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Programs and Award Type

Watershed Operations and Watershed Rehabilitation (PL-566)

Infrastructure Investment and Jobs Act (IIJA)
CFDA 10.904 Watershed Protection and Flood Prevention
CFDA 10.916 Watershed Rehabilitation Program

Award type — Cooperative Agreement
Application Documents

Must be submitted to the NRCS Program Manager:
• SF424 (Application)
• SF424A (Budget) planning and/or design phase(s) only or SF424C (Budget Construction) construction only, or a combination of planning, design, and construction
• SF424D (Assurances) for construction only
• Certification Regarding Lobbying
• SF-LLL (lobbying disclosure), only if the recipient lobbies
• Budget Narrative

Must have an active SAM registration to receive an award. Forms are available from Sponsor Resources page. Review SF424 and SF424A instructions on Sponsor Resources page. SF-LLL is not required if the recipient does not lobby. Recipients don’t need to send it in saying that they don’t lobby.
Application Documents

Detailed budget narrative should identify whether expenses will be:

- In-house performance and/or
- Contractual (we anticipate most construction will be contracted)

Breakdown of Federal and non-Federal cost share must be included on:

- SF424
- SF424A/C
- Budget Narrative

All certification signatures must be either:

- Handwritten or have a certified digital (password required).
- Script-font is not acceptable

- Budget narrative should not contain any tables, charts, etc.
- Funding amounts should be consistent across all documents.
System for Award Management (SAM) and Unique Entity Identifier (UEI)
System for Award Management (SAM) and Unique Entity Identifier (UEI)

The System for Award Management (SAM) is an official U.S. Government website application that collects, validates, stores, and disseminates non-Federal entity information so that non-Federal entities can register to conduct business with the Federal Government and participate in competitions for contracts, grants, and electronic payment processes.

Each entity receives a Unique Entity Identifier (UEI) that must be used to apply for all Federal awards.
There is no cost to obtain a UEI or a SAM registration
System for Award Management (SAM) and Unique Entity Identifier (UEI)

Unique Entity Identifier (UEI) replaces the DUNS and is a 12-character alphanumeric value.

- You must have an active SAM registration before you sign your agreement with NRCS and maintain an active SAM registration with current information at all times during your agreement.

- If you have an active SAM registration, the system has automatically assigned your organization an UEI.

- To find your UEI, log into SAM.gov and visit your entity information in your Workspace, or use the entity information page to search for your entity.
System for Award Management (SAM) and Unique Entity Identifier (UEI)

- If you don’t have an UEI, choose “Get Started” on the SAM.gov home page.
- Expect major delays, registration is currently taking longer than normal.
- The Federal Service Desk is available for registration assistance and can be contacted via the Help tab on the SAM website.
- NRCS staff cannot support applicants regarding SAM/UEI issues.

https://www.SAM.gov
Executive Order 12372
Intergovernmental review of Federal programs. NRCS watershed programs are subject to EO 12372. The State may/may not elect to review projects under this program.

The Office of Management and Budget (OMB) maintains a list of States (and their entities/points of contact) that have chosen to review and coordinate proposed Federal financial assistance and direct Federal development; check the OMB website to determine if the Sponsor needs to submit it for review.
The most current version dated April 20, 2020).
Executive Order (EO) 12372

1. Check the Single Point of Contact (SPOC) list for your state.

2. If your state is not listed, no further action is needed regarding EO12372.
   • Pick option b. in block 19 of the SF424.

3. If your state is listed, consult your state's contact to see if you need to submit your application to them.
   • If yes, pick option a. In block 19 of the SF424 and insert the date you submitted it.
   • If no, no further action is needed regarding EO12372. Pick option b. in block 19 of the SF424.

Box 19, Executive Order 12372: Intergovernmental review of Federal programs. The Watershed Rehabilitation Program is subject to EO 12372. The State may/may not elect to review projects under this program.
Procurement, Federal Acts, & Agreement Clauses
Recipient Contracts

Contract(s) for services and construction must be in accordance with the Federal regulation 2 CFR § 200.317 through 200.327, applicable state requirements, and the Recipient's procurement regulations, as appropriate. In accordance with 2 CFR § 200.327, contracts must contain the applicable provisions described in Appendix II to Part 200. Refer to the eCFR: https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200?toc=1

Davis-Bacon Act does not apply under this Federal program legislation.
Buy America Act and Clause

Unique contract requirements apply under these IIJA funding awards, one of which is the Buy America Act.

This agreement contains funds from the Infrastructure Investment and Jobs Act (IIJA). The Act applies "Buy America" preference to Federal financial assistance awards for infrastructure, even if it is funded by both Federal and non-Federal funds under the award. Subawards must conform to the terms and conditions of the Federal award from which they flow. A Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to a infrastructure project.

The Buy America clause must be included in contracts for design and construction. NOTE: Include notice in the solicitation and point it out at any pre-bid conference. Responsive bids must include any requests for waivers to the Buy America requirements.
Buy America Act and Clause

Recipients of an award of Federal financial assistance from a program for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

(1) all iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
Recipients of an award of Federal financial assistance from a program for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

(2) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
Buy America Act and Clause

Recipients of an award of Federal financial assistance from a program for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

(3) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. (Excludes cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives.)
Buy America Act and Clause

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project.

As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project.

Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.
Buy America Act and Clause

There will be a waiver process for the Buy America requirements.

OMB is still working out the waiver process but some of the reasons that may be considered:

1. Impracticable or inconsistent with public interest
2. Nonavailability
3. Unreasonable cost

The final waiver process will require coordination between the Sponsor and NRCS.

Waiver request must be posted for public comment – more details to come.
Land Rights and Permits Clause

Secure all necessary land rights and permits for completion of the work of improvement prior to moving into construction.

The Sponsor must secure at its own expense all Federal, State, and local permits and licenses necessary for completion of the work described in budget narrative as well as any necessary natural resource rights and provide copies of all permits and licenses obtained to NRCS.
Anticipated Award Timeline – Round 1

May 2022
• NRCS prepares final guidance and templates
• Sponsors request UEI and register in SAM.gov

June 2022
• Sponsors prepare and submit application documents to NRCS

July 2022
• NRCS submits all agreement request packages to USDA FPAC BC GAD
• All awards must be fully executed by July 15, 2022
Anticipated Award Timeline – Round 2

July/August 2022
• NRCS prepares final guidance and templates
• Sponsors request UEI and register in SAM.gov

September 2022
• Sponsors prepare and submit application documents to NRCS

October 2022
• NRCS submits all agreement request packages to USDA FPAC BC GAD

• All awards must be fully executed by November 15, 2022
ezFedGrants
Access
It’s USDA’s OMB Circular A-123 system of record for processing Federal financial assistance transactions.
If the recipient isn’t sure which role they need, use the Access and User Roles Job Library.
ezFedGrants Access

The External Portal is available through the Launch ezFedGrants button on the USDA Financial Service Shared Services ezFedGrants web site:


The site includes Frequently Asked Questions, training resources, and job aids for performing specific tasks.

• Some features are currently under construction
• Most commonly requested job aids are available on NRCS Sponsor Resources (Operations and Rehab) Website
You are authenticating your identity and certifying by your electronic signature
The recipient must fill in the role being requested and why they are requesting it. See next slide to find definitions for roles.
It is up to the recipient organization to assign individuals to particular roles.

**Primary Roles**
- Grants Administrative Officer (GAO)
- Grants Processor (GP)
- Signatory Official (SO)

**Secondary Roles**
- Certifying Official
- Panelist

Click on User Role Definition. The recipient decides who should have specific roles. Contact the ezFedGrants help desk for questions. Neither the program manager nor the grants management specialist can provide assistance at this stage.
ezFedGrants Training & Help

Events by Date Calendar

- **Date:** 03-08-2022, 09-08-2022, 04-12-2022, 05-10-2022, 06-14-2022 - ezFedGrants Recipient Training - 12:00 pm Eastern to 2:00 pm Eastern
  USDA OCP will be hosting training sessions on the ezFedGrants grants management system. These sessions are intended for recipient users who are new to ezFedGrants or who are looking for a refresher on the basics of using the system.
  Topics include: ezFedGrants user roles and accessing ezFedGrants.
  Web Access: Teams Meeting
  *NOTE: Beginning March 1, 2022, ezFedGrants Training for recipients will be held using this link on Zoom*

- **Date:** 03-09-2022, 09-09-2022, 04-13-2022, 05-11-2022, 06-15-2022 - ezFedGrants Recipient Training - 12:00 pm Eastern to 2:00 pm Eastern
  USDA OCP will be hosting a training session on the ezFedGrants grants management system. These sessions are intended for recipient users who are new to ezFedGrants or who are looking for a refresher on the basics of using the system.
  Topics include: application management, submitting claims and reports, and repayment.
  Web Access: Teams Meeting
  *NOTE: Beginning March 1, 2022, ezFedGrants Training for recipients will be held using this link on Zoom*

For EzFedGrants assistance, please contact ezFedGrants-cfo@usda.gov
ezFedGrants – 24/7 Access
ezFedGrants – 24/7 Access
ezFedGrants – 24/7 Access

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**Partners**

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<td>Agency Grants Specialist</td>
<td>Dorothea Martinez</td>
<td>doroth <a href="mailto:ea.marinhez@wdc.usda.gov">ea.marinhez@wdc.usda.gov</a></td>
</tr>
<tr>
<td>Agency Grants Specialist</td>
<td>KAYLE ALDERMAN</td>
<td><a href="mailto:kaylie.alderman@wdc.usda.gov">kaylie.alderman@wdc.usda.gov</a></td>
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Payment Requests
Payment Requests/Claims


- Submit claims/payment requests directly into ezFedGrants or to [FPAC.BC.GAD@usda.gov](mailto:FPAC.BC.GAD@usda.gov) to ensure the payment request is logged and tracked.


“Claims” is the ezFedGrants term for a payment request. At the FPAC grants and agreements site click “award payments” for payment guidance document.
Payment Requests/Claims


• If submitting directly into ezFedGrants DO NOT upload a SF-270. Completing the data fields in ezFedGrants generates the document.

• If an ezFedGrants payment/claim is returned to you for corrections, edit the existing claim – do not create a new one.
Most payments will be on a reimbursable basis block 1a
Payment Requests/Claims

Block 2 of the SF-270:
This is the accounting method for this specific request.

Request Prepared on a Cash Basis –
• Past expense already paid and now seeking federal funds. For example, you received an invoice from a contractor and you paid it.

Request Prepared on an Accrual Basis –
• Expenses incurred for past period of time, but expense has not been paid, and now seeking federal funds to pay expense. For example, you received an invoice from a contractor but have not yet paid it.

Block 8 of the SF-270:
The “Period Covered” should not overlap the period for a previous payment.

Block 8 – need explanation if this does occur. For example, there was an expense that was submitted late; you now have the bill/invoice.
For NRCS watershed programs cost share is only likely for those in the construction phase. The cumulative cost share provided by the recipient or a third party must be identified on each SF-270. Cost-share rate does not have to be consistent throughout agreement period but must be completely satisfied by the end of the period.
Payment Requests/Claims

If payment requests are emailed to the agency, certification signatures must be handwritten or certified digital (password required). For payments submitted directly to ezFedGrants, the recipient signs it electronically in the system.
However, the GADBET is not well suited for NRCS watershed agreements.

Payment Requests

• In addition to the SF270, each payment request must include a summary of costs showing amounts for each cost category and any other requirements as specified in the agreement.
  • Option - Budget Expense Tables (GADBET) in the payment guidance.

• Do NOT submit source documentation (e.g., payroll records, receipts, general ledger entries, subaward documents, etc.) unless requested by the agency or specified in the award. Please be aware, however, that recipients must maintain such source documentation in accordance with 2 CFR Part 200 and award terms and conditions, typically for a period of three years from the date the final financial report is submitted.

• The amount of documentation sufficient for each payment request is at the discretion of the Federal agency. Agency program managers, auditors, or grants management specialists may request source documentation in addition to a summary of expenses by cost category at any time.
Reporting
Performance and Financial Reports

- Performance and financial reports are required every six months after the agreement start date and are due 30 days after the reporting period.

For example, an agreement with a start date of 07/15/2022 would be subject to the following schedule:
  - Report covering 07/15/2022 – 01/15/2023, due on 02/15/2023
  - Report covering 01/16/2023 – 07/14/2023, due on 08/14/2023
Performance and Financial Reports

- Submit reports directly into ezFedGrants or to FPAC.BC.GAD@usda.gov.

- Refer to the Job Aid, “How to Submit Financial or Performance Reports in ezFedGrants” on the Sponsor Resources page under ezFedGrants resources.

- ezFedGrants creates email reminders for performance and financial report due dates.

- ezFedGrants technical glitches occasionally generate report reminders when they are not actually due and may not generate reports when they are due. Work with your assigned Grants Specialist if this happens.

- If an ezFedGrants report is returned to you for corrections, edit the existing report. Do not create a new one.

New revisions to 2 CFR 200 specify that agencies must report non-compliant recipients to the FAPIIS system.

Performance and Financial Reports

- Agency-specific financial reporting guidance is under development and will be posted when ready at the Grants and Agreements Division website: [https://www.fpacbc.usda.gov/about/grants-and-agreements/index.html](https://www.fpacbc.usda.gov/about/grants-and-agreements/index.html)
- Performance reports will contain specific metrics to track progress on agreement deliverables. The agency requested format and content is forthcoming – NRCS will provide a template with your award.
- The agency will withhold payments if the recipient is delinquent in submitting required reports.
- Performance and financial reporting compliance is critical as the agency is required to report nationally to OMB and [www.USASpending.gov](http://www.USASpending.gov)
Agreement
Changes
Agreement Amendments

Some agreement changes require amendments signed by both parties:
• Requests for additional funding.
• Major changes to the agreement Statement of Work.
• Changes to agreement period of performance.

There are other changes that may only require agency prior approval. Refer to the agreement’s General Terms and Conditions link in the signed agreement package and available on the Grants and Agreements Division website: https://www.fpacbc.usda.gov/about/grants-and-agreements/index.html

Work with your NRCS program manager to initiate amendments or requests for prior approval.
Close-out
New revisions to 2 CFR 200 specify that agencies must report non-compliant recipients to the FAPIIS system.
Audit Requirements

Single Audit

- The recipient is responsible for complying with audit requirements in accordance with 2 CFR 200, Subpart F. A recipient entity that expends $750,000 or more during the recipient’s fiscal year in Federal awards must have a single or program-specific audit conducted for that year.

- Refer to 2CFR 200, Subpart F for audit requirements

*Failure to comply with 2 CFR 200 may result in a negative report to the Federal Awardee Performance and Integrity Information System (FAPIIS).*
Links

NRCS Sponsor Resources (Operations and Rehab) Website:
https://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/national/programs/landscape/?cid=nrcseprd1918029

SAM.Gov: https://www.sam.gov/

Grants.gov: https://www.grants.gov/


Funding opportunity email: ezFedGrants@cfo.usda.gov

FPAC Business Center Grants and Agreements Division
Email: FPAC.BC.GAD@usda.gov
Questions