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ARRA

Grant Implementation

North Carolina Energy Office energync.net

ENERGY

North Carolina Energy Office

1830-A Tillery Place

Raleigh, NC 27604

919-733-2230

www.energync.net

Presentation Overview

1. Project Process / Flow
2. Monitoring
3. ARRA Requirements and Provisions
4. Reporting

Presentation Overview

Slides are Color Coded

Dark Blue Everyone

Red Public Sectors Required
Private Sector Preferred

Project Process / Flow

1. Submit all required documents and information:

- DUNS number.
- Signed Debarment form.
- Electronic Payment form.
- Signed Contract.

PROCESS SHALL NOT START UNTIL
FORMS ARE SUBMITTED

Project Process / Flow

- 2. Verify scope & funds approved by SEO.**
- 3. Establish baseline energy consumption.**
 - Energy efficiency and conservation measures must have baseline.
 - SEO has providers that can perform this service at no cost to recipient.
- 4. Renewable energy projects will not require a baseline, but will require energy production metering.**

Project Process / Flow

5. **SEO will make site visit.**
6. **Public Sector Recipients prepare procurement document for project labor and material.**
 - **Must comply with all ARRA, DOE and OERI requirements.**
 - **Refer to utility company specs to qualify for incentives.**
 - **Responders must certify all their tax obligations are met.**

Project Process / Flow

- 7. SEO will provide specific ARRA terms and conditions for inclusion in amendment.**
- 8. Amend project budget and scope.**
 - **Base revision on selected vendor's firm or revised bids.**
 - **Create project milestones.**
 - **Grant cannot exceed amount awarded.**
 - **Project scope may expand to use full award amount with SEO approval.**

Project Process / Flow

9. Apply for utility company incentives as appropriate.
10. Contract and/or amendment has gone through proper local approval process.

Project Process / Flow

11. Submit a signed original amended project budget and scope with ARRA specific terms and conditions to SEO by mail.

- **Submit to:**

SEO Grants

1830-A Tillery Place

Raleigh, NC 27604

Project Process / Flow

- 12. SEO reviews, executes and returns amended contract.**
- 13. All applicable contract terms and conditions shall FLOW DOWN to the recipient's vendors and sub-vendors.**
- 14. Recipient awards contract to their Vendor(s) with FLOW DOWN requirements.**

Project Process / Flow

15. Keep all documents related to project in one file which include but are not limited to:

- **Monthly narrative reports.**
- **Monthly financial reports.**
- **Davis Bacon certified weekly payroll.**
- **Procurement documents including ad. (if applicable)**
- **Paid invoices.**

Project Process / Flow

- 16. SEO staff will conduct technical site visits to track project implementation.**
- 17. Monitors from SEO will conduct site visits to assure documentation is properly assembled and filed.**
- 18. Project closeout and measurement.**

Technical Staff Site Visits

1. No product substitutions.
 - Buy American certifications. (if applicable)
2. Project on schedule.
3. Work performed in accordance with scope.
 - All scope/product changes shall require an official amendment to contract.
4. All appropriate permits posted.

Monitor Program Site Visits

1. All files centrally located.
2. Recipient communications with SEO.
 - Recipient's RFP response to SEO.
 - Award letter.
 - All project amendments.
 - All monthly narratives and financial documents.
 - Relevant emails and other correspondence.
 - All Technical Assistance documents.
 - Site visit reports.

Monitor Program Site Visits

3. Procurement documentation on file.
 - **Advertisement and receipt.**
 - Procurement document.
 - Responses.
 - Evaluation documents.
4. Fixed asset for purchased equipment.
5. Hazardous waste disposal certification.
 - All site waste disposed of or recycled in accordance with plan.

Monitor Program Site Visits

6. Accounting tracking

- ARRA funds shall be tracked in separate account/fund.
- Paid invoices.
- Leveraged / matching funds.
- All tax obligations met.

Monitor Program Site Visits

7. Labor reporting

- Vendor acknowledgement Form 1413.
- Davis Bacon certified weekly payroll documents (WH-347).
- Davis Bacon poster (WH-1321)/wage determinations in prominent location.
- Conduct employee interviews (WH-1321).
- Time sheets for employees not covered under Davis Bacon.

AUDITS

1. Federal

- **Department of Energy (DOE).**
- **Office of Inspector General (OIG).**
- **General Accounting Office (GAO).**
- **Office of Management and Budget (OMB).**
- **Department of Labor (DOL).**

AUDITS

2. State

- **Office of State Budget and Management (OSBM) .**
- **Office of State Auditor.**
- **Office of Economic Recovery and Investment (OERI).**

Project Closeout

1. Technical closeout site visit

- Final construction walk through.
- All work inspected and approved by local code officials as required by permits.
- Arrange for verification or renewable energy production measurements.
- SEO will provide project completion / acceptance certificate.

Project Closeout

1. Monitor site visit

- Hazardous waste disposal certification.
- Owners document certifying project acceptance.
- Final report.
- Release final 5% payment.

ARRA Procurement Requirements

1. All labor and material shall be competitively bid.
 - Public sector must get firm bids after notice of award.
 - See OERI management directive 3, 3A 3B.
 - Recipient must contact SEO to receive an OERI waiver of competition or to use an existing contract.
2. Reference “American Recovery & Reinvestment Act” as source of funds.

ARRA Procurement Requirements

- 3. Post Procurement Document on IPS.**
- 4. Advertise in local HUB newspaper.**
- 5. Fixed price contracts through the use of competitive procedures is preferred.**
- 6. Contractor's response shall contain their DUNS number.**
- 7. All flow down requirements must be included.**

ARRA Procurement Requirements

8. Recipients and vendors must adhere to the following provisions if applicable:

- State Historic Preservation Office review.
- National Environmental Policy Act review.
- Davis Bacon.
- **Buy American.**
- Post vacancies with Employment Security Commission.
- Waste management plan.
- Whistle blower provisions.

Sample Procurement Advertisement

Sample Newspaper Ad (not a legal ad)

The _____ intends to purchase _____ or
[Jurisdiction] [item(s)]

procure the services of _____ utilizing American Recovery &
Reinvestment Act (stimulus) funds.

Information on this opportunity will be available at:

[location, phone #, department, website address]

until _____.
[date and time]

The ad must be placed in the print media of general circulation in the jurisdiction. If a HUB publication is available in the immediate area it should be placed in that media also.

Procurement Document Attachments

- 1. Federal and State Debarment.**
 - **Must be signed.**
- 2. NEPA ES1 or EF1 as applicable.**
- 3. Davis Bacon wage determination.**

Requirements and Provisions

- 1. Unless categorically excluded all projects are subject to DOE NEPA and SHPO review.**
 - If project is not categorically excluded review must occur prior to project commencement.**
- 2. Reimbursement arrangement.**
- 3. Recovery funds shall not be used for travel outside project area or county.**
- 4. Whistleblower Provision.**

Reporting

- 1. First monthly narrative and financial report due the 5th of the month following award notification.**
- 2. Absolute due date 5th of each month.**
- 3. Must submit narrative and financial reports even if no activity.**
- 4. Include proof of “paid” invoices.**

Reporting

5. **Include hard copy original weekly certified payroll records for Davis Bacon employees.**
6. **Update schedule in narrative report if changed.**
7. **All private sector recipients must report activities and spending at:**
<https://www.ncgrants.gov/NCGrants/Home.jsp>
8. **SEO desk top review.**

Reporting

Monthly Narrative & Financial Documents

Links to References

NC Recovery / OERI home page:

<http://www.ncrecovery.gov>

NC State Energy Office home page:

www.energync.net

Wage Determinations OnLine

<http://www.wdol.gov/>

Links to References

DUNS Number

http://www.grants.gov/applicants/request_duns_number.jsp

Central Contractor Registration (CCR)

<https://www.bpn.gov/ccr/>

NC Grants

<https://www.ncgrants.gov/NCGrants/Home.jsp>

Davis Bacon

http://www1.eere.energy.gov/wip/davis-bacon_act.html

Additional links

Buy American webpage for EERE

http://www1.eere.energy.gov/recovery/buy_american_provision.html

EECBG 10-004 Davis Bacon Act

http://www.eecbg.energy.gov/Downloads/EECBG_Program_Guidance_DBA_121709.pdf

EECBG 10-005 Guidance on Davis Bacon Act for Individual Homeowners

http://www.eecbg.energy.gov/Downloads/Guidance_for_Rebates_Notice.pdf

Davis Bacon Act FAQs

<http://www.eecbg.energy.gov/davisbacon.html>

Additional links

Buy American FAQs

<http://www.management.energy.gov/documents/ARRAGuideAttachment10v1.pdf>

All Agency Memorandum RE ARRA

<http://www.wdol.gov/aam/aam208.pdf>

Guidance on the Buy American provision as applied to Energy Efficiency and Renewable Energy Projects funded by the American Recovery and Reinvestment Act of 2009

http://www.eecbg.energy.gov/Downloads/EERE_Program_Guidance_Buy_American_121709.pdf

EECBG Guidance for Rebates

http://www.eecbg.energy.gov/Downloads/Guidance_for_Rebates_Notice.pdf

Historic Preservation links

EECBG NOTICE 10-006

http://www.eecbg.energy.gov/Downloads/Historic_Preservation_Program_Guidance_WAP_10-012_SEP_10-006_EECBG_10-006_021110.pdf

Historic Preservation

http://www.eecbg.energy.gov/about/historic_preservation.html

NEPA links

EECBG 10-003 National Environmental Policy Act NEPA / Wastestreams

http://www.eecbg.energy.gov/Downloads/EECBG_10-003_NEPA_Program_Guidance_Notice_121709.pdf

NEPA Guidance

http://apps1.eere.energy.gov/state_energy_program/doe_guidelines_nepa.cfm

NEPA FAQs

<http://www.eecbg.energy.gov/nepa.html>

The Bottom Line

Failure of recipient to comply with all ARRA statutes, as well as DOE requirements and OERI directives concerning procurement, record keeping, reporting and implementation may subject the recipient to cessation of the project, loss of funds and mandatory repayment to DOE of funds already disbursed!