

**American Recovery and Reinvestment Act (ARRA)  
AmeriCorps\*VISTA Support and Program Grants  
Terms and Conditions  
Effective April 1, 2009**

These American Recovery and Reinvestment Act Terms and Conditions are binding on the grantee. By accepting funds under this grant, the grantee agrees to comply with, and include in all subgrants, the American Recovery and Reinvestment Act (ARRA) Terms and Conditions, the AmeriCorps\*VISTA Terms and Conditions for Program grants or for Support grants, all applicable federal statutes, regulations and guidelines, and any amendments thereto. The grantee agrees to operate the funded program in accordance with the approved grant application and budget, supporting documents, and other representations made in support of the approved grant application. For the purposes of these Terms and Conditions, “AmeriCorps” refers to AmeriCorps\*VISTA grantees only.

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**I. LEGISLATIVE AND REGULATORY AUTHORITY**

This grant is authorized by and subject to the American Recovery and Reinvestment Act of 2009 (ARRA), Public Law 111-5, the Domestic Volunteer Service Act of 1973 (DVSA), as amended, 42 U.S.C. §§ 4950 et seq., and applicable OMB Circulars set forth in federal regulations, as referenced below in Part II . Grantees must comply with the requirements of the DVSA, ARRA, all applicable OMB Circulars referenced below, any other applicable regulations, and other OMB guidance.

**II. OTHER APPLICABLE STATUTORY AND ADMINISTRATIVE PROVISIONS**

The following applicable federal cost principles, administrative requirements, and audit requirements are incorporated by reference.

## **A. STATES, INDIAN TRIBES, U.S. TERRITORIES, AND LOCAL GOVERNMENTS**

The following circulars and their implementing regulations apply to states, Indian tribes, U.S. territories, and local governments:

1. OMB Circular A-102, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments – 45 CFR Part 2541.
2. OMB Circular A-87, Cost Principles for State and Local Governments – 2 CFR Part 225.
3. OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations.

## **B. NONPROFIT ORGANIZATIONS**

The following circulars and their implementing regulations apply to nonprofit organizations:

1. OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Nonprofit Organizations – 45 CFR Part 2543 or 2 CFR Part 215.
2. OMB Circular A-122, Cost Principles for Nonprofit Organizations – 2 CFR Part 230.
3. OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations.

## **C. EDUCATIONAL INSTITUTIONS**

The following circulars and their implementing regulations apply to educational institutions:

1. OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Nonprofit Organizations – 45 CFR Part 2543 or 2 CFR Part 215.
2. OMB Circular A-21, Cost Principles for Educational Institutions – 2 CFR Part 220.
3. OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations.

These documents can be found here:

[http://www.access.gpo.gov/nara/cfr/waisidx\\_07/2cfrv1\\_07.html#215](http://www.access.gpo.gov/nara/cfr/waisidx_07/2cfrv1_07.html#215) and here:

<http://ecfr.gpoaccess.gov/cgi/t/text/text->

[idx?sid=1289932cf6539210eb14f3d8d3052a8b&c=ecfr&tpl=/ecfrbrowse/Title02/2cfrv1\\_02.tpl#200](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=1289932cf6539210eb14f3d8d3052a8b&c=ecfr&tpl=/ecfrbrowse/Title02/2cfrv1_02.tpl#200)

## **D. OTHER APPLICABLE STATUTES, TERMS AND CONDITIONS, AND REGULATIONS**

The grantee must comply with all other applicable statutes, executive orders, regulations, and policies governing the grant, including, but not limited to, those cited in the National and Community Service Act of 1990, as amended, 42 U.S.C. §§ 12051 et seq., these ARRA Grant Terms and Conditions, the VISTA Standard Terms and Conditions for Program grants or for Support grants, the Grant Assurances and Certifications, and those cited in 45 CFR Parts 2541 and 2543.

## E. ORDER OF PRECEDENCE

Any inconsistency in the Grant Award shall be resolved by giving precedence in the following order (a) Applicable Federal Statutes, (b) Corporation and other Federal regulations, (c) Special Terms and Conditions, (d) General Terms and Conditions, (e) Notice of Funding Opportunity, and (f) the approved Grant Application including all assurances, certifications, attachments, and pre-award negotiations.

## III. SPECIAL TERMS AND CONDITIONS

### A. REPORTING REQUIREMENTS

Grantees must comply with all requirements specified in Division A (“Division A-- Appropriations Provisions”) of ARRA (Public Law 111-5), including reporting requirements outlined in Title XV, Subtitle A, Sec. 1512 of the ARRA, and any implementing guidance issued by the Office of Management and Budget. For purposes of reporting, grantees must report as specified below.

1. **Grantee Progress Reports.** Each grantee must submit a Recovery VISTA Progress Report Supplement (VPRS) to the Corporation no later than 7 days after the end of each calendar quarter. The report is submitted through the appropriate electronic system.
2. **Financial Reports.** Each grantee must submit a Federal Financial Report (FFR) to the Corporation no later than 10 days after the end of each calendar quarter. The report is submitted through the appropriate electronic system.

All grantees must submit the Cash Transaction Reports (SF-272) on a quarterly basis to the Department of Health and Human Services Payment Management System per the Electronic Funds Transfer Agreement.

3. **Progress and Financial Report Deadlines.** Quarterly progress and financial report deadlines are as follows:

Beginning April 2009 until the grant closeout:

<u>Due Date</u>	<u>Reporting Period Covered</u>
July 10	April 1 - June 30
October 10	July 1 – September 30
January 10	October 1 – December 31
April 10	January 1 – March 31

4. **Progress and Financial Reporting Requirements.** Reporting requirements are subject to change based on additional OMB or other ARRA guidance from OMB.
5. **Final Progress and Financial Reports.** A grantee completing the final year of its grant must submit a final progress and financial report that is due 10 days following the close of the calendar year quarter. A grantee will have 90 days to close out the grant.

## **B. GRANT PERIOD AND INCREMENTAL FUNDING**

For the purpose of the grant, a project period is the complete length of time the grantee is proposed to be funded to complete approved activities under the grant. A project period may contain one or more budget periods. A budget period is a specific interval of time for which Federal funds are being provided to fund a grantee's approved activities and budget.

Unless otherwise specified, the grant covers a one-year project period. The project period and the budget period are noted on the award document.

## **IV. GENERAL TERMS AND CONDITIONS**

### **A. BUY AMERICAN**

1. **Use of American Iron, Steel, and Manufactured Goods.** Grantees may not use any funds obligated under this grant for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States.(ARRA, Title XVI, Sec. 1605)

### **B. WAGE RATE REQUIREMENTS**

Subject to further clarification issued by the Office of Management and Budget and notwithstanding any other provision of law and in a manner consistent with other provisions of ARRA, Section 1606 of ARRA provides that all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to this grant shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code. With respect to the labor standards specified in this section, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code. (ARRA, Title XVI, Sec. 1606)

### **C. WHISTLEBLOWER PROTECTION**

Each grantee or subgrantee shall promptly refer to the Corporation for National and Community Service's Office of Inspector General (OIG) any credible evidence that a principal, employee, agent, contractor, subrecipient, subcontractor, or other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving those funds. (ARRA, Title XVI, Subtitle D, Sec. 1553). The OIG may be reached by email at [hotline@cnsoig.gov](mailto:hotline@cnsoig.gov) or by telephone at (800) 452-8210.

### **D. DUNS/CCR**

All grantees and subgrantees are required to obtain a Dun and Bradstreet Data Universal Numbering System (DUNS) number if they do not already have one, and register with the Central Contractor Registration (CCR).

## **E. SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS**

Grantees that expend \$ 500,000 or more in a year in Federal funds shall have a single or program-specific audit (OMB Circular A -133 audit) conducted for that year. Grantees are required to separately identify the expenditures for each grant award funded under ARRA on the Schedule of Expenditures of Federal Awards (SEFA) and the Data Collection Form (SF-SAC) required by Office of Management and Budget Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations." This identification on the SEFA and SF-SAC shall include the Federal award number, the Catalog of Federal Domestic Assistance (CFDA) number, and the amount such that separate accountability and disclosure is provided for ARRA funds by Federal award number consistent with the recipient reports required by ARRA, Title XV, Subtitle A, Sec.1512(c).

## **F. FURTHER GUIDANCE AND PROVISIONS**

The Corporation may from time to time issue further guidance, clarifications, or modified provisions in order to implement the requirements of ARRA and/or instructions issued by the Office of Management and Budget. Grantees agree that any such supplementary guidance, clarifications, or provisions, shall become terms and conditions of this award.