

**Exhibit B**  
**Procedures and Requirements**  
**Local Government Waste Tire Cleanup Grant**  
**Program**  
**18<sup>th</sup> Cycle, Fiscal Year 2020–21**

Copies of these Procedures and Requirements should be shared with both the Finance Department and the staff responsible for implementing the grant activities.

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# Introduction

The Department of Resources Recycling and Recovery (CalRecycle) administers the Local Government Tire Cleanup Grant Program. These Procedures and Requirements describe project and reporting requirements, report due dates, report contents, grant payment conditions, eligible and ineligible project costs, project completion and closeout procedures, and records and audit requirements.

This document is attached to, and incorporated by reference, into the Grant Agreement.

## Milestones

**Notice to Proceed: Grant Term begins** on the date that CalRecycle emails the Notice to Proceed.

**Progress Reports are due with each Payment Request**

**September 29, 2022: Final Report and Final Payment Request due**

**September 29, 2022: Grant Term End**

## Grants Management System (GMS)

GMS is CalRecycle's web-based grant application and Grants Management System. Access to GMS is secure; grantees must log in using a WebPass. WebPass accounts are tied to a specific email address. If an email address changes, or if it becomes inactive, the grantee must create a new WebPass account to continue accessing GMS. Establish or manage a WebPass at [CalRecycle's WebPass page](https://secure.calrecycle.ca.gov/WebPass/) (<https://secure.calrecycle.ca.gov/WebPass/>).

### Accessing the Grant

Grantees must [log in to GMS](https://www.calrecycle.ca.gov/funding/gms) (<https://www.calrecycle.ca.gov/funding/gms>) using their web pass. After login, locate the grant in the **My Awarded/Open Grants** table and select the **Grant Management** link. The **Grant Management Module** includes the following sections:

- **Summary tab.** Shows approved budget, paid and remaining amounts. (This section is available to the grantee in read-only mode.)
- **Payment Request tab.** Requests reimbursement.
- **Reports tab.** Uploads required reports.
- **Documents tab.** Uploads other grant documents that are not considered supporting documents to a payment request or a report. This section also provides access to documents that were uploaded within other sections of GMS.

Follow the instructions in GMS to work in the system. Use the information in the following sections to determine what reports, transactions, and supporting documents are required.

### Contact Updates

Access to the grant is limited to those listed in the **Contacts** tab of the **Application Module** with the access check box marked. A contact may be listed but not granted access by not checking the box. Please note, if a contact is granted access to a grant,

they will be able to edit contacts, submit payment requests, upload reports, and view all documents. Those with access may update contact information for all contact types except Signature Authority. Email the assigned Grant Manager regarding any changes to Signature Authority information.

## Prior to Commencing Work

Prior to commencing work under this grant, the grantee's Grant Manager or primary contact and authorized grant Signature Authority should review the Terms and Conditions (Exhibit A) and the Procedures and Requirements (Exhibit B) to identify key grant administrative requirements. Evaluation of the grantee's compliance with these requirements is a major focus of grant audits.

### Reliable Contractor Declaration

Prior to authorizing a contractor(s) (or subcontractor) to commence work under this grant, the grantee shall submit to the Grant Manager a declaration from the contractor(s), signed under penalty of perjury, stating that within the preceding three (3) years, none of the events listed in [Section 17050 of Title 14](https://www.calrecycle.ca.gov/Laws/Regulations/Title14/) (<https://www.calrecycle.ca.gov/Laws/Regulations/Title14/>), California Code of Regulations, Natural Resources, Division 7, has occurred with respect to the contractor(s) or subcontractor(s).

If a (sub) contractor is placed on the [CalRecycle Unreliable Contractor List](https://www.calrecycle.ca.gov/Funding/Unreliability/) (<https://www.calrecycle.ca.gov/Funding/Unreliability/>) after award of this grant, the grantee may be required to terminate that contract. Obtain the Reliable Contractor Declaration form (CalRecycle 168) from [CalRecycle's form web page](https://www.calrecycle.ca.gov/Funding/Forms/) (<https://www.calrecycle.ca.gov/Funding/Forms/>).

A scanned copy of the signed Reliable Contractor Declaration form must be uploaded in GMS.

To upload the form:

1. Go to the **Reports** tab.
2. Click on **Reliable Contractor Declaration** under **Report Type**.
3. Click the **Add Document** button.
4. Select Reliable Contractor Declaration in the **Document Type** drop down box, enter a document title, click the **Browse** button to search and upload the document, and then **Save**.
5. Click on the **Submit Report** button.

For further instructions regarding GMS, including login directions, see the section above titled Grants Management System.

### Property Access Authorization and Non-Responsibility Affidavit for Private Property (Affidavit) (CalRecycle 741).

If a site is on private property and there are 500 tires or more (up to 4,999 tires), an Affidavit must be submitted and approved by the CalRecycle Grant Manager prior to site remediation. The Affidavit authorizes the grantee and other applicable persons access to the property for purposes of site cleanup and attests to the property owner's innocence in causing the waste tires to be deposited on the property. If the site was remediated prior to the approval of an Affidavit by the grantee to the Grant Manager, all costs incurred are ineligible for reimbursement.

# Grant Term

The Grant Term begins on the date of the Notice to Proceed email. Grant-eligible program expenditures may start no earlier than the date indicated in the Notice to Proceed. The Grant Term ends on September 29, 2022 and all eligible program costs must be incurred and paid for by this date.

The Final Report and final Payment Request are due on September 29, 2022. CalRecycle recommends reserving the period from July 1, 2022 to September 29, 2022 exclusively for the preparation of the Final Report and final Payment Request, though they may be completed earlier. **Costs incurred to prepare the Final Report and final Payment Request are only eligible for reimbursement during the Grant Term.**

## Waste and Used Tire Hauler and End-Use and Disposal Facilities

CalRecycle has specific requirements for the tracking of used and waste tires remediated with grant funds. In order to be reimbursed for the costs of tire remediation, grantees and their contractors must use a waste and used tire hauler that is registered with CalRecycle, unless exempt pursuant to Public Resources Code section 42954. Furthermore, the tires must be transported to a facility that is permitted, excluded, exempted, or otherwise authorized by CalRecycle, by statute, or by regulation, to accept waste and used tires, or to a facility that lawfully accepts waste and used tires for reuse or disposal.

The grantee should contact the CalRecycle Tire Management Program Hotline (Hotline) toll free at (866) 896-0600 to verify that the used tire hauler and end-use facility it intends to use are following applicable laws and regulations. The name and address of the tire hauler and the end-use facility are necessary for verification.

A Tire Program Identification (TPID) Number will need to be obtained, by calling the Hotline number listed above.

## Waste Tire Generator TPID Number

To comply with CalRecycle's waste tire manifest requirements, grantees conducting roadside (i.e., public right-of-way) cleanups need to obtain a TPID number (for that jurisdiction's roadways) which will be used as the generator TPID number. Grantee shall obtain a separate TPID number for each site (single location) at which the grantee cleans up more than 500 waste tires.

## Daily Log

Grantees shall maintain a written daily log of the amounts and locations where waste tires are picked up. The purpose of the daily log is for CalRecycle and, if applicable, Local Waste Tire Enforcement grantees to initiate surveillance and pursue enforcement against individuals or businesses that are illegally hauling and disposing of waste tires.

The following are minimum requirements for the daily log:

- **Total daily pickups of less than 10 waste tires.** Grantee shall record the amount as "<10 tires" and include the general location, including roads, alleys or addresses surveyed.

- **Total daily pickups of 10 or more waste tires.** Grantee shall record the total amount of tires according to the daily waste tire manifest(s) and include the general locations including roads, alleys, or addresses surveyed.
- **Ten or more tires at a single location.** Grantee shall record the amount of tires picked up separately for that location, provide notation if the pickup is on private property and not from the right-of-way, and record the specific location using global positioning satellite coordinates, a street address, latitude and longitude, odometer reading from reference point, milepost marker, or other method approved by the Grant Manager.

The daily log shall be compiled and be available for review upon request by CalRecycle or the Local Waste Tire Enforcement grantee. Grantee is encouraged to record additional information in the daily log as recommended by the Local Waste Tire Enforcement grantee (if applicable) or local illegal dumping abatement program staff to facilitate potential additional surveillance, enforcement, and cleanup activities. Examples of additional information to consider include the identification and referral of any individuals committing acts of illegal dumping, the types of waste tires indicating sources (such as truck tires), and the presence of significant illegally dumped wastes other than tires.

## Eligible Costs

All grant expenditures must be for activities, products, and costs specifically included in the approved Work Plan and approved Budget. To be eligible for reimbursement, costs must be incurred after receiving a Notice to Proceed and before the end of the Grant Term. All services must be provided, and goods received during this period in order to be eligible costs. Invoices for goods and services must be paid by the grantee prior to the inclusion of those goods or services on a payment request.

Eligible costs are limited to the following:

- The cost of collecting less than 5,000 waste tires on private property where the owner is not responsible.
- The cost of collecting and loading waste tires into transporting vehicles for waste tire cleanup projects.
- The cost of transporting waste tires by a waste tire hauler, registered or exempted by CalRecycle, to a permitted, excluded, or exempted waste tire storage facility or other authorized solid waste facility.
- The cost of transporting waste tires for a specific end-use to a CalRecycle approved end-use facility. The waste tires must be transported by a CalRecycle approved waste tire hauler to a CalRecycle approved end-use facility.
- The cost for disposing of waste tires at a CalRecycle permitted, excluded, or exempted waste tire storage facility or disposal site.
- Equipment rental.
- Mileage of up to \$0.575 per mile (or the rate identified on the [CalHR website](https://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx) (<https://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx>) at the time the cost was incurred) for tire cleanup related activities.
- The reasonable cost for labor and materials (not greater than 5 percent of project costs reimbursed by CalRecycle) for fencing, gates, signs, and other methods to secure the property where illegal dumping has occurred.

- Any salaries and benefits for personnel directly involved in waste tire cleanup activities, including the preparation of payment requests and final reports, incurred prior to the grant term end date.

## **Ineligible Costs**

Any costs not specifically included in the approved Budget and not directly related to TCU18 and the approved grant project are ineligible for reimbursement. Contact the Grant Manager if clarification is needed.

Ineligible costs include, but are not limited to:

- Costs incurred prior to the date of the Notice to Proceed email or after September 29, 2022.
- Personnel time for preparation of a Waste Tire Cleanup Grant Application.
- Cleanup of a site on private property with 5,000 or more tires.
- Any costs that are not consistent with local, state, and federal laws, guidelines and regulations.
- Personnel costs incurred while an employee assigned to the waste tire cleanup grant project is not working on the grant (e.g., use of accrued time such as sick leave, vacation, etc.).
- Costs currently covered by or incurred under another CalRecycle funded loan, grant, grant cycle, or contract.
- Purchasing or leasing of vehicles.
- Overhead (costs for accounting/budget/finance staff, rental/lease of space, utilities, copying, office supplies, etc.).
- Costs for obtaining permits and licenses.
- Cleanup/removal of waste tires from an operating business where the owner or operator of the property is actively stockpiling tires.
- Costs of collecting waste tires from waste tire generating businesses that are responsible for contracting with registered waste tire haulers for the removal of their waste tires.
  - If it is determined that the grantee has used grant funds for this purpose, costs incurred will be deemed ineligible.
- Research costs for specific end-use projects associated with the site cleanup.
- Fines or penalties due to violation of federal, state, or local laws, ordinances or regulations.
- Personnel travel or per diem costs.
- Cameras, cell phones, electronic personal data devices, pagers, or other similar personal electronic devices.
- Costs connected with contractor claims against the grantee.
- Any costs that are unrelated to the grant project or unreasonable as determined by the Grant Manager.

## **Modifications**

Any proposed revision(s) to the Work Plan and/or Budget must be submitted in writing and pre-approved in writing by the Grant Manager prior to grantee incurring the proposed expenditure. Proposed revisions must be clearly marked on the Work Plan and/or Budget and must be accompanied by a summary of proposed changes/modifications, including the justification(s) for the proposed changes. Costs based on the proposed revisions may not be incurred until Grant Manager approval. If



approved, the Grant Manager will upload the final revised Work Plan and/or Budget to GMS. Proposed revisions may be submitted in conjunction with a Progress Report but cannot be submitted as part of the Progress Report. The approval document(s) should be retained by the grantee for audit purposes. See Audit Record/Access section of the Terms and Conditions (Exhibit A).

## Acknowledgements

The grantee shall acknowledge CalRecycle's support each time a project funded, in whole or in part, by this Agreement is publicized in any medium, including news media, brochures, or other types of promotional materials. The acknowledgement of CalRecycle's support must incorporate the CalRecycle logo. Initials or abbreviations for CalRecycle shall not be used. The Grant Manager may approve deviation from this requirement on a case-by-case basis where such deviation is consistent with CalRecycle's Communication Strategy and Outreach Plan.

## Reporting Requirements

A Progress Report and a Final Report are required by this Agreement; however, the Grant Manager may request a Progress Report at any time during the Grant Term. Failure to submit the Final Report with appropriate documentation by the due date may result in rejection of the Payment Request and/or forfeiture by the grantee of claims for costs incurred that might otherwise have been eligible for grant funding.

All reports must be uploaded in GMS. For further instructions regarding GMS, including login directions, see the section above entitled, Grants Management System.

To upload a report:

1. Go to the **Reports** tab.
2. Click on the appropriate Report Type.
3. Click on the **Add Document** button.
4. Choose the Document Type, enter a document title, click the **Browse** button to search and upload the document, and then **Save**.
  - Select the **Back** button to upload another document and continue the process until all required documents, as listed below, are uploaded.
  - The maximum allowable file size for each document is 35MB.
5. Click the **Submit Report** button to complete your report submittal.
  - The **Submit Report** button will not be enabled until all required reporting documents are uploaded.

The reports must be current, include all required sections and documents, and must be approved by the Grant Manager before any Payment Request can be processed. Failure to comply with the specified reporting requirements may be considered a breach of this Agreement and may result in the termination of this Agreement or rejection of the Payment Request and/or forfeiture by the grantee of claims for costs incurred that might otherwise have been eligible for grant funding. Any problems or delays must be reported immediately to the Grant Manager.

## **Progress Report**

The grantee must submit a **Progress Report** with each Payment Request. This report should cover grant activities that occurred from the Notice to Proceed date through the date of the request.

## **Final Report**

The Final Report is due **September 29, 2022**. This report should cover grant activities **from the Notice to Proceed through September 29, 2022**.

The following items must be included:

1. Grant Number
2. Grantee's name
3. Grant Term
4. The following disclaimer statement on the cover page:

“The statements and conclusions of this report are those of the grantee and not necessarily those of the Department of Resources Recycling and Recovery (CalRecycle), its employees, or the State of California. The state makes no warranty, express or implied, and assumes no liability for the information contained in the succeeding text.”

**The Progress/Final Payment Request Checklist and Report Form (CalRecycle 768) must be uploaded in GMS by September 29, 2022 and the Payment Request Form (CalRecycle 87) with the original signature authority signature must be uploaded into GMS by the same date.**

**Failure to submit the Payment Request Form and completed Progress/Final Payment Request Checklist and Report Form, with appropriate documentation, by this date may result in rejection of the Payment Request and/or forfeiture by the grantee of claims for costs incurred that might otherwise have been eligible for grant funding.**

The form listed above can be downloaded from the [CalRecycle Grant Forms website](http://www.calrecycle.ca.gov/Funding/Forms) (<http://www.calrecycle.ca.gov/Funding/Forms>)

## **Grant Payment Information**

1. Payment to the grantee for eligible grant expenses is made on a reimbursement basis only, and only for those materials and services specified in the approved grant application.
2. The grantee must submit the required Progress Report/Final Report, and the Grant Manager must approve the report prior to, or concurrent with, submission of the Grant Payment Request.
3. The grantee must submit a completed Grant Payment Request and provide supporting documentation as described in the “Payment Request and Documentation” section for completed project(s) only.
4. Grant payments will only be made to the grantee. It is the grantee's responsibility to pay all contractors and subcontractors for purchased goods and services.

5. Ten percent of each approved Grant Payment Request will be withheld and retained until all conditions stipulated in the Agreement, including submission and Grant Manager approval of the Progress and/or Final Report, have been satisfied.
6. CalRecycle will make payments to the grantee as promptly as fiscal procedures permit. The grantee can typically expect payment approximately 45 days from the date a Grant Payment Request is approved by the Grant Manager.
7. The grantee must provide a [Reliable Contractor Declaration \(CalRecycle 168\)](https://www.calrecycle.ca.gov/Funding/forms/) (<https://www.calrecycle.ca.gov/Funding/forms/>) signed under penalty of perjury by the grantee's contractor(s) and subcontractor(s) in accordance with the "Reliable Contractor Declaration" provision of the Terms and Conditions (Exhibit A).
  - The declaration must be received and approved by the Grant Manager prior to commencement of work. See "Reliable Contractor Declaration" provision in Terms and Conditions (Exhibit A) for more information.

### **Payment Request and Documentation**

Failure to submit the final Payment Request with appropriate documentation by the due date may result in rejection of the Payment Request and/or forfeiture by the grantee of claims for costs incurred that might otherwise have been eligible for grant funding.

Payment requests must be submitted in GMS. For further instructions regarding GMS, including login directions, see the section above entitled, Grants Management System.

### **How to submit a Grant Payment Request**

1. Go to the **Payment Request** tab.
2. Click on the **Create a Payment Request** button.
  - Choose **Reimburse** for the Transaction Type and enter the amount spent in each budget subcategory.
  - When the transaction is complete, click the **Save** button.
  - After the transaction is saved, the **Upload Supporting Documentation** button will appear in the lower right corner.
3. Click the **Upload Supporting Documentation** button.
  - Choose the Document Type, enter a document title, click the **Browse** button to search and upload the document, and then **Save**.
  - Select the **Back** button to upload another document and continue this process until all required supporting documents as listed below are uploaded.
  - The maximum allowable file size for each document is 35MB.
4. Click the **Submit Transaction** button, located on the transaction page, to complete your payment request. The **Submit Transaction** button will not be enabled until all required supporting documents are uploaded.

**Note:** Once a transaction is saved, select the transaction number from the Payment Request tab to access it again. Please do not create multiple transactions for the same requested funds.

## Supporting Documentation

All forms listed below can be downloaded from the [CalRecycle Grant Forms website](https://www.calrecycle.ca.gov/Funding/Forms) (<https://www.calrecycle.ca.gov/Funding/Forms>).

### 1. Grant Payment Request Form (CalRecycle 87)

A scanned copy of the **Grant Payment Request form (CalRecycle 87)** with the signature of the signatory or his/her designee, as authorized by grantee's Resolution or Letter of Commitment, must be uploaded to GMS.

**Note:** A designee may sign on behalf of the grantee if a) authorized by the Resolution or Letter of Commitment, and b) a Letter of Designation, signed by the authorized signature authority, has been provided to the Grant Manager.

### 2. Cost and Payment Documentation

Acceptable cost and payment documentation must include at least one of each of the following:

- a) Invoices, receipts, or purchase orders must include the vendor's name and telephone number, address, description of goods or services purchased, amount due, and date. The claimed expenses should be highlighted and identified with applicable task number on each invoice.
- b) Proof of payment may include:
  - i. copy of cancelled check(s) that shows an endorsement from the banking institution
  - ii. invoice(s) showing a zero balance, or stamped "paid" with a check number, date paid, and initials
  - iii. accounting system report from local government if it contains the vendor name, date of invoice, invoice number, check number or internal ID, and date amount was paid
  - iv. bank statement(s) along with a copy of the endorsed check or invoice showing the check number
  - v. copy of an electronic funds transfer confirmation
  - vi. copy of a credit card statement(s)

### 3. Expenditure Itemization Summary (CalRecycle 745-EIS-TCU)

Use this form to document grant expenses, arranged in the same budget categories as the approved Budget. Include only those expenditures authorized in the grant budget. Provide enough detail to allow the Grant Manager to match supporting documentation for each expenditure. Include subtotals.

### 4. Personnel Expenditure Summary (CalRecycle 165)

Use this form for all grantee claimed personnel expenses. A grantee may use their own personnel expenditure summary form if it includes all the same components as CalRecycle 165. Personnel hours and costs on the Personnel Expenditure Summary must be summarized and totaled by task and staff. It is not necessary to submit timesheets; however, they must be readily available should the Grant Manager, or an auditor, request them. Time must be computed on actual time spent on grant related activities and must be the actual amount paid to the employee. If the Summary shows time spent on additional projects, highlight the entries applicable to the grant. It is not necessary to submit a Personnel Expenditure.

## **5. Waste Tire Manifests**

Grantee must provide documentation showing the transportation of all waste tires to an eligible facility. This can be in the form of waste tire manifest copies, or a spreadsheet approved by the Grant Manager.

Payment Requests will be reviewed for accuracy and cost eligibility. The Grant Manager may request additional documentations and will adjust as necessary. Payments will be approved when the Grant Manager determines that the request is accurate, complete, eligible, and accompanied by all required documentations. All costs and activities claimed for reimbursement must be approved in the Budget. If the Grant Manager determines that an activity or cost is ineligible, inappropriate, excessive, unreasonable, or not related to the Grant, reimbursement will be adjusted accordingly.

## **Audit Considerations**

The grantee agrees to maintain records and supporting documentation pertaining to the performance of this grant subject to possible audit for a minimum of three (3) years after final payment date or Grant Term end date, whichever is later. A longer period of records retention may be stipulated in order to complete any action and/or resolution of all issues which may arise as a result of any litigation, dispute, or audit, whichever is later.

Examples of audit documentation include, but are not limited to, competitive bids, grant amendments if any relating to the budget or work plan, copies of any agreements with contractors or subcontractors if utilized, expenditure ledger, payroll register entries, time sheets, personnel expenditure summary form, travel expense log, paid warrants, contracts and change orders, samples of items and materials developed with grant funds, invoices and/or cancelled checks. Please refer to the Terms and Conditions (Exhibit A) for more information.