

Preserve America Grants Manual

April, 2008

General Information

National Park Service (NPS) and Advisory Council on Historic Preservation (ACHP) contact information

Where to find information on the internet including:

- Secretary of the Interior's Standards
- National Register of Historic Places

Reporting Forms

- Interim Progress Report cover sheet
- Final Project Report cover sheet
- Federal Financial Report (FFR) which replaces the SF269A and SF272
- Detailed instructions for completing the Federal Financial Report (FFR)

Financial Forms and Payment Information

- Contact and Basic Information about the SMARTLINK Payment system
- Request for Advance of Reimbursement (form SF270)

Preagreement Costs and Matching Share

- Preagreement Costs - Required Documentation
- Matching Share Eligibility

Contracting and Procurement Information

- Procurement Standards
- Donated Labor Valuation Form and Time Sheet
- Donated Equipment Valuation Form
- Donated Material Valuation Form
- Competitive Negotiation and Small Purchases Documentation Form
- Sub-grant/Contract Payment Approval Checklist

Audits

- Information on Audit requirements

National Park Service - Preserve America Grant Contact Information

NPS, Washington, DC, address for mail sent by overnight carrier

*Most items should be sent by overnight carrier as mail delivered by the U.S. Post Office goes through irradiation treatment which destroys many materials. This treatment also delays mail from getting to the office for about two weeks.

National Park Service
Save America's Treasures Grants
1201 I Street NW
6th Floor (2256)
Washington, DC 20005

NPS, Washington, DC, address for mail sent through the U.S. Post Office. Please refer to note under overnight carrier above.

National Park Service
Save America's Treasures Grants
1849 C Street NW (2256)
Washington, DC 20240

Contacts in the Washington, DC, NPS, Historic Preservation Grants Division:

- Hampton Tucker, Chief, 202-354-2067, Hampton_Tucker@nps.gov
 - David Banks, Grants Administrator, 202-354-6968, David_Banks@nps.gov
 - Megan Brown, Grants Administrator, 202-354-2062, Megan_Brown@nps.gov
 - Ginger Carter, Grants Administrator, 202-513-7233, Ginger_Carter@nps.gov
 - Vedet Coleman, Grants Administrator, 202-, Vedet_R_Coleman@contractor.nps.gov
 - Tawana Jackson, Grants Administrator, 202-354-2065, Tawana_Jackson@nps.gov
 - Caitlyn Stewart, Grants Assistant, 202-354-2064, Caitlyn_E_Stewart@contractor.nps.gov
 - Kathryn Warnes, Grant Administrator 202-354-2313, Kathryn_Warnes@contractor.nps.gov
- Fax number for Washington, DC, office: 202-371-1794

Advisory Council on Historic Preservation

For information or questions about Preserve America Neighborhoods or Communities contact:

Advisory Council on Historic Preservation
1100 Pennsylvania Avenue NW, Suite 809
Old Post Office Building
Washington, DC 20004
Phone: (202) 606-8503
FirstGov: Search All U.S. Government Web Sites (logo) Email: achp@achp.gov
Website: www.achp.gov

Where to find information and forms on the internet

National Park Service Preserve America's Treasures Program

<http://www.nps.gov/history/hps/hpg/PreserveAmerica/index.htm>

Advisory Council on Historic Preservation (and Section 106 Review)

<http://www.achp.gov>

National Register of Historic Places

<http://www.nps.gov/nr/>

National Historic Landmarks Program

<http://www.nps.gov/history/nhl/>

State Historic Preservation Offices

<http://www.ncshpo.org/stateinfolist/fulllist.htm>

INTERIM PROGRESS REPORT
NATIONAL PARK SERVICE, DEPARTMENT OF INTERIOR
HISTORIC PRESERVATION GRANTS DIVISION

Note: Interim reports are due every six months throughout the life of the grant. Failure to submit timely and acceptable progress reports places a grantee in noncompliance with the terms and conditions of the Grant Agreement and can result in withholding, suspension, or termination of the grant award.

1. Project Title:_____
2. NPS Grant Number:_____
3. A completed FFR, *Federal Financial Report*, for this report period is attached. Directions for completing the form can be found in the Grant Manual.
4. Briefly describe the progress through (date) _____ in completing the objectives listed under the Grant Agreement Scope of Work (typically Special Condition #15).
5. Briefly describe any difficulties you have encountered in completing the grant work to date.
6. Describe the status of complying with all applicable Special Conditions required under your grant agreement.
 - A. NPS Concurrence with Consultant Selection
 - B. NPS Review of Plans and Specifications or other Draft Products
 - C. Section 106 Consultation with the State Historic Preservation Office
 - D. Easement Execution
 - E. Project Sign Installation
 - F. National Register Nomination
7. Please specify any changes to the Scope of Work and/or Budget you would like to request at this time.
8. If you need an extension to the end date of this project, please explain why and provide a new timeline for completion of the grant work.
9. Attach several photographs or digital images showing ALL grant work completed during the reporting period. Images may be submitted by email or on CD to NPS.

Name/Title:_____

Date:_____ Telephone:_____ Email: _____

***Please submit the report by one method only: fax (202-371-1794);
email to your grant administrator; or mail by private carrier to NPS at:
Historic Preservation Grants Division, National Park Service,
1201 Eye St. NW (Stop 2256), Washington, DC 20005.**

FINAL PROJECT REPORT
 NATIONAL PARK SERVICE, DEPARTMENT OF INTERIOR
 HISTORIC PRESERVATION GRANTS DIVISION

Note: The Final Project Report is due within 90 days of the end date of the grant agreement or completion of the project, whichever comes first. Failure to submit a timely and acceptable Final Project Report places can result in noncompliance with the terms of the Grant Agreement, and will result in NPS withholding payment or possibly requiring repayment of disbursed funds.

1. Project Title: _____
2. NPS Grant Number: _____
3. A completed FFR, *Federal Financial Report*, for the entire grant period is attached.
4. Provide a brief summary of the work completed under this grant. Note any difference between the planned and actual scope of work and costs.
5. Describe the status of complying with all applicable Special Conditions required under your grant agreement.
 - A. NPS Concurrence with Consultant Selection
 - B. NPS Review of Plans and Specifications or other Draft Products
 - C. Section 106 Consultation with the State Historic Preservation Office
 - D. Easement Execution
 - E. Project Sign Installation
 - F. National Register Nomination
6. Provide a line-by-line breakdown of the planned and actual expenditures and compare it to the approved budget using the following format: (this is an embedded excel table – double click to open)

Line item	Planned Costs	Actual Federal Share	Actual Matching Share	Actual Total
Personnel				\$ -
Fringe Benefits				\$ -
Consultants Fees				\$ -
Travel/Per Diem				\$ -
Equipment				\$ -
Supplies				\$ -
Construction/Labor				\$ -
Other				\$ -
Total	\$ -	\$ -	\$ -	\$ -

7. Provide a summarized list of the non-Federal matching share that was used to complete the grant-assisted work. Identify each source of match, the amount, and the type (cash, donated labor, donated materials, etc.).
8. If any publications (books, pamphlets, videotapes, etc.) were produced using federal or matching share under this grant, enclose three (3) copies with the Final Report. All publications must include acknowledgement of the grant assistance and the Federal disclaimer as required by your grant agreement.
9. Provide good quality 4 x 6 photographs or high resolution digital images printed on photographic paper, of ALL work completed under this grant. Include at least three (3) views of the overall structure.

Signature: _____ Name/Title: _____

Date: _____ Telephone: _____ Email: _____

*** This form and the accompanying items must be sent by overnight courier to NPS to:
 Grants Administration, National Park Service (org. 2256), 1201 'I' Street, NW, Washington, DC 20005**

FEDERAL FINANCIAL REPORT

(Follow form instructions)

1. Federal Agency and Organizational Element to Which Report is Submitted		2. Federal Grant or Other Identifying Number Assigned by Federal Agency (To report multiple grants, use FFR Attachment)		Page	1	of
pages						
3. Recipient Organization (Name and complete address including Zip code)						
4a. DUNS Number	4b. EIN	5. Recipient Account Number or Identifying Number (To report multiple grants, use FFR Attachment)		6. Report Type <input type="checkbox"/> Quarterly <input type="checkbox"/> Semi-Annual <input type="checkbox"/> Annual <input type="checkbox"/> Final	7. Basis of Accounting <input type="checkbox"/> Cash <input type="checkbox"/> Accrual	
8. Project/Grant Period From: (Month, Day, Year)			To: (Month, Day, Year)		9. Reporting Period End Date (Month, Day, Year)	
10. Transactions					Cumulative	
<i>(Use lines a-c for single or multiple grant reporting)</i>						
Federal Cash (To report multiple grants, also use FFR Attachment):						
a. Cash Receipts						
b. Cash Disbursements						
c. Cash on Hand (line a minus b)						
<i>(Use lines d-o for single grant reporting)</i>						
Federal Expenditures and Unobligated Balance:						
d. Total Federal funds authorized						
e. Federal share of expenditures						
f. Federal share of unliquidated obligations						
g. Total Federal share (sum of lines e and f)						
h. Unobligated balance of Federal funds (line d minus g)						
Recipient Share:						
i. Total recipient share required						
j. Recipient share of expenditures						
k. Remaining recipient share to be provided (line i minus j)						
Program Income:						
l. Total Federal program income earned						
m. Program income expended in accordance with the deduction alternative						
n. Program income expended in accordance with the addition alternative						
o. Unexpended program income (line l minus line m or line n)						
11. Indirect Expense	a. Type of Rate <i>(Place "X" in appropriate box)</i>					
	<input type="checkbox"/> Provisional	<input type="checkbox"/> Predetermined	<input type="checkbox"/> Final	<input type="checkbox"/> Fixed		
	b. Rate:	c. Base:	d. Total Amount:	e. Federal Share:		
12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation:						
13. Certification: By signing this report, I certify that it is true, complete, and accurate to the best of my knowledge. I am aware that any false, fictitious, or fraudulent information may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)						
a. Typed or Printed Name and Title of Authorized Certifying Official				c. Telephone (Area code, number and extension)		
				d. Email address		
b. Signature of Authorized Certifying Official				e. Date Report Submitted (Month, Day, Year)		
14. Agency use only:						

OMB Approval Number:

Public reporting burden for this collection of information is estimated to average 1.5 hours 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 _____, Washington, DC 20503.

d semi-annual interim reports shall be submitted no later than 30 days after the end of each reporting period. Annual reports shall be submitted no later than 90 days after the end of each reporting period. Final reports shall be submitted no later than 90 days after the project or grant period end date.

Note: For single award reporting:

1) Federal agencies may require both cash management information on lines 10(a) through 10(c) and financial status information lines 10(d) through 10(o).

2) 10(b) and 10(e) may not be the same until the final report.

Line Item Instructions for the Federal Financial Report

FFR Number	Reporting Item	Instructions
Cover Information		
1	Federal Agency and Organizational Element to Which Report is Submitted	Enter the name of the Federal agency and organizational element identified in the award document or as instructed by the agency.
2	Federal Grant or Other Identifying Number Assigned by Federal Agency	For a single award, enter the grant number assigned to the award by the Federal agency. For multiple awards, report this information on the <i>FFR</i> Attachment. <i>Do not complete this box if reporting on multiple awards.</i>
3	Recipient Organization	Enter the name and complete address of the recipient organization including zip code.
4a	DUNS Number	Enter the recipient organization's Data Universal Numbering System (DUNS) number or Central Contract Registry extended DUNS number.
4b	EIN	Enter the recipient organization's Employer Identification Number (EIN).
5	Recipient Account Number or Identifying Number	Enter the account number or any other identifying number assigned by the recipient to the award. This number is for the recipient's use only and is not required by the Federal agency. For multiple awards, report this

FFR Number	Reporting Item	Instructions
		information on the <i>FFR</i> Attachment. <i>Do not complete this box if reporting on multiple awards.</i>
6	Report Type	Mark appropriate box. <i>Do not complete this box if reporting on multiple awards.</i>
7	Basis of Accounting (Cash/Accrual)	Specify whether a cash or accrual basis was used for recording transactions related to the award(s) and for preparing this <i>FFR</i> . Accrual basis of accounting refers to the accounting method in which expenses are recorded when incurred. For cash basis accounting, expenses are recorded when they are paid.
8	Project/Grant Period, From: (Month, Day, Year)	Indicate the period established in the award document during which Federal sponsorship begins and ends. Note: Some agencies award multi-year grants for a project period that is funded in increments or budget periods (typically annual increments). Throughout the project period, agencies often require cumulative reporting for consecutive budget periods. Under these circumstances, enter the beginning and ending dates of the project period not the budget period. <i>Do not complete this line if reporting on multiple awards.</i>
	Project/Grant Period, To: (Month, Day, Year)	See the above instructions for “Project/Grant Period, From: (Month, Day, Year).”
9	Reporting Period End Date: (Month, Day, Year)	Enter the ending date of the reporting period. For quarterly, semi-annual, and annual interim reports, use the following reporting period end dates: 3/31, 6/30, 9/30, or 12/31. For final <i>FFRs</i> , the reporting period end date shall be the end date of the project or grant period.
10	Transactions	Enter cumulative amounts from date of the inception of the award through the end date of the reporting period specified in line 9. Use Lines 10a through 10c, Lines 10d through 10o, or Lines 10a through 10o, as specified by the Federal agency, when reporting on single grants. Use Line 12, Remarks, to provide any information deemed necessary to support or explain <i>FFR</i> data.
Federal Cash (To report multiple grants, also use FFR Attachment)		
10a	Cash Receipts	Enter the cumulative amount of actual cash received from the Federal agency as of the reporting period end date.
10b	Cash Disbursements	Enter the cumulative amount of Federal fund disbursements (such as cash or checks) as of the reporting period end date. Disbursements are the sum of actual cash disbursements for direct charges for goods and services, the amount of indirect expenses charged to the award, and the amount of cash advances and payments made to subrecipients and contractors. For multiple grants, report each grant separately on the <i>FFR</i> Attachment. The sum of the cumulative cash disbursements on the <i>FFR</i> Attachment must equal the amount entered on Line 10b, <i>FFR</i> .
10c	Cash On Hand (Line 10a Minus Line 10b)	Enter the amount of Line 10a minus Line 10b. This amount represents immediate cash needs. If more than three business days of cash are on hand, the Federal agency may require an explanation

FFR Number	Reporting Item	Instructions
		on Line 12, Remarks, explaining why the drawdown was made prematurely or other reasons for the excess cash.
Federal Expenditures and Unobligated Balance: Do not complete this section if reporting on multiple awards.		
10d	Total Federal Funds Authorized	Enter the total Federal funds authorized as of the reporting period end date.
10e	Federal Share of Expenditures	Enter the amount of Federal fund expenditures. For reports prepared on a cash basis, expenditures are the sum of cash disbursements for direct charges for property and services; the amount of indirect expense charged; the value of third-party in-kind contributions applied; and the amount of cash advance payments and payments made to subrecipients. For reports prepared on an accrual basis, expenditures are the sum of cash disbursements for direct charges for property and services; the amount of indirect expense incurred; the value of in-kind contributions applied; and the net increase or decrease in the amounts owed by the recipient for (1) goods and other property received; (2) services performed by employees, contractors, subrecipients, and other payees; and (3) programs for which no current services or performance are required. Do not include program income expended in accordance with the deduction alternative, rebates, refunds, or other credits. (Program income expended in accordance with the deduction alternative should be reported separately on Line 10o.)
10f	Federal Share of Unliquidated Obligations	Unliquidated obligations on a cash basis are obligations incurred, but not yet paid. On an accrual basis, they are obligations incurred, but for which an expenditure has not yet been recorded. Enter the Federal portion of unliquidated obligations. Those obligations include direct and indirect expenses incurred but not yet paid or charged to the award, including amounts due to subrecipients and contractors. On the final report, this line should be zero unless the awarding agency has provided other instructions. <i>Do not include any amount in Line 10f that has been reported in Line 10e. Do not include any amount in Line 10f for a future commitment of funds (such as a long-term contract) for which an obligation or expense has not been incurred.</i>
10g	Total Federal Share (Sum of Lines 10e and 10f)	Enter the sum of Lines 10e and 10f.
10h	Unobligated Balance of Federal Funds (Line 10d Minus Line 10g)	Enter the amount of Line 10d minus Line 10g.
Recipient Share: Do not complete this section if reporting on multiple awards.		
10i	Total Recipient Share Required	Enter the total required recipient share for reporting period specified in line 9. The required recipient share should include all matching and cost sharing provided by recipients and third-party providers to meet the level required by the Federal agency. This amount should not include cost sharing and match amounts in excess of the amount required by the Federal agency (for example, cost overruns for which the recipient incurs additional expenses and, therefore, contributes a greater level of cost

FFR Number	Reporting Item	Instructions
		sharing or match than the level required by the Federal agency).
10j	Recipient Share of Expenditures	Enter the recipient share of actual cash disbursements or outlays (less any rebates, refunds, or other credits) including payments to subrecipients and contractors. This amount may include the value of allowable third party in-kind contributions and recipient share of program income used to finance the non-Federal share of the project or program. Note: On the final report this line should be equal to or greater than the amount of Line 10i.
10k	Remaining Recipient Share to be Provided (Line 10i Minus Line 10j)	Enter the amount of Line 10i minus Line 10j. If recipient share in Line 10j is greater than the required match amount in Line 10i, enter zero.
Program Income: Do not complete this section if reporting on multiple awards.		
10l	Total Federal Program Income Earned	Enter the amount of Federal program income earned. Do not report any program income here that is being allocated as part of the recipient's cost sharing amount included in Line 10j.
10m	Program Income Expended in Accordance With the Deduction Alternative	Enter the amount of program income that was used to reduce the Federal share of the total project costs.
10n	Program Income Expended in Accordance With the Addition Alternative	Enter the amount of program income that was added to funds committed to the total project costs and expended to further eligible project or program activities.
10o	Unexpended Program Income (Line 10l Minus Line 10m or Line 10n)	Enter the amount of Line 10l minus Line 10m or Line 10n. This amount equals the program income that has been earned but not expended, as of the reporting period end date.
11	Indirect Expense: Complete this information only if required by the awarding agency and in accordance with agency instructions.	
11a	Type of Rate	Self-explanatory.
11b	Rate	Enter the indirect cost rate in effect during the reporting period.
11c	Base	Enter the amount of the base against which the rate was applied.
11d	Total Amount	Enter the total amount of indirect costs charged during the reporting period.
11e	Federal Share	Enter the Federal share of the amount in 11d.
Remarks, Certification, and Agency Use Only		
12	Remarks	Enter any explanations or additional information required by the Federal sponsoring agency including excess cash as stated in line 10c.
13a	Typed or Printed Name and Title of Authorized Certifying Official	Enter the name and title of the authorized certifying official.
13b	Signature of Authorized Certifying Official	The authorized certifying official must sign here.
13c	Telephone (Area Code, Number and Extension)	Enter the telephone number (including area code and extension) of the individual listed in Line 13a.
13d	E-mail Address	Enter the e-mail address of the individual listed in Line 13a.
13e	Date Report Submitted (Month, Day, Year)	Enter the date the <i>FFR</i> is submitted to the Federal agency using the month, day, year format.
14	Agency Use Only	This section is reserved for Federal agency use.

SMARTLINK Payment System

All National Park Service (NPS) Save America's Treasures grant recipients are required to use the SMARTLINK II payment management system to request payments. The system is administered by the Department of Health and Human Services (HHS).

It can take up to six weeks to process the paperwork and set-up an account once NPS receives the required initial Direct Deposit form and Contact Information Sheet.

*You must go into your account at least one a year to keep your password active. If your password expires, please contact Vivian Hughes (contact information below) for a new password.

All grants reimbursed through the SMARTLINK system are paid only with authorization from NPS. For the fastest service, fax the completed SF-270, *Request for Advance or Reimbursement*, to the Historic Preservation Grants Division, NPS, at 202-371-1794. (Please do not mail a hard copy of the SF-270 if you have faxed a copy to the office.)

If NPS approves your request, your financial contact person will be copied in an email to the SMARTLINK contact stating that the advance or reimbursement drawdown request has been approved. Your financial contact may then drawdown the funds through the SMARTLINK system. NPS will contact your organization directly if the payment is denied.

Advances - if you are authorized for an advance payment, you must expend the advanced funds within 30 days of receipt. A *Federal Financial Form* (FFR), must be submitted to NPS at the end of the 30 days to verify the amount of advanced funds that have been expended. Any unexpended advanced funds must be returned to NPS in the form of a check along with the FFR. No additional funds will be released until an acceptable FFR is received and all funds have been accounted for.

If you experience difficulties accessing your account or drawing down the approved payments, please contact the SMARTLINK representative,

Ms. Vivian Hughes
VHughes@psc.gov
301-443-9181 (Phone)

*A final percentage of the Federal funding will be held until all grant conditions have been met and an acceptable Final Project Report is received by NPS.

Preagreement Costs

In very special circumstances, the National Park Service (NPS) may agree to allow preagreement costs to be counted toward a grantees matching share. Any preagreement costs incurred as part of your grant project must be approved in writing by the National Park Service (NPS) and be authorized to be charged to this grant in accordance with OMB Circular A-122, *Cost Principles for Nonprofit Organizations*.

If NPS agrees to consider the preagreement costs for a Save America's Treasures grant project, the grantee must submit the following materials to NPS for review:

1. A letter requesting approval for preagreement costs including: an outline of the work that was completed prior to the awarding of the grant agreement; an explanation of how the completed work fits into the proposed work being funded under the current grant agreement; and the dates that the preagreement work was completed.
2. Copies of all receipts or invoices for completed work, and their accompanying payment checks documenting that the funds have been expended.
3. Copies of plans and specifications for all construction work completed as part of preagreement costs. Good quality photographs showing detailed images of the completed work must be included with the plans and specification.
4. A letter from your State Historic Preservation Officer stating that they have reviewed the work in compliance with Section 106 of the National Historic Preservation Act, and they the work has had, or will have, no adverse effect on the property. To obtain preagreement cost approval for work under a Save America's Treasure grant, the letter from the SHPO must state that the completed work had "no adverse affect" on the historic property.
5. Documentation that all contractors or consultants paid through Federal or matching grant funds were competitively selected along with a copy of the professional qualifications for the selected contractor(s).

NPS will review the above documentation and make a decision as to whether or not the preagreement costs are allowable. A letter will then be sent to the grantee with the final decision. If approved, documentation of the pre-award costs must be retained by the grantee for review during the grantee's final audit.

MATCHING SHARE REQUIREMENTS

The National Park Service (NPS) administers its Historic Preservation grant programs, including the Save America's Treasures grant program, in keeping with Federal-wide grant-making requirements and with the requirements of the National Historic Preservation Act. These Federal-wide requirements are contained in grants management circulars issued by the Office of Management and Budget (OMB). For grants to State, tribal and local governments, OMB Circular A-102 (codified by the Department of the Interior in 43 CFR 12.64), stipulates matching share requirements, and OMB Circular A-87 delineates allowable costs for Federal grants. For grants to non-profit institutions, OMB Circular A-110 contains matching share requirements (see 43 CFR 12.923) that are quite similar to Circular A-102, and OMB Circular A-122 contains the cost principles for determining allowable costs for grant to non-profits.

The basic rule is that matching share contributions (of cash or of necessary non-cash donations of services, equipment use, or supplies) must be necessary to achieve the objectives of the project, and must share the cost of performing the grant-assisted work. The entire intent of the matching requirement imposed by Section 102(a)(3) of the National Historic Preservation Act, and by the Appropriation Acts, is that the grant recipient bear part of the cost of performing the work to be achieved with the grant award. The Federal grant is meant to stimulate nonfederal donations—not to pay for all the work by itself.

All costs and matching share contributions must normally be incurred during the grant period, unless an exception is approved by the Federal grantor agency to allow what are termed "pre-award costs," or "pre-agreement costs." The OMB Circulars, and the NPS' implementation of these circulars, hinge upon the requirement that matching share must be: 1) directly related, 2) necessary, and 3) reasonable for the proper and efficient accomplishment of project objectives. If the time span between the donation of the proposed matching share and the initiation of the grant-supported work exceeds the standard of reasonableness, then such "pre-award costs" cannot be claimed to be either directly related or necessary to achieve the work that is to be performed prospectively with the grant funds being awarded. NPS customarily allows costs contributed or incurred up to one year preceding the award of the grant as being reasonable and allowable pre-award costs.

Another tenet governing the permissibility of non-federal share contributions is that they must be of such a nature that, if the Federal share had been used to pay for the contributed cost, the grantee would have incurred an allowable cost. Another way of stating this principle is that in-kind contributions are eligible only to the extent that they represent actual necessary costs to which Federal grant funds could be applied. This means, for example, that fundraising costs are listed in the OMB Circulars as an unallowable cost that cannot be charged to the grant—accordingly, fundraising costs are not allowable contributions for meeting the required nonfederal matching share either. A second example would be the costs of acquiring a property could not be claimed as non-federal matching share for a Save America's Treasures grant to repair the roof of that property - given that acquisition is not an eligible activity for Save America's Treasures grant, and given that the acquisition is not a necessary component of the repair work and does not reduce or share in the cost borne by the Federal grant to repair the historic property.

The following requirements for eligible nonfederal matching share contributions are drawn from the OMB Circulars on grants and from Chapter 14 of *The Historic Preservation Fund Grants Manual*:

- A. All contributions, including cash and third party in-kind (non-cash) donations, shall be accepted as part of the recipient's cost sharing or matching when the contributions meet all of the following criteria:
 1. Are verifiable from the recipient's records (e.g., timesheets to track how much time an employee spends on the Save America' Treasures grant-assisted project);

2. Are not included as contributions for any other Federally assisted project or program (i.e., the same item cannot be used to match two different Federally assisted projects or programs);
 3. Are necessary and reasonable for proper and efficient accomplishment of project or program objectives;
 4. Directly benefit and are specifically identifiable to the project receiving Federal assistance from the Save America's Treasures program;
 5. Are not paid by the Federal Government under another award (i.e., Federal funds or Federally supported costs cannot be used as matching share); and
 6. The basis for determining the valuation for donated personal services, materials, equipment, and space must be documented.
- B. Volunteer services furnished by professional and technical personnel, consultants, and other skilled and unskilled labor may be counted as cost sharing or matching if the service is an integral and necessary part of an approved project. Rates for volunteer services shall be consistent with those paid for similar work in the recipient's organization. In those instances in which the required skills are not found in the recipient organization, rates shall be consistent with those paid for similar work in the labor market in which the recipient competes for the type of services involved. In either case, paid fringe benefits that are reasonable, allowable, and allocable may be included in the valuation.
- C. When an employer other than the recipient furnishes the services of an employee, these services shall be valued at the employee's regular rate of pay (plus an amount of fringe benefits that are reasonable, allowable, and allocable but exclusive of overhead costs), provided these services are in the same skill for which the employee is normally paid.
- D. Volunteer services shall be documented and, to the extent feasible, supported by the same methods used by the recipient for its own employees' time and attendance records.
- E. Donated supplies may include such items as office supplies, laboratory supplies, or construction materials such as bricks and lumber, needed to perform the grant-assisted work. Value assessed to donated supplies included in the cost sharing or matching share shall be reasonable and shall not exceed the fair market value of the supplies at the time of the donation.
- F. The value of donated equipment shall not exceed the fair market value of equipment of the same age and condition at the time of donation.
- G. The value of donated space shall not exceed the fair rental value of comparable space as established by an independent appraisal of comparable space and facilities in a privately owned building in the same locality.
- H. The value of loaned equipment shall not exceed its fair rental value.

Procurement Standards

(Procurement Standards taken from Chapter 17, Historic Preservation Fund Grants Manual)

*Documentation of procurements does not have to be submitted to NPS, but must be retained in grantee's files for audit purposes.

A. Applicability.

This Chapter provides standards and guidelines applicable to procurement of supplies, equipment, construction work, and other services supported with HPF grant funds. These standards are designed to ensure that such materials and services are obtained efficiently and economically and in compliance with applicable Federal laws, and OMB Circular A-102, as codified in 43 CFR 12.76 (for States), and OMB Circular A-110, as codified in 43 CFR 12.940-948 (for the National Trust and non-profit institutions).

B. Grantee/Grantor Responsibility.

1. The grantee is responsible for the settlement of all contractual and administrative issues arising out of procurements entered into in support of a grant. These include, but are not limited to: source evaluation, protests, disputes, and claims. NPS will not substitute its judgment for that of the grantee unless the matter is primarily a Federal concern. Violations of law are to be referred to the local, State, or Federal authority having proper jurisdiction.
2. Grantees shall use their own procurement procedures which reflect applicable State and local laws and regulations, provided that procurements for HPF-assisted work conform to the standards set forth in this Chapter and applicable Federal laws. Accordingly, if State or local requirements are more stringent (e.g., State regulations require that all contracts over \$10,000 be bid), the grantee must comply with those more restrictive requirements.
3. Grantees should not execute contracts or sub-grant agreements until the grant agreement against which costs will be charged has been executed by NPS, unless written NPS authorization for such preagreement costs is obtained (see Chapter 13, Item C.8).
4. Grantees shall maintain a contract administration system ensuring that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

C. Code of Conduct. Grantees will maintain a written code or standards of conduct which shall govern the performance of their officers, employees, or agents engaged in the award and administration of contracts supported by HPF funds. No employee, officer, or agent of the grantee shall participate in the selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved.

Such a conflict would arise when any of the following has a financial or other interest in the firm selected for award: (1) the employee, officer, or agent; (2) any member of his immediate family; (3) his or her partner; or (4) an organization which employs, or is about to employ, any of the above.

The grantee's officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-grant agreements. Grantees may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

To the extent permitted by State or local law or regulations, such standards of conduct shall provide for penalties, sanctions, or other disciplinary actions for violations of such standards by

the grantee's officers, employees, or agents, or by contractors or their agents. Refer to Chapter 3, Section C. for detailed requirements involving conflict of interest.

D. Procurement Procedures.

The grantee shall establish procurement procedures which provide that proposed procurement actions shall be reviewed by grantee officials to avoid the purchase of unnecessary or duplicative items. Consideration should be given to consolidation or breakdown as appropriate, to obtain a more economical purchase. Where appropriate, an analysis shall be made of lease-versus-purchase alternatives and any other appropriate analysis to determine which approach is the most economical. Grantees and subgrantees are encouraged to enter into State and local intergovernmental agreements for procurement or use of common goods and services.

E. Contracting with Minority Business Enterprise and Woman Business Enterprise Firms.

1. It is the Federal Government's policy to award a fair share of contracts to Minority Business Enterprises (MBEs) and Woman Business Enterprises (WBEs). The instructions regarding the reporting of MBEs/WBEs under grants and cooperative agreements awarded by the Department of the Interior (DOI) bureaus and offices are based on Executive Orders 11625, 12138, and 12432. In accordance with 43 CFR 12.76 (or 43 CFR 12.944 for nonprofit organizations), affirmative steps must be taken to assure that MBEs/WBEs are utilized when possible as sources of supplies, equipment, construction, and services. The affirmative steps shall include the following:

- Including qualified MBEs/WBEs on solicitation lists;
- Assuring that MBEs/WBEs are solicited once they are identified;
- When economically feasible, dividing total requirements into smaller tasks or quantities so as to permit maximum MBE/WBE participation;
- Where feasible, establishing delivery schedules which will encourage MBE/WBE participation;
- Encouraging use of the services of the U.S. Department of Commerce's Minority Business Development Agency (MBDA) and the U. S. Small Business Administration to identify MBEs/WBEs, as required;
- If any subcontracts are to be let, requiring the prime contractor to take the affirmative steps listed above.

2. Minority Business Enterprise (MBE). An MBE is a business concern that is (1) at least 51 percent owned by one or more minority individuals, or, in the case of a publicly owned business, at least 51 percent of the stock is owned by one or more minority individuals; and (2) whose daily business operations are managed and directed by one or more of the minority owners. Executive Order 11652 designates the following: (1) Black American (with origins from Africa); (2) Hispanic American (with origins from Puerto Rico, Mexico, Cuba, South or Central America); (3) Native American (American Indian, Eskimo, Aleut, or native Hawaiian); (4) Asian-Pacific American (with origins from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia, Northern Marianas, Laos, Cambodia, Taiwan or the Indian subcontinent); or (5) Other groups whose members are U. S. citizens and are found to be disadvantaged by the Small Business Administration pursuant to section 8(d) of the Small Business Act as amended (15 U.S.C. 637(d)), or the Secretary of Commerce.

3. Women's Business Enterprise (WBE). A WBE is a business concern that is, (1) at least 51 percent owned by one or more women, or, in the case of a publicly owned business, at least 51 percent of the stock is owned by one or more women; and, (2) whose daily business operations are managed and directed by one or more of the women owners. Business firms which are 51 percent owned by minorities or women, but are in fact managed and operated by non-minority individuals do not qualify for meeting MBE/WBE procurement goals.

4. Grantees are encouraged to procure goods and services from labor surplus areas.

F. Types of Contracts.

The types of contracts which are allowable when Federal funds are involved include cost reimbursement contracts, firm fixed-price contracts, fixed-price incentive contracts, or cost-plus-a-fixed-fee contracts. Other types of special contracts may be acceptable, depending upon the individual circumstances. However, cost-plus-a-percentage-of-cost and percentage-of-construction-cost contracts may not be used under any circumstances, and costs incurred under these types of contracts are unallowable.

G. Selection Procedures.

1. All procurement transactions, regardless of whether by sealed bids or by negotiation, and without regard to dollar value, shall be conducted in a manner that provides maximum open and free competition consistent with this Chapter. Procurement procedures shall not restrict or eliminate competition. Examples of what is considered to be restrictive of competition include, but are not limited to: (1) placing unreasonable requirements on firms in order for them to qualify to do business, (2) noncompetitive practices between firms, (3) organizational conflicts of interest, and (4) unnecessary experience and bonding requirements.

2. The grantee shall have written selection procedures which stipulate that:

a. Solicitations of offers, whether by competitive sealed bids or competitive negotiation, shall:

1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured but which does not unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured, and, shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. (Detailed product specifications should be avoided.) When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equal" description may be used. The specific features of the named brand which must be met by offers shall be clearly stated.

2) Clearly set forth all requirements which offers must fulfill and all other factors to be used in evaluating bids or proposals, such as a deadline for completion of project work.

b. Contract awards shall be made only to responsible contractors that possess the potential ability to perform successfully under the terms and conditions of proposed procurement. Contractor integrity, compliance with public policy, record of past performance, and financial and technical resources should be considered. (Note: evidence of default, adverse record of past performance, or related factors are necessary to demonstrate lack of responsibility.)

c. Contract awards shall not be made to a former employee, contractor or professional who has developed or has drafted bid specifications, requirements, a statement of work, an invitation for bids, and/or a request for proposals for a particular procurement. Project records must include evidence of an analysis by the SHPO that the solicitation or specifications were nonrestrictive.

3. Consultants. States shall apply State government policies with respect to use and payment of consultant services, shall ensure that those policies apply equally to the use of consultants paid for by HPF grant funds and by other matching funds, and shall ensure that these will include, at a minimum, the standards described below. They do not apply to the use of consultants whose fees are treated as an indirect cost.
4. Written Agreements. Written agreements between the parties shall be executed which detail the responsibilities, standards, and fees. The grantee shall ensure that the agreement includes the following provisions pertaining to consultant conduct:
 - a. A consultant shall not use his/her position for the actual or apparent purpose of private gain other than payment for services rendered for himself/herself or another person, particularly one with whom he/she has family, business, or financial ties (see Chapter 3, Section C.).
 - b. A consultant shall not convey inside information that has not become part of the body of public information and that would not be available upon request, directly to any person for the purpose of private gain for himself/herself or another person, particularly one with whom he/she has family, business, or financial ties.
 - c. A consultant shall not, either for or without compensation, engage in teaching, lecturing, or writing that is dependent on information obtained as a result of his/her employment with the grantee, except when that information has been made available to the general public or will be made available upon request, or when the SHPO gives written authorization for the use of non-public information on the basis that the use is in the public interest.

H. Methods of Procurement.

Procurement under HPF grants shall be made by one of the following methods: 1) small purchase procedures; 2) competitive sealed bids (formal advertising); 3) competitive negotiation; 4) noncompetitive negotiation. (See Section J, below, concerning required documentation and Chapter 24, for information relating to retention of procurement records.)

1. Small purchase procedures. Small purchase procedures are simple, informal methods (i.e., imprest funds, purchase orders, blanket purchase agreements) used for a procurement of services, supplies or other property, costing in the aggregate not more than \$100,000. Grantees shall comply with State or local small purchase dollar limits if they are lower than the Federal Threshold of \$100,000. If small purchase procedures are used for a procurement under a grant, price or rate quotations shall be obtained from an adequate number of qualified sources to assure competition.
2. Competitive sealed bids. In competitive sealed bids (formal advertising), sealed bids are publicly solicited, and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is lowest in price, and is most advantageous to the grantee, considering price, discounts, transportation costs, taxes, and the contractor's ability to fulfill the contract.
 - a. In order for formal advertising to be feasible, the following conditions must be present:
 - 1) A complete, adequate and realistic specification or purchase description is available, which avoids unnecessarily restrictive specifications or requirements which might unduly limit the number of bidders.
 - 2) Two or more responsible suppliers are willing and able to compete effectively for the grantee's business.

- 3) The procurement lends itself to a firm-fixed-price contract, and selection of the successful bidder can appropriately be made principally on the basis of price.
- b. If formal advertising is used for a grant procurement, the following requirements apply:
- 1) A sufficient time prior to the date set for opening of bids, bids shall be solicited from an adequate number of known suppliers. (The period allowed for bids to be submitted should generally be at least 20 to 30 calendar days.) In addition, the invitation shall be publicly advertised.
 - 2) The invitation for bids, including specifications and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the invitation.
 - 3) All bids shall be opened publicly at the time and place stated in the invitation for bids.
 - 4) A firm-fixed-price contract award shall be made by written notice to that responsible bidder whose bid, conforming to the invitation for bids, is lowest. Where specified in the bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine low bid when prior experience of the grantee indicates that such discounts are generally taken.
 - 5) Any or all bids may be rejected when there are sound documented business reasons in the best interest of the program. If all bids are rejected as too costly, and the scope of work is then substantially altered, the work must be re-advertised.
- c. Guide to Formal Advertising. Formal advertising, with adequate purchase descriptions, sealed bids, and public openings will be the required method of procurement unless negotiation is necessary to accomplish sound procurement. Procurements of \$100,000 or less need not be formally advertised unless otherwise required by State or local law or regulation.

Formal advertising includes placing the "Invitation to Bid" in a major newspaper that covers the area affected by the project. Notices should be published at least three times (which can be either three successive times in one publication, or published one time simultaneously in three different publications). Use of pre-selected bid lists, posting in public places, and publication in trade journals and magazines are legitimate steps to ensure free and open competition and reflect prudent administration of Federal funds if used in conjunction with newspaper and other mass media announcements. Minimum documentation of formal advertising for audit purposes consists of a copy of the actual advertisement run in appropriate newspapers with an invoice showing the dates published.

The formal advertisement must state that Federal funds are involved and that compliance with all applicable Federal, State, and local laws, rules, and regulations is required. After all bids are received, they should be tabulated and summarized in a manner that will facilitate comparison of the relative advantages and disadvantages of each bid. In awarding contracts which include additive and deductive bid items, the award procedures should include a disclosure of the selection priority for these items. This tabulation and/or summary should be signed and dated to provide documentation as to the basis for awarding the bid.

It is not always necessary to award the contract to the lowest bidder simply because it is the lowest. There may be important considerations that obviate such action, such as State or local laws and regulations which make provisions for implementation of

socioeconomic programs giving priority to the disabled, small business, or minority-owned contractors. However, the justification for doing so should be documented in writing. NPS should be consulted when there is: (1) failure to receive a sufficient number of bids; (2) great disparity in bid quotations; or (3) intent to award a contract to other than the low bidder.

If no bid or no acceptable bids are received, a contract can be negotiated for the same scope of work if each bidder is given notice of this intent and a reasonable opportunity to negotiate. In such circumstances, notices concerning negotiations should be sent to all bidders, if any, by certified mail with "signed receipt requested" to provide documentation of compliance. Any material change in the invitation to bid, including changes in specifications, would necessitate re-advertising.

In accordance with OMB Circular A-110, nonprofit grantees may select the most appropriate procurement procedure without prior concurrence by NPS, unless a sole source procurement in excess of \$100,000 is involved. However, nonprofit grantees must maintain procurement records for all purchases in excess of \$100,000 which shall include the following: (1) basis for contractor selection; (2) justification for lack of competition when competitive bids or offers are not obtained; and (3) basis for award cost or price.

3. Competitive negotiation. In competitive negotiation, proposals are requested from a number of sources and the Request for Proposal is distributed to several prospective bidders, negotiations are normally conducted with more than one of the sources submitting offers, and either a fixed-price or cost-reimbursable type contract is awarded, as appropriate. Competitive negotiation may only be used if conditions are not appropriate for the use of formal advertising. If competitive negotiation is used for a procurement under a grant, the following requirements shall apply:
 - a. Proposals shall be solicited from an adequate number of qualified sources to permit reasonable competition consistent with the nature and requirements of the procurement. The Request for Proposals shall be publicized (distributed to several prospective bidders; it does not require publication) and reasonable requests by other sources to compete shall be honored to the maximum extent practicable.
 - b. The Request for Proposals shall identify all significant evaluation factors, including price or cost where required and their relative importance.
 - c. The grantee shall provide mechanisms for technical evaluation of the proposals received, determinations of responsible offerors for the purpose of written or oral discussions, and selection for contract award.
 - d. Award may be made to the responsible offeror whose proposal will be most advantageous to the procuring party, price and other factors considered. Unsuccessful offerors should be notified promptly.
 - e. Grantees must use competitive negotiation procedures for procurement of architectural/engineering professional services, whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. Resumes, references, and past work experience will be evaluated to assess professional qualifications for procurement of professional services.
4. Noncompetitive negotiation. Noncompetitive negotiation is procurement through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate. Noncompetitive negotiation may be used when the award of a contract is infeasible under small purchase, competitive bidding (formal advertising), or

competitive negotiation procedures. Circumstances under which a contract may be awarded by noncompetitive negotiation are limited to the following:

- a. The item is available only from a single source (which is often best documented after no responses are received from a preliminary formal advertising);
- b. Public exigency or emergency when the urgency for the requirement will not permit a delay incident to competitive solicitation;
- c. NPS authorizes in writing noncompetitive negotiation because of compelling special circumstances; or
- d. After solicitation of a number of sources, competition is determined inadequate.

I. Cost or Price Analysis.

Grantees shall perform some form of cost or price analysis in connection with every procurement action, including contract modifications. Costs or prices based on estimated costs for contracts under grants shall be allowed only to the extent that costs incurred or cost estimates included in negotiated prices are consistent with Federal cost principles. In particular, a change order must not be used to increase the cost of a contract which was deliberately underbid to get the award. Change orders to adjust the cost of the contract without an increase in scope may be adjusted for materials and labor costs only. The fixed fee profit amount must remain the same.

J. Grantee Procurement Records.

Grantees shall maintain records sufficient to detail the history of a procurement. These records shall include, but are not necessarily limited to the following information: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the cost or price.

K. Contract Provisions.

In addition to provisions defining a sound and complete procurement contract, any recipient of Federal grant funds shall include the following contract provisions or conditions in all grant-related contracts and subcontracts:

1. Contracts other than small purchases shall contain provisions or conditions which will allow for administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanction and penalties as may be appropriate.
2. All contracts in excess of \$100,000 shall contain suitable provisions for termination by the grantee, including the manner by which it will be effected and the basis for settlement.
3. All construction contracts in excess of \$100,000 awarded by grantees and their contractors or subgrantees shall contain a provision requiring compliance with Executive Order 11246, entitled "Equal Employment Opportunity", as amended by Executive Order 11375, and as supplemented in Department of Labor regulations (41 CFR Part 60). (See Chapter 18.)
4. All contracts and subgrants for construction or repair shall include a provision for compliance with the Copeland "Anti-Kickback" Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR Part 3). This Act provides that each contractor or subgrantee shall be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he is otherwise entitled. The grantee shall report all suspected or reported violations to NPS.
5. The National Historic Preservation Act is silent about and therefore does not require compliance with the Davis-Bacon Act (40 U.S.C. 276a to a-7). Therefore State law and

administrative procedures govern whether all construction contracts in excess of \$2,000 awarded by grantees and subgrantees shall include a provision for compliance with the Davis-Bacon Act.

However, HPF grantees should be aware that the provisions of the Davis-Bacon Act are applicable when: Community Development Block Grant (CDBG) monies are used as the nonfederal share of an HPF grant; or supplemental funding is provided through a Federal program to which the Davis-Bacon Act applies (see Chapter 14, Section L, Use of Federal Funds).

6. The National Historic Preservation Act is silent about and therefore does not require compliance with the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330). Therefore State law and administrative procedures govern whether all contracts awarded by grantees and subgrantees in excess of \$2,000 for construction contracts, and in excess of \$2,500 for other contracts which involve the employment of mechanics or laborers shall include a provision for compliance with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act regarding overtime pay and safe working conditions.
 7. The contract shall include notice of NPS requirements and regulations pertaining to reporting and patent rights under any contract involving research, developmental, experimental, or demonstration work with respect to any discovery or invention which arises or is developed in the course of or under such contract, and of NPS requirements and regulations pertaining to copyrights and rights in data (see Chapter 19).
 8. All negotiated contracts awarded by grantees (except those awarded by small purchase procedures) shall include a provision to the effect that the grantee, the Department of the Interior, the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the contractor which are directly pertinent to that specific contract, for the purpose of making audit, examination, excerpts, and transcription. Grantees shall require contractors to maintain all required records for 3 years after grantees make final payments and all other pending matters are closed.
 9. Contracts, subcontracts, and subgrants of amounts in excess of \$100,000 shall contain a provision which requires compliance with all applicable standards, orders, or requirements issued under Section 306 of the Clean Air Act (42 U.S.C. 1857(h)), Section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR Part 15), which prohibit the use under non-exempt Federal contracts, grants, or loans of facilities included on the EPA List of Violating Facilities. The provision shall require reporting of violations to the grantor agency (NPS) and to the EPA Assistant Administrator for Enforcement.
 10. Contracts shall recognize mandatory standards and policies relating to energy efficiency which are contained in the State energy conservation plan issued in compliance with the Energy Policy and Conservation Act (P.L. 94-165). NPS may require changes, remedies, changed conditions, access and record retention, and suspension of work clauses approved by the Office of Federal Procurement Policy.
- L. Bonding and Insurance. Grantees are to follow their own requirements relating to bid guarantees, performance bonds, and payment bonds unless the construction contract or subcontract exceeds \$100,000. For those over \$100,000 NPS may accept the grantee's procedures if NPS determines that the Federal Government's interests are adequately protected (see 43 CFR 12.76 or 43 CFR 12.948(c)).
1. Definitions.

- a. Bid guarantee. A bid guarantee is a firm commitment, such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.
- b. Performance bond. A performance bond is a bond executed in connection with a contract to secure fulfillment of all the contractor's obligations under the contract.
- c. Payment bond. A payment bond is executed in connection with a contract to assure payment, as required by law, of all persons supplying labor and material in the execution of the work provided for in the contract.

2. Contracts for Construction.

- a. Bids and contracts of \$100,000 or less. Except as otherwise required by law, the grantee shall follow its own regular requirements and practices relating to bid guarantees, performance bonds, and payment bonds.
- b. Bids and contracts exceeding \$100,000. The recipient may follow its own regular policy and requirements if NPS has determined that the Federal Government's interest will be adequately protected. If this determination has not been made, the minimum requirements shall be as follows:
 - 1) A bid guarantee from each bidder equivalent to 5 percent of the bid price;
 - 2) A performance bond on the part of the contractor for 100 percent of the contract price; and
 - 3) A payment bond on the part of the contractor for 100 percent of the contract price.

3. Sources of Bonds. Where bonds are required in the situations described above, the bonds shall be obtained from companies holding certificates of authority as acceptable sureties (31 CFR 223). A list of these companies is published annually by the Department of the Treasury in its Circular 570 (the current list can be accessed at <http://www.fms.treas.gov/c570/c570.html>). The Department of the Treasury Circular 570 may also be obtained from the Government Printing Office, 732 North Capitol St. NW • Washington, DC 20401 (202) 512-1800.

M. Record keeping and Access to Contractor Records.

43 CFR 12.76 and 43 CFR 12.948 both require grantees (and subgrantees) to include in specified kinds of contracts a provision for access to the contractors' records by the grantee and by the Federal Government. The following applies to the provision:

1. The provision must require the contractor to place the same provision in any subcontract which would have to have the provision were it awarded directly to the subgrantee.
2. The provision must require retention of records for 3 years after final payment is made under the contract or subcontract and all pending matters are closed. The provision must also require that, if an audit, litigation, or other action involving the records is started before the end of the 3-year period, the records must be retained until all issues arising out of the action are resolved or until the end of the 3-year period, whichever is later.
3. In contracts and subcontracts under a subgrant, the provision must require that access to the records be provided to the grantee as well as the subgrantee and the Federal Government.

**VALUE OF DONATED LABOR
TIME SHEET
HISTORIC PRESERVATION FUND
RETAIN FOR AUDIT**

PROJECT NAME AND NUMBER

NAME OF PERSON CONTRIBUTING DONATED TIME
(LABORER, PLUMBER, MASON, ETC.)

KIND OF WORK PERFORMED

Hourly Rate -- Based On:

A person donating time to a project will be paid at the Federal minimum wage unless he/she is professionally skilled in the work they are performing on the project (i.e., plumber doing work on pipes, mason doing work on a brick building). When this is the case, the wage rate this individual is normally paid for performing this service may be charged to the project.

DATE	TIME OF WORK				TOTAL WORK HOURS	HOURLY RATE	VALUE (DONATED HOURS X RATE)
	START	END	START	END			
TOTAL VALUE OF DONATION							

SIGNATURE REQUIRED VERIFYING RECORD:

SIGNATURE OF PERSON DONATING TIME

DATE

SUPERVISOR VERIFYING ACCURACY

DATE

**VALUE OF DONATED EQUIPMENT USE
HISTORIC PRESERVATION FUND
RETAIN FOR AUDIT**

PROJECT NAME AND NUMBER

DONOR

Value of Donated Equipment Use					
DATE	TYPE & SIZE OF EQUIPMENT	TOTAL HOURS OF USE	HOURLY RATE	VALUE OF DONATION (HOURS OF USE X HOURLY RATE)	EQUIPMENT OPERATOR'S SIGNATURE
TOTAL VALUE OF DONATION					

VERIFYING OFFICIAL'S SIGNATURE

DATE

**VALUE OF DONATED MATERIAL
HISTORIC PRESERVATION FUND
RETAIN FOR AUDIT**

PROJECT NAME AND NUMBER

DONOR

Value of Donated Material			
DESCRIPTION OF MATERIAL DONATED	DATE OF DONATION	CURRENT FAIR MARKET VALUE	BASIS OF VALUE
TOTAL VALUE OF DONATION			

VERIFYING OFFICIAL'S SIGNATURE

DATE

Competitive Negotiation and Small Purchases Contracting Documentation

This format should be used for contracts for professional services and other procurement to document compliance with Federal procurement standards.

1) Grant Number: _____

- 2) Contract Type: Professional Services
 Printing
 Equipment/Supplies
 Other

3) Addresses of Contractors Contacted

Name of Firm: _____ Contact Name: _____
Street Address: _____
City: _____ State: _____ Zip Code _____
Work Telephone: _____ Work E-mail: _____

B Name of Firm: _____ Contact Name: _____
Street Address: _____
City: _____ State: _____ Zip Code _____
Work Telephone: _____ Work E-mail: _____

C Name of Firm: _____ Contact Name: _____
Street Address: _____
City: _____ State: _____ Zip Code _____
Work Telephone: _____ Work E-mail: _____

D Name of Firm: _____ Contact Name: _____
Street Address: _____
City: _____ State: _____ Zip Code _____
Work Telephone: _____ Work E-mail: _____

E Name of Firm: _____ Contact Name: _____
Street Address: _____
City: _____ State: _____ Zip Code _____
Work Telephone: _____ Work E-mail: _____

F Name of Firm: _____ Contact Name: _____
Street Address: _____
City: _____ State: _____ Zip Code _____
Work Telephone: _____ Work E-mail: _____

G Name of Firm: _____ Contact Name: _____
Street Address: _____
City: _____ State: _____ Zip Code _____
Work Telephone: _____ Work E-mail: _____

4) Comparative Summary of Responses Received (must be AT LEAST 3 firms)

Use letter identifier from previous page.

Letter ID or Firm Name	Date quote obtained	Price Quote	Obtained how?
A.			
B.			
C.			
D.			
E.			
F.			
G.			

5) Basis for Selection: Lowest Price Other

For the purposes of an SAT Grant, Selection criteria DOES NOT have to be lowest price, however, the explanation for the basis used must be described:

Signature of Grantee Official

Title

Date

Subgrant/Contract Payment Approval Checklist

Grant #: _____

Date received: _____

Date Payment Due: _____

Program Manager: _____

Date Received: _____

Comments:

___ Draft/Final product is eligible and complies with the *Secretary of the Interior's Standards*.

___ Products are acceptable and in compliance with the Project Agreement.

___ Costs charged are allowable, necessary and reasonable for the products received.

Grants Manager: _____

Date: _____

Received: _____

Comments: _____

___ Required documentation (invoices, cancelled checks, timesheets) have been received and reviewed.

___ Adding machine total confirms the amount requested (attached).

___ Costs claimed are for work conducted during the subgrant period.

___ Costs claimed are in accordance with the approved subgrant budget.

___ Costs claimed are allowable, necessary and reasonable.

___ Mileage rates/per diem does not exceed allowable rate.

___ Consultant rate claimed does not exceed allowable rate.

___ Professional qualifications for consultant are on file.

___ Procurement documentation is on file.

___ Non-cash matching share contributions are identified and value documented.

Audit Requirements

The grantee shall obtain an audit of grant expenditure records in accordance with OMB Circular A-133, which requires a Single Agency Audit for any grantee who expends at least \$500,000 of Federal grant funds (from all sources) in a fiscal year. Financial audits that include costs incurred for this grant (including nonfederal matching share) must be transmitted to the Federal Audit Clearinghouse, Data Preparation Division, U.S. Bureau of the Census, 1201 E. 10th Street, Jeffersonville, Indiana 47132. A reasonable proportion of the costs of an acceptable audit performed in accordance with OMB Circular A-133 may be charged to this grant. The Clearinghouse information can be completed on line. The web address for the Federal Audit Clearinghouse is: <http://harvester.census.gov/sac/>.

Simultaneously, the grantee must submit the audit reporting package and a signed copy of the Data Collection Form for Reporting on Audits of States, Local Governments, and Non-Profit Organizations, SF-SAC, to the National Park Service.

*Questions regarding audits should be directed to Tawana Jackson, Historic Preservation Grants Division, National Park Service, at 202-354-2065 or Tawana_Jackson@nps.gov.