transmission facilities and systems; (9) utilities; (10) broadband infrastructure; and (11) buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy.

Project:

Project means the construction alteration, maintenance, or repair of infrastructure in the United States.

Appendix II

DELTA REGIONAL AUTHORITY: ELIGIBLE AND INELIGIBLE EXAMPLES

Eligible Activities and Entities:

Agencies or entities – The eligible entity must be organized and legally recognized as a nonprofit, public institution of higher learning, a local form of government, federally recognized tribe, or other local/state entity eligible to receive federal funds. The entity should work closely with the LDD servicing the project area while developing and submitting the online application. The LDDs certify the project applications are complete and for eligible purposes as part of their role as the authorized technical assistance provider.

Economic Development – Eligible activities should include committed industry partners actively seeking to expand or develop new facilities within a community, retaining or hiring individuals from the available labor force, and contributing to the betterment of the community and its surroundings. Economic development activities build upon and support a community's existing assets as well as grow and nurture new industry segments.

Category 1: Basic Public Infrastructure – Projects located in distressed counties/parishes and isolated areas of distress; these projects are defined as follows: basic public infrastructure shall mean water and wastewater facilities, electric and gas utilities, broadband delivery and solid waste landfills, all of which are fundamental services necessary to sustain and promote growth and/or attract business(es), which have a useful life of 20 years or more.

Category 2: Transportation Infrastructure – Projects to facilitate economic development activities in the region; these projects are defined as follows: transportation infrastructure shall mean basic physical structures needed to support and/or create a transportation system, which shall include local roadways, bridges, rail, port facilities, airports and other structures deemed central to an overall transportation system.

Category 3: Flood Control – Projects that address local or regional flooding concerns negatively impacting local economies within the DRA region.

Health improvements – Projects that address existing health concerns for industry and/or residents as they may relate to water and sewer infrastructure deficiencies.

Basic residential infrastructure – Basic public infrastructure projects for communities in distressed counties/parishes or isolated areas designated distressed in non-distressed counties/parishes may be considered, provided they meet the program requirements set out in other applicable eligibility guidelines.

Phased projects – Applications for early phases of a larger project where projected outcomes will not be realized until a much later time, possibly after other funds are

awarded in subsequent cycles, may be considered eligible with proper assurances from relevant project partners. DRA's involvement in early-phase projects shall not constitute a commitment on DRA's part for future funding.

Architectural and engineering fees – Architectural and engineering fees are considered an allowable expense; however, payment of these fees will be structured as follows: one-third is paid upon completion and acceptance of the plans, one-third is paid upon receipt of a successful bid, and the final one-third paid upon completion of the work.

Ineligible Activities and Entities:

Sub-grants of any type – Sub-grants are not allowed. Contracts for which the awardee would receive a service as identified in the approved application are allowed and should follow state bid and procurement laws.

Entities involved in ongoing litigation – As a prerequisite for receiving an award, the awardee must affirm within the award document package that the entity is not a defendant in litigation pertaining to financial fraud, fraudulent business practices, or any other malfeasance, which could reasonably be construed to affect the integrity of the DRA award.

Pass-through efforts to support or enhance private property or property owners – Eligible entities receiving an award shall not enter into lease agreements with for-profit entities or individuals for the purpose of equipping or improving private property. This constitutes a pass-through and is not allowable. Likewise, sub-grants, as described above, constitute a pass-through and are not allowable.

Activities that would constitute a conflict of interest or be considered less than an arm's length transaction – Any such potential circumstances must be disclosed to DRA, in writing, prior to the application approval phase. DRA will review the disclosure(s) on a case-by-case basis and determine the proper course of action moving forward. Perceived conflicts, identified after funds have been awarded, will result in the delay of payments until evidence can be provided to clarify the relationship(s). Actual conflicts or transactions deemed to be less than arm's length, identified after funds have been awarded, may result in forfeiture of awarded funds, the repayment of expended funds, and/or legal action as deemed appropriate and necessary by DRA.

Projects that do not conform to the project state's bid, procurement or contract laws – Lack of familiarity with your state's bid, procurement or contract laws will not constitute a defense argument should DRA determine whether the laws were ignored or not appropriately adhered to.

Private university-led projects or programs – DRA will not consider private universities to be eligible to receive federal funds directly or through a pass-through relationship. If a project is determined to be managed and directed by a nonprofit foundation affiliated with the private university, then the foundation could be considered the eligible recipient.

For-profit entities or individuals – DRA will not consider for-profit entities to be eligible to receive federal funds directly or through a pass-through relationship. Eligible entities may not be conduits for private sector entities. Property purchased with DRA funding cannot, in turn, be sold or given to a private entity beneficiary. However, DRA can indirectly assist and support the development of for-profits by improving public infrastructure or providing needed workforce training, implemented or delivered by eligible entities.

Residential developments – Ineligible activities would include site work in a new residential development or opening additional lots in an existing development, construction of homes or spec-houses, any activity that may directly financially benefit the developer, or running utilities to the site of a future residential development.

Uncommitted other project funds – Applications that describe, within the budget, a majority of funding not yet committed or applied for may be found to be ineligible to receive DRA funding. All projects must be able to begin within 12 months of the notice to proceed and be substantially complete within 24 months.

Spec-buildings/pads/industrial sites – Industrial building(s) constructed by eligible entities for the purpose of attracting unidentified and/or uncommitted tenants as an incentive to locate may be deemed speculative and ineligible to receive DRA funding. Consideration will be given to market-driven, site development projects that have, or have had, a third-party review, validation, and subsequent commitment of investment to the project.

Water meters, as a stand-alone project – DRA will not consider applications eligible for funding that places a major emphasis on the replacement of unreliable, inoperable water meters. Consideration will be given to project applications that include water meter replacement as a minor part of an overall water system upgrade or extension, provided all work is completed on public property or right-of-way.

Maintenance and/or deferred maintenance projects – Maintenance shall mean the work of keeping something in proper condition or upkeep. Deferred maintenance shall mean to put off, postpone or procrastinate the act of conducting maintenance. However, consideration will be given to infrastructure projects like the dredging of ports if demonstrated to result in job creation and/or retention. Local/state/federal road, highway, or bridge maintenance projects will not be eligible to receive DRA funding.

Work performed on private property – Project activities conducted on privately held property will be deemed ineligible to receive DRA funding. To be considered an allowable expense, the property owner would be required to grant a permanent easement or right-of-way to the eligible entity and proper access to said property.

Seasonal or part-time jobs – Project applications that create or retain only seasonal or part-time jobs will not be considered eligible for DRA funding.

Project administration fees – Fees paid to consultants or other outside parties for the express purpose of preparing the DRA application or administering the DRA project funds shall not be considered an allowable expense. Local Development Districts (LDDs) are identified within DRA’s enabling legislation as the principal technical assistance providers and program partners for DRA-supported programs.

Eligible entity exceptions – 1) entities normally deemed to be eligible but due to prior award history are barred from receiving DRA funding, and 2) eligible entities owing any type of federal “bad debt” are precluded from applying for DRA funding until such time as the federal bad debt is paid in full. Should a scenario arise where a federal bad debt is incurred after a DRA award has been made, any disbursement of award funds will be “swept” by the federal or state agency and applied toward the bad debt. In this circumstance, no further DRA funds would be disbursed, and the awardee would be responsible for repaying the “swept” amount and, potentially, any other DRA funds previously received.

Backup generators, as a stand-alone project – DRA will not consider applications eligible for funding that only include purchasing and installing backup generators. Consideration will be given to project applications which include backup generator(s) as a minor part of an overall utility system upgrade. Consideration may be given to this type of project application in extreme emergency and disaster situations.

Documentation of water/sewer rates - DRA will consider any basic public infrastructure application lacking any of the following documentation ineligible for funding: 1) current rates, 2) date of last rate study, 3) date of last rate increase, and 4) the percent of uncollected fees. These should be well documented and attached to the application. A copy of the rate study is required, with proof that the recommended rates were implemented.

This list of eligible and ineligible activities is not intended to be exhaustive; it is merely provided as a guide to assist in determining typical funding scenarios.

Appendix III

DELTA REGIONAL AUTHORITY: GENERAL INSTRUCTIONS

Who can apply and receive funding?

Entities that are eligible to apply for and receive DRA funding include state and local governments (state agencies, city, and county/parish), federally recognized tribes, other public bodies, and nonprofit entities with projects in the DRA region. Eligible entities owing any type of state or federal “bad debt” are precluded from applying for DRA funding until such time as the bad debt is paid in full. Should a scenario arise where a bad debt is incurred after a DRA award has been made, any disbursement of funds will be “seized” by the agency owed and applied toward the debt. In this circumstance, no further DRA funds shall be disbursed, and the awardee shall be responsible for repaying these funds to the DRA.

For-profit entities are a key component of economic development. DRA recognizes that while we do not provide investments directly to for-profit entities, they may derive indirect benefits from the funding provided to eligible entities that are recipients of project funding. For example, an eligible entity that owns real property may lease its property at fair market rates for a long-term lease to a for-profit entity. Should an eligible entity/funding awardee ever decide to dispose of real property purchased or improved, in whole or in part, with DRA project funds, it is the awardee’s responsibility to seek DRA’s approval prior to disposal. At the DRA’s discretion, the return of project funds may be required after the sale of said property. DRA will move to acquire property liens where it is in the best interest of DRA to do so.

What components make up a quality application?

A good portion of applications reviewed by DRA staff for eligibility will inevitably require additional work to further elaborate on the project narrative. Applicants are encouraged to work closely with and heed the recommendations of the LDD assigned to the project. LDDs are contractually obligated to ensure a thorough review of the application is conducted, and a complete application is submitted to DRA. By focusing on the following details, higher quality applications should result (these areas of focus are not intended to be a complete and comprehensive list):

- How will the DRA funds be spent/what will the DRA funds purchase?
- How will the activities described—for DRA funding—fit within the overall project?
- Was the budget prepared using preliminary engineering report/cost estimates, architectural plans or completed plans?
- Are all other funds committed; if not, what is the status of each identified funding stream?
- Awardees will have 6 months to confirm (with DRA) all other funding for the project is committed before the issuance of the Notice to Proceed
- At the end of 6 months, the award may be rescinded and de-obligated.

- Do not repeat, restate, or copy and paste from one section of the narrative to another
- The “Summary” section should be a short description (one sentence or two) that describes the project activities as it pertains to DRA funding
- The “Description” section should further elaborate on how the DRA funds will be used, what will be purchased, how DRA funds fit into the overall project and a timeline for completion
- The “Purpose” section can include some background information that is relevant to the need for the proposed project. Basically, how the community/applicant got to this point and how this project will address the situation
- The “Outputs/Outcomes” section should clearly state the number of new jobs created, existing jobs retained, or number of families affected through the execution of the project. These outcomes should be identical to the information provided on the “Local Impact” page in the portal
- The “Budget Narrative” section should list each budget category and thoroughly explain the anticipated costs associated. Particular attention should be paid to explaining funds in budget categories, such as “other,” “indirect,” “misc.,” or any category that could be considered a catch-all
- Do not simply state, “See attached.” Supporting documentation should be included in the “attachments” section of the application, and references should be included in the narrative to show where the specific details are located
- Do not claim a health or safety risk exists without current supporting documentation from a state or federal agency
- If providing photographic evidence, make sure the photos are clear, and the reviewers can identify what is in the picture and/or the source of the problem

How does the CIF process work?

Funding availability for the CIF will be announced annually through the publication of a NOFA and shall remain open until all funds are exhausted. However, funding for projects will depend upon the receipt of DRA’s appropriations and passage of the DRA budget at the annual Governor’s Quorum Meeting, which takes place in February each year. CIF funding shall be made available for eligible projects approved in accordance with 7 U.S.C. § 2009aa1 et seq. and provided the state’s share of administrative expenses of the Authority have been remitted in full and a federal member has been appointed by the president. Eligible applicants should work with an LDD office to prepare and submit applications to the Authority. Subsequently, a review and recommendation of project eligibility are made by DRA staff, and projects are then scored and ranked. DRA staff will work with LDDs and applicants to address weaknesses found in lower-ranked and ineligible applications. CIF applications will be accepted on a rolling basis, and reviews and funding decisions will take place monthly.

How are CIF projects selected for funding?

The selection process is made by DRA’s federal co-chair and may include consultation with other interested parties. The actual determination of eligibility for CIF investments is made

by the federal co-chair, who bases the decision on the Eligibility Guidelines (see Appendix II) and the recommendation of DRA staff.

What role do the LDDs play?

All projects are developed in coordination with the appropriate LDD. Project applications are submitted electronically either by or through the LDD, whose territory includes the home county/parish of the applicant and/or the county/parish being served. LDD staff will review and certify that each project is legitimate and meets the parameters of the DRA program. Ultimately, the DRA makes the final determination of eligibility. However, LDDs will also acknowledge their role and responsibility as project managers for each project and ensure each project is implemented and regulations are adhered to in a timely manner. In the event an application is deemed ineligible by the DRA, the LDD also serves as the local economic development agency that should also be knowledgeable of other state and federal funding sources. Applicants are encouraged to work closely with the LDD in identifying the best available resources for the project.

To compensate the LDDs for the administrative work performed, project administrative fees will be paid from the awarded funds. The formula for determining project administration fees is five percent (5%) of the first \$100,000 and one percent (1%) of all dollars in excess of \$100,000. For example, a \$200,000 award would include \$6,000 in LDD project administration fees, thereby making \$194,000 available for the approved project. Further details of this arrangement and other alternatives can be found in the LDD Memorandum of Agreement.

It should be noted the appropriate time to consider the project administration fee is when the application is being prepared. This should be discussed with the applicant and the fee included in the DRA requested amount. If the award is made for a lesser amount, all parties should be aware that the awarded amount (project funds) will also include the project administration fee. The administration fee is ONLY paid to the LDD and will not be allowed for consultants or other project managers. Should the LDD choose to waive its administration fee, all funds will be considered project funds.

How can an application be completed and submitted?

Online project application process:

Application information is entered through the online portal. Information is entered once, with appropriate fields populated throughout. The site is an interactive resource that all groups can utilize as an invaluable management tool.

The bullet points below provide a brief tutorial on the DRA funding portal. Applicants are strongly encouraged to work with and through the LDD, whose territory covers the applicant's home county/parish, to fill out the online application materials. All applications will be electronically transmitted to the appropriate LDD, if not generated by the LDD, for review and approval prior to being sent to DRA for eligibility review and scoring. The LDD is committed to managing and providing technical assistance to the applicant/awardee during this phase of the application process.

After logging in to funding.dra.gov, the applicant and/or LDD will follow the steps below:

- Establish a log-in with secure credentials
- Applicants will be able to create, view, and edit project information. However, once an application has been submitted to DRA, it will be hidden from the applicant and LDD views to ensure only changes approved by DRA are allowed
- Once a project is funded, the application will again be visible to the awardee and LDD
- LDDs will have access to all projects within their district
- Other parties granted access to the site will be able to view general information about projects within each state or the region
- Submitted applications are electronically directed to the appropriate LDD office for review and certification (certification means the application is in substantial compliance with the eligibility guidelines, as noted within the associated NOFA. Applications can also be prepared by the LDD on behalf of an applicant
- Certified applications are kept in an electronic database for viewing, editing, and/or printing
- Electronic notification is sent to DRA indicating completed/certified projects are ready for DRA review
- DRA staff will review for eligibility, score, and rank applications
- The federal co-chair will make the final determination of eligibility
- Electronic notification is then sent to the LDD, board member(s), and applicant
- Upon the recommendation of the state and approval of DRA, eligible projects may be selected at this time
- DRA will proactively meet with each state individually to jointly determine the state's project selection recommendations
- Each project is submitted for a board vote
- Upon approval, the award documents are generated for each selected project and electronically sent to the LDD and/or applicant
- LDDs will work with the pre-awardees to provide necessary technical assistance
- Award documents will be printed, signed, and uploaded to DRA via the funding portal
- Once the award documents are received, DRA will utilize the funding portal to date/time stamp the receipt of documents. DRA staff will review and (if complete) will issue a Notice to Proceed to the LDD and/or awardee,
- Project events/announcements may take place during this time. DRA communications staff will coordinate these events or determine, on a project per project basis, if an event is not necessary, and
- Upon receipt of the Notice to Proceed, awardees may now begin incurring expenses for the project or DRA portion of the project, if so structured

What happens to a project deemed ineligible?

Contact will be made with the LDD and/or applicant, outlining reasons for ineligibility, pursuant to the Eligibility Guidelines; other comments and necessary information will be included by DRA staff to assist applicants with strengthening future applications.

What happens next after a project is funded?

Once projects are funded, official announcements are coordinated with the Chief Policy and Communications Officer's office. Press events may be held in person with the DRA federal co-chair and other DRA staff members via conference call, public event, or written press release. Award documents will be issued according to the type of project being funded. As the award document signature page is returned via upload through the funding portal and all documentation is found to be in order, a Notice to Proceed will be issued, and the awardee will be authorized to begin accruing expenses toward the project. DRA reserves the right to select any awarded project for individual press events. DRA communications staff will contact the awardee and LDD directly to make each party aware of the special event.

Until the Notice to Proceed has been issued, no social media announcements or local press coverage is allowed.

No expenses accrued prior to the date of the Notice to Proceed will be allowed unless prior approval was obtained in writing from DRA.

Projects funded at a lower amount by DRA must address the needed budget modifications to the satisfaction of DRA. This process will include the completion of a budget modification form and scope of work modification form, if necessary. All modifications must be approved prior to the issuance of the Notice to Proceed.

Quarterly reports will also commence on the first calendar quarter after the date of the Notice to Proceed. Reports are due each calendar quarter thereafter, whether project funds have been expended or not. Quarterly reports consist of a financial status report (SF-425) and a comprehensive report narrative (SF-PPR). This report can be completed and submitted online through the funding portal. Applicants should provide the necessary information to the LDD. It is the responsibility of the LDD to upload each quarterly report. Project start and end dates are derived from the information provided in the form SF-424 (application for federal assistance). Receipt of the Notice to Proceed shall determine the actual start date for all projects. For example, a project has requested an 18-month completion time; the project must be completed within 18 months of the Notice to Proceed date.

Contracting Procedures

Awardee shall provide a copy of all contracts from general and sub-contractors to DRA as they become available.

Exterior Project Sign

Any project that involves construction funded in whole or in part by the funds provided under the DRA shall include an exterior project sign appropriately acknowledging the assistance provided through the DRA program unless waived by the DRA. The awardee shall be responsible for all costs associated with the production and installation of the

exterior project signage and provide photographic proof of this sign within 30 days of DRA receipt of the construction contract(s). See “DRA Project Sign Guidelines” for sign specifications.

Compliance

By executing the award documents, the awardee is affirming he or she will be accountable for the way the funds are spent and for meeting the target outcome measures. When a private entity is involved in the project, with the creation and/or retention of jobs, DRA requires the company (or some responsible third party) to be held accountable for attaining those metrics through the use of the PA. At every level, accountability is vital to the success of the project and, ultimately, the resurgence of this region. The DRA award agreement provides for several other DRA-specific requirements for submitting reports, contracting procedures, and disbursements of funds, to name a few.

LDDs play a key role in ensuring accountability at the local level. As part of the technical assistance provided by LDDs, each district shall ensure awardee compliance with the various DRA award requirements and state laws. Some federal requirements, such as the Civil Rights Act and ADA, are mandatory for all federal funding.

The federal- and DRA-specific requirements pertain to all counties and parishes. State laws, however, are specific to each state and, when necessary, may supersede DRA-specific requirements. It is the responsibility of the awardee to follow all state laws during the bidding, procurement, and contracting portion of the project. This is an area where LDDs can provide essential compliance oversight as part of the technical assistance package.

Monitoring

DRA staff will work with and through the LDD to schedule site visits. These monitoring visits will be like mini audits, as the Project Monitor will be looking for evidence of compliance and accountability. The visit will include a review of financial records, procedures, contracts, and overall awardee capabilities. If deficiencies are found, it is the LDD’s responsibility to work with awardees to implement the corrective action plan and bring the project into compliance.

To implement these visits in a timely and efficient manner, the Authority will utilize the Site Visit Monitoring and Compliance Checklist. Typically, the LDD will be notified that a project has been selected for site visitation. As a courtesy, the awardee will then receive no less than ten business days to compile all requested information prior to the pre-scheduled visit by DRA staff. The actual visit will commence, and a written appraisal will be forwarded to the LDD within 30 days. A project’s funding may be recommended for de-obligation if it is determined after careful review through monitoring that the awardee is not complying with the agreed award administration or that the project is likely unable to be accomplished as agreed upon.

Reporting

The most important aspect of the monitoring process is providing timely, accurate, and comprehensive quarterly reports. It is the responsibility of the awardee to provide this information to the LDD in a timely manner, and it is the responsibility of the LDD to review and upload this information to the funding portal as part of the technical assistance package.

Quarterly Reports will be reviewed by the Critical Infrastructure team, and projects needing attention will be shared with the Project Compliance team for follow-up.

Project Compliance (team member: Ms. Star Hoskins – compliance@dra.gov)

All quarterly reports will be uploaded to the funding portal.

Final Report Narratives will be emailed to Amanda Allen at sedap.cif@dra.gov within 30 days of project completion.

- Any deficiencies in reporting will be communicated by Ms. Hoskins and approval from Monitoring and Compliance will be necessary before reports are officially accepted
- Any questions or feedback regarding actions taken by Monitoring and Compliance should be directed back to Monitoring and Compliance staff, and
- As a reminder the quarterly report should thoroughly describe what actions took place in the previous quarter, what problems or challenges were experienced during the previous quarter, how those challenges were/will be overcome, and what actions will take place in the next quarter – all of which should tie directly to the approved scope, budget and timeline

Quarters are described as calendar quarters, and reports are due to DRA by the 15th of the month following the end of each quarter (i.e., due by January 15th, April 15th, July 15th, and October 15th). Notifications will go out from the funding portal 15 days prior to the quarter end, on the quarter end, and on the due date. A late notice will go out the day after the due date.

These reports and the information therein are vital to helping DRA and LDD staff understand the status of each project. There should never be an instance where a project reports “no activity.” If, for that quarter, there was no progress toward completion, there must be an explanation as to why there was no progress and what tasks are expected to occur next quarter. Further, the report shall state how the awardee expects to meet the approved timeline. Project Monitors need this information to make sound decisions regarding change of scope requests, timeline extensions, and project site visits.

Final report narratives are due at project closing and should reflect the actual outcomes of the project as compared to the outcomes projected in the application materials. An introspective assessment of the project’s perceived success or failure is also required. If a printed document is produced with DRA funding, an electronic copy should be included. As previously mentioned, the PA is used in economic development to guarantee outcomes. Continuing reporting is required to track the items pledged by the firm within the PA and ensure the outcomes are achieved.

All jobs must be created within two years from the date of project completion and then maintained for three years from the date of project completion.

A jobs report detailing the status of jobs pledged within the PA will be emailed to the Critical Infrastructure team at sedap.cif@dra.gov once per year for three years following the date of project completion.

The report is to state the employee's first initial, last name, and date of hire.

All capital expenditures pledged within the PA must be fulfilled within three years from the date of project completion.

Proof of capital expenditures will be emailed to the Critical Infrastructure programs team, which includes Amanda Allen and Darci Malam, at sedap.cif@dra.gov.

Reimbursements

Funds are reimbursed to awardees for eligible expenses as determined by 2 CFR 200. The required supporting documentation (i.e., itemized bills, invoices, and receipts, detailed accounting of personnel costs, copies of contracts, and/or a contractor's partial pay estimate, etc.) should be provided to the LDD. The LDD will review the materials and associated budget balances before uploading the request into the funding portal. As outlined in the approved DRA budget, there could be DRA costs as well as non-DRA costs; invoices should be provided for ALL costs. All funding sources should be drawn down as approved in the budget. Budget items that include both DRA and non-DRA sources will be drawn down at the predetermined pro-rata share. Other budget items may be dedicated 100 percent to DRA or a non-DRA source.

- All reimbursement requests, scope changes, modifications, etc., will be received by or emailed directly to the Critical Infrastructure team using the proper forms
- Reimbursement requests will not be paid unless the project is in compliance with reporting requirements or any other deficiency, such as a project that is beyond its performance period, and
- Any questions or feedback regarding actions taken by the Critical Infrastructure team should be directed back to the same team.

Upon receipt, review, and approval of the request, funds will be transferred electronically to the account established for the project by the awardee and as identified in the Automated Clearing House (ACH) form (SF-3881) provided by DRA. The information provided on all ACH forms must match the banking information registered in SAM.gov. Further information for SAM.gov is listed below. DRA's reimbursement process generally takes eight to ten business days to complete. However, delays could occur if errors in the documentation are found, or there is a lack of sufficient supporting details; the DRA staff will work with and through the LDD to make necessary corrections. This does not take into consideration the amount of time needed by the LDD to collect, review, and upload the request. Awardees should consult the LDD providing technical assistance for LDD processing times.

System for Award Management (Sam.gov) and Central Contractor Registration (CCR)

It is imperative that awardees keep information in the System for Award Management (SAM.gov) updated. Awardee information in SAM.gov must be updated yearly. Failure to update information in SAM.gov will result in the return of payments by the U.S. Treasury. It is the responsibility of the awardee to update all information. Neither the DRA nor LDD has access to the awardee's SAM.gov information. Step-by-step instructions can be found on www.dra.gov.

There are several important items to remember for SAM.gov registration. They are as follows:

Registration is FREE at <https://sam.gov/content/home>. Beware of imposter sites or companies that will complete your registration for a fee.

An active SAM.gov registration is required in order to be awarded a contract with the federal government and to be paid for work performed.

If you had an active record in CCR, you have an active record in SAM.gov. To update or renew your records on SAM.gov, you will need to follow the instructions in the guide. Your CCR log-in will NOT work on SAM.gov.

You will obtain a UEI number when you complete the SAM.gov registration.

You must have a Tax Identification Number (TIN or EIN) in order to register a business.

Your business is referred to as an "entity" by SAM.gov.

If your CCR profile is linked to an email address that is no longer active within your firm, contact the Federal Service Desk at www.fsd.gov. After completing the migration, contact the SAM.gov hotline to submit your registration. You must review and save the entire SAM.gov record in one sitting.

Due to IRS validation, it will take 3-5 business days for your registration to become active.

Change of scope request

Occasionally, an awardee would like to make subtle changes to the original project scope, which will require prior written approval from DRA. Utilizing the following applicable form(s): 1) Budget and Program Modification Request Form 216a, 2) Budget Comparison Form 216b, or 3) Change of Scope Request Form 819r, a request should be submitted to DRA detailing the proposed change. Upon receipt, DRA staff will review and make the appropriate administrative decisions.

Change of Scope requests include but are not limited to, the following examples: no-cost budget modification within budget categories, timeline extension, size of the overall project, expansion/reduction of services, etc. Any change in the size of a project due to

other funding sources withdrawing from the project must result in a viable, fully-funded, and eligible project.

Under most circumstances, timeline extensions will be limited to one (1) per project and shall not exceed 12 months from the original completion date. Consideration for additional extensions may be given to projects that have endured extraordinary circumstances out of the control of the grantee, provided the grantee has been diligent in advising the LDD and the DRA of these challenges throughout the process. The extension must be submitted to DRA no later than 90 days prior to the project end date.

Any request that would result in a different project or project purpose other than the originally approved project would not meet the guidelines for a change of scope. Project funds are made available for specific project purposes, not to awardees to use until expended. Requests determined to be more than a change of scope will be declined, and an explanation of the decision will be provided to the awardee.

Project closeout

DRA recognizes that de-obligation of funds is occasionally required at the end of a project, which may occur upon completion of all necessary work or when an awardee does not live up to the expectations to which they committed. De-obligation can occur in one of two ways: 1) administratively or 2) by the rescission of funds.

Administrative de-obligations occur upon the successful completion of a project. Once the final report is received and all administrative payments have been made, any remaining funds shall be de-obligated. The awardee should provide written notice to DRA that the project is complete and the remaining funds are no longer needed for the project. When fully approved, these funds will be de-obligated with the U.S. Treasury and available to the state for future project funding. A final report will be required, as referenced in the "Reporting" section above.

Rescission of funds occurs when an awardee allows 12 months to pass without a reimbursement request for eligible expenses, not including LDD administrative fees. The rescission of funds is now a federal mandate, as outlined in the Grants Oversight and New Efficiency (GONE) Act. The goal of the GONE Act is to close out expired grants. The GONE Act requires the Office of Management and Budget (OMB) to instruct each agency, in coordination with the Department of Health and Human Services (HHS), to submit to Congress and HHS by December 31st of the first calendar year beginning after this Act's enactment a report that:

- Lists each federal grant award held by such agency
- Provides the total number of federal grant awards, including the number of grants by time period of expiration, the number with zero-dollar balances, and the number with un-disbursed balances
- Describes the challenges leading to delays in grant closeout, and
- Explains, for the 30 oldest federal grant awards, why each has not been closed out

The covered grants are those within an agency's cash payment management system that have expired for two or more years and have not been closed out. No later than one year after the head of an agency submits its report, the agency head will notify HHS whether the agency has closed out the covered grants discussed in its report. HHS is required to compile this information and provide it to Congress.



HEADQUARTERS

236 Sharkey Avenue, Suite 400
Clarksdale, MS 38614
662.624.8600

FEDERAL OFFICE

444 North Capitol Street NW, Suite 292
Washington, DC 20002
202.434.4871