

GRANT APPLICATION GUIDELINES and FORMS

Administrative Services Division
Texas State Library and Archives Commission



Updated November, 2002

Comments or complaints regarding programs and services of the Texas State Library and Archives Commission
may be addressed to:

Director and Librarian
PO Box 12927
Austin, TX 78711-2927
512-463-5460; fax 463-5436

Copies of this publication are available in alternative format upon request.

Published by the Texas State Library and Archives Commission, Revised, November, 2002

Grant Application Guidelines and Forms

GRANT MANAGEMENT

Grants from the Texas State Library and Archives Commission (TSLAC) must be administered in accordance with the **Uniform Grant Management Standards (UGMS)**, which is divided into 3 sections:

- Cost Principles for State and Local Governments and Other Affected Entities
- State Uniform Administrative Requirement for Grants and Cooperative Agreements
- State of Texas Single Audit Circular

By administrative rule, the Library and Archives Commission will use **UGMS** to administer all grants, including those to state universities and non-governmental entities. **UGMS** can be found on the Internet at <http://www.governor.state.tx.us/Grants/guidelines.html>.

The following requirements are explained in more detail in **UGMS** or in the grant award:

Property Management

Written prior approval must be obtained before committing to expend grant funds on equipment/property. Purchases must be reported soon after the grant term expires. An inventory must be taken every two years.

Assurances

Recipients of grants funded with federal funds (passed through TSLAC) must sign and comply with Assurances - Non-Construction Programs (Form 424B). Recipients of grants funded with state funds must comply with assurances that are listed in **UGMS**, Section III, Subpart B, Pre-Award requirements, .14 (State Assurances).

Matching Support

Matching support may be in the form of 1) cash, 2) donated items, 3) donated or volunteer services. Donated or volunteer services may be counted as cost sharing or matching if the service is an integral and necessary part of an approved program. To the extent feasible, donated or volunteer services will be supported by the same methods that the grant recipient uses to support the allocability of regular personnel services.

Record Retention

Records must be retained for three years after certain grant-related activities.

Program Income

Program income must be reported to TSLAC.

Grant Payments

Requests for payment can be made less frequently than monthly, but no more often than monthly. The request can be for an advance and/or reimbursement of funds.

Interest on Grant Funds

Certain amounts of interest earned on advanced funds may be kept, returned to TSLAC, or considered program income.

Financial Status Reports

Quarterly Financial Status Reports must be submitted to TSLAC.

Reports and Statistics

Grant recipients must also submit semiannual narrative evaluation reports and quarterly statistical performance reports.

Program Changes

Prior approval must be obtained from TSLAC to change the scope or objectives of the grant project as well as to obtain the services of a third party to perform activities which are central to the purposes of the grant.

Budget Changes

Prior approval must be obtained from TSLAC for certain budget revisions.

Audit of Grant Funds

Grant recipients that expend \$300,000 or more a year of state grant funds or \$300,000 or more a year of federal grant funds (passed through TSLAC) shall have a single audit or program-specific audit conducted for that year. Federal grant funds are covered by **OMB** (Office of Management and Budget) Circular A-133, instead of **UGMS'** State of Texas Single Audit Circular.

APPLICATION PACKET

Submitted application packet must include the following standard forms:

- Application for State/Federal Assistance form
- Budget form
- Costs Requiring Prior Approval form
- Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Assurances - Non-Construction Programs (for federal grants passed through TSLAC)
- Certification Regarding Lobbying (for grants of \$100,000 or more)

If you wish to make an appeal, follow the Protest Procedure in Attachment F.

COST PRINCIPLES

The section called "Cost Principles for State and Local Governments and Other Affected Entities" in **UGMS** sets forth the guidelines and policies governing costs charged to the grant. All costs must be necessary and reasonable. An unallowable cost is any cost which cannot be charged to the grant and includes:

- BAD DEBTS
- CONTINGENCIES
- CONTRIBUTIONS AND DONATIONS
- ENTERTAINMENT
- FINES AND PENALTIES
- FUND RAISING AND INVESTMENT MANAGEMENT COSTS
- GENERAL GOVERNMENT EXPENSES
- INTEREST (subject to terms)
- LOBBYING
- UNDERRECOVERY OF COSTS UNDER GRANT AGREEMENTS - any excess costs from one grant are not chargeable to another grant

INDIRECT COSTS

Indirect costs may be charged to the grant if using an indirect cost allocation plan approved by the grant recipient's cognizant federal agency or state coordinating agency. Alternatively, up to 10 percent of the direct salary and wage costs of providing the grant service (excluding overtime, shift premiums, and fringe benefits) may be charged as indirect costs. **UGMS**, Section II, Attachment E, provides more detail on these options.

BUDGET

The **Budget** form, Attachment B, provides the anticipated expenditures for the proposed grant project. In addition to the cost principles above, the **Grant Guidelines** may indicate the types of costs that this particular grant will and will not cover. The budget categories are further explained in **Example of Assignment of Costs to Expense Categories**, Attachment E.

COSTS REQUIRING PRIOR APPROVAL

Before committing to expend grant funds on certain costs, the grant recipient must obtain written permission from TSLAC. To the extent possible, these costs should be listed on the **Costs Requiring Prior Approval** form, Attachment C, and submitted in the application packet. Written prior approval can be obtained after the application process, but only by written request.

CONTACT PERSON

Questions regarding these guidelines and forms should be directed to:

Accounting and Grants Manager
Phone (512) 463-6626 Fax (512) 475-0185

See the grant's **Program Guidelines** for additional information, including requirements for returning the application packet to TSLAC.

**TEXAS STATE LIBRARY AND ARCHIVES COMMISSION (TSLAC)
APPLICATION FOR STATE/FEDERAL ASSISTANCE**

APPLICANT INFORMATION:

Library Name _____

Applicant/Legal Entity _____

(Official name of city, county, nonprofit, or university)

Program Contact Person (Primary Contact)

Name _____ Title _____

Street/PO Box _____ City _____

State _____ Zip Code _____ County _____

BUDGET

Applicant/Legal Entity: _____
 (Official name of city, county, nonprofit, or university)

Library name: _____

Budget Categories	Grant Funds	Other Funding Sources	Total Costs
Personnel	\$	\$	\$
Fringe Benefits			
Travel			
Equipment/Property			
Supplies			
Contractual Services			
Other			
Total Direct Charges	\$	\$	\$
Indirect Charges Rate: _____ % Base: _____			
TOTALS	\$	\$	\$

Note: Amounts should be rounded to the nearest dollar.

Applicant's Capitalization Level: \$ _____
 (certified by signature of Fiscal staff below)

 Signature of Fiscal staff

 Date

COSTS REQUIRING PRIOR APPROVAL

Applicant's Legal name: _____
 (Official name of city, county, nonprofit, or university)

Library/Organizational Unit: _____

INSURANCE (if not required by the grant): _____ Budgeted Cost:
 \$ _____

REARRANGEMENTS & ALTERATIONS OF FACILITIES:
 (if incurred specifically for the grant project) _____ Budgeted Cost:
 \$ _____

EQUIPMENT/PROPERTY:

Each piece of equipment/property is an article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost that exceeds the capitalization limits established by Grantee's governing entity. Grantee must furnish a statement to Grantor certifying the governing entity's capitalization level with the Prior Approval Request Form. Equipment/property includes furniture, library materials, etc., purchased wholly or in part with grant funds. The prior approval amount is the capital expenditure, which means the cost of the equipment/property including the cost to put it in place. Capital expenditure for equipment/property means the net invoice price of the equipment/property, including the cost of any modifications, attachments, accessories, or auxiliary apparatus necessary to make it usable for the purpose for which it is acquired. Ancillary charges, such as taxes, duty, protective in transit insurance, freight, and installation may be included in, or excluded from, capital expenditure cost in accordance with the Grantee's regular accounting practices.

Item descriptions should be detailed since additional cost documentation should not be submitted. Computer example: processor and speed, RAM, hard drive size, monitor size, modem speed, type of network card (Pentium III, 733 MHz, 128 MB RAM, 20GB HD, 17" monitor, 56K modem, Ethernet network card).

Detailed Description	# of Units	Unit Cost	Extended Cost
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$

Use additional sheets as necessary.

Signature: _____

Date: _____

**Certification Regarding
Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions**

INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed at the time of this transaction. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the persons to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstance.
4. The terms “covered transaction,” “debarred,” “suspended,” “lower tier transaction,” “participant,” “person,” “primary covered transaction,” “principal,” “proposal,” and “voluntary excluded,” as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titles “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

EXAMPLE OF ASSIGNMENT OF COSTS TO EXPENSE CATEGORIES

This is a basic list of frequently found local expense codes which have been assigned to the budget/expense categories. While not a definitive list, it may help you categorize your expenses. If your accounting system categorizes any of these costs differently, then make the necessary changes on your Budget so that your Budget reflects the costs as follows:

Personnel

Salaries - Full and Part-time
Overtime Pay
Longevity Pay

Fringe Benefits

Workmen's Compensation
Retirement
Insurance - Life and Health
FICA (Social Security & Medicare)
Unemployment
Accrued Vacation/Sick Leave Pay
(if documented as a component in the municipality's package and subject to audit verification)

Supplies (Consumables)

Office Supplies
Books
Audio-Visual Materials
Periodicals
Computer Software

Contractual

Equipment Rental
Equipment Maintenance and Repair
Audit
OCLC Membership Fees and Charges
Contracts for Professional Services
For example: workshop speakers,
graphics design, advertising agencies
Delivery (courier) Services Contract
Building Rental
Internet Service

Other Operating Expenses

Insurance
Postage
Telephone
Printing
Photocopying Charges
(not rental)
Membership Fees
Registration Fees
(conferences, training)
Freight/Delivery Charges
Reproduction Services
Contracted Temporary Help
Training Allowance
Internet Service

Travel

Mileage
Public Transportation
Per Diem Expenses or
Actual Expenses for Meals
and Lodging

Equipment/Property *

Office Furniture
Office Equipment
Computer Hardware
Computer Software

* Each piece of equipment/property is an article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost that exceeds the capitalization limits established by Grantee's governing entity. Grantee must furnish a statement to Grantor certifying the governing entity's capitalization level with the Prior Approval Request Form. Equipment/property includes furniture, library materials, etc., purchased wholly or in part with grant funds. The prior approval amount is the capital expenditure, which means the cost of the equipment/property including the cost to put it in place. Capital expenditure for equipment/property means the net invoice price of the equipment/property, including the cost of any modifications, attachments, accessories, or auxiliary apparatus necessary to make it usable for the purpose for which it is acquired. Ancillary charges, such as taxes, duty, protective in transit insurance, freight, and installation may be included in, or excluded from, capital expenditure cost in accordance with the Grantee's regular accounting practices.

Protest Procedure

Texas State Library and Archives Commission

(13 TAC 2.55)

- (a) An aggrieved person who is not satisfied with a decision, procedure, or service received from the staff of the Texas State Library and Archives Commission or who is an actual or prospective bidder, grantee, or contractor aggrieved in connection with a solicitation, evaluation, or award may file a protest with the Director and Librarian in accordance with this rule.
- (b) A protest must be submitted to the Director and Librarian within 21 days after the person knows or should have known of the matter which is protested. The Director and Librarian has the discretion to allow a protest filed after 21 days if the protestant shows good cause for the late filing or if the protest raises an issue significant to the general policies and procedures of the commission.
- (c) The protestant shall mail or deliver a copy of the protest to all interested persons. The Director and Librarian will furnish a list of interested persons to a protestant. For protests of a competitive selection (bid, contract, or grant), interested persons shall include all persons who have submitted a bid, proposal, or application.
- (d) A protest must be in writing and identified as a protest under this section, and contain the following:
- (1) a description of the protestant's interest in the matter;
 - (2) the issue(s) to be resolved and remedy(s) requested;
 - (3) the protestant's argument supporting the protest, including a statement of relevant facts and applicable law, specifying the statutes, rules, or other legal authority alleged to have been violated;
 - (4) the protestant's affirmation that facts set forth in the protest are true; and
 - (5) a certification that a copy of the protest has been mailed or delivered to all interested persons.
- (e) Upon receipt of a protest conforming to the requirements of this section, the commission shall not proceed with the solicitation, award, or contract until the protest is resolved, unless the Director and Librarian makes a written determination that delay would harm the substantial interests of the state.
- (f) The Director and Librarian has the authority to decide, settle, or resolve the protest and will make a written determination. The Director and Librarian may solicit written responses to the protest from other parties. The Director and Librarian shall inform the protesting party and other interested parties by letter of his determination, and how to appeal the determination to the commission.
- (g) An interested party may appeal the determination of the Director and Librarian. An appeal must be in writing and conform to paragraphs (1) - (3) of this subsection:
- (1) the appeal must be received in the office of the Director and Librarian no later than 15 days after the date the determination is mailed to interested parties;
 - (2) a copy of the appeal must be mailed or delivered by the appealing party to all interested parties and contain a certification of mailing or delivery;
 - (3) the appealing party must state whether or not an opportunity is requested to make an oral presentation to the commission in open meeting.
- (h) The Director and Librarian shall refer the matter to the commission for their consideration at an open meeting.
- (i) The chair of the commission has the discretion to allow an appeal filed more than 15 days after the Director and Librarian's determination if the appealing party shows good cause for the late filing or if the appeal raises an issue significant to the general policies or procedures of the commission.
- (j) An interested party may file a response to an appeal of the determination of the Director and Librarian no later than seven days after the appeal is mailed or delivered.
- (k) Copies of the appeal and responses of interested parties, if any, shall be mailed to the commission by the Director and Librarian.
- (l) The chair of the commission has the discretion to decide whether or not a request for oral presentations will be granted and will set the order and amount of time for oral presentations that are allowed. The chair also has the discretion to decide whether presentations and written documents presented by Commission staff and interested parties will be allowed.
- (m) The commission will determine properly filed appeals and make its decision in open meeting. The commission shall vote to uphold or reverse the decision of the Director and Librarian. Failing a majority vote of a quorum of the commission, the Director and Librarian's decision is upheld. The commission's decision is final and not subject to judicial review under the statutes governing the commission.
- (n) A decision issued either by the commission in open meeting or in writing by the Director and Librarian shall be the final administrative action of the commission.
- (o) Documentation concerning a protest of a competitive selection is part of the commission's records series for that selection and is retained in accordance with the commission's approved records retention schedule.

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of State, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE

APPLICANT ORGANIZATION