



December 2019

Department of Resources Recycling and Recovery

# **Beverage Container Redemption Pilot Project Grant Program Application Guidelines and Instructions**

## **RPP1 – Fiscal Year 2019-20**

**Updated 3/11/20**

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# Grant Cycle Overview

**Our legal staff have approved the template language. Please do not edit unless your program requires specific language. This document is revised regularly. Please read and review all sections carefully.**

The Department of Resources Recycling and Recovery (CalRecycle) offers the Beverage Container Redemption Pilot Project Grant Program (Program) pursuant to Section 14581(a)(9) of the Public Resources Code. The purpose of the grant is to issue \$5,000,000 in the form of grants for up to five pilot projects proposed by cities and/or counties working in combination with private businesses to provide convenient beverage container redemption in both urban and rural areas that do not have enough recycling opportunities for consumers.

The Program requires that local jurisdictions and recycling center operators work closely together to create innovative pilot projects and provide convenient redemption opportunities for consumers, therefore, improving consumer redemption of eligible beverage containers and increase recycling rates in jurisdictions served by pilot projects.

## Timeline

Date	Activity
<b>Initial and on-going until January 1, 2022</b>	Ongoing until January 1, 2022
<b>Ongoing</b>	Grant Agreements distributed and executed
<b>Ongoing</b>	<b>Grants Awarded</b> CalRecycle considers funding recommendations, and if approved, conditionally awards grants during this month (tentative)
<b>June 30, 2022</b>	<b>Grant Term Ends</b> Notice to Proceed to this date

## Eligible Applicants

California Labor Code section 1782 prohibits a charter city from receiving state funding or financial assistance for construction projects if that charter city does not comply with Labor Code sections 1770-1782. If any applicants or participating jurisdictions are charter cities or joint powers authorities that include charter cities, the lead participating jurisdiction must certify on the Detail tab of the application that Labor Code section 1782 does not prohibit any included charter city from receiving state funds for the project described in this application. If it is determined after award that an applicant or participating jurisdiction is a charter city prohibited from receiving state funds for this grant project, the grant will be terminated and any disbursed grant funds shall be returned to CalRecycle.

- Jurisdictions

- A “Jurisdiction” for the purposes of the Pilot Project Program (CCR Section 2750(a)(2)) means a city or county, or combination of cities or counties, that has the authority to issue or grant permission for certified pilot project recyclers to operate in the designated pilot project area.
- Jurisdictions must have received approval from CalRecycle to operate a pilot project through the pilot project approval process.
- The Request for funding will consist of a proposed Budget and Work Plan.
- Authorized Pilot Project Recycler
  - A Pilot Project Recycler must be authorized by the Pilot Project Jurisdiction to operate in the pilot project area.
  - A Pilot Project Recycler must be certified by CalRecycle to operate in the pilot project area.

## Regional Application Requirements

Local governments may join together in a regional grant application in which two or more eligible jurisdictions join together for the purpose of grant implementation. A Regional Lead Participant (Lead) must be designated to act on behalf of all participating jurisdictions. The Lead is the applicant/grantee who will be responsible for the performance of the grant and all required documentation. CalRecycle will direct all official correspondence and grant payments to the Lead. If a jurisdiction is a participant in a regional application, it may not apply individually.

## Eligible Projects/Products

- Programs may be at residential, commercial, or public locations in an approved Program area.
- The Program allows for numerous possibilities and flexibility for methods of redemption, including, but not limited to:
  - Stationary drop off locations that allow consumers to deposit beverage containers in a locked and secure drop off bin and pay consumers the California Redemption Value after the containers have been inspected.
  - Mobile pilot projects.
  - A pilot project rotating between a few specific locations during the week.

**Note:** For additional information related to [Pilot Projects](https://www.calrecycle.ca.gov/bevcontainer/recyclers/pilot2018) (<https://www.calrecycle.ca.gov/bevcontainer/recyclers/pilot2018>)

## Available Funds

- \$5,000,000 is available for this grant cycle, fiscal year 2019–20, subject to funding availability.
- \$1,000,000 is the maximum available for a single Pilot Project.
- Subsequent grant applications may be submitted after five pilot projects have been awarded and there are funds remaining.
- If five pilot projects have not been awarded by December 31, 2020, a subsequent grant application will be accepted from a previous awardee, so long as the initially awarded funds have been fully expended.

## Grant Term

The Grant Term begins on the date of the Notice to Proceed. Grant-eligible program expenditures may start no earlier than the date indicated in the Notice to Proceed. The Grant Term ends on June 30, 2022 and all eligible program costs must be incurred by this date.

The Final Report and final Payment Request are due on June 30, 2022. CalRecycle recommends reserving the period from June 1, 2022 to June 30, 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.**

## Eligible Costs

Eligible costs may be incurred only during the Grant Term, which starts when the grantee receives a Notice to Proceed from CalRecycle and ends on June 30, 2022. (See “Grant Term” for additional information).

Eligible costs may include but are not limited to the following:

- Personnel costs directly related to the operation of the Program (salaries/wages for staff performing specific activities as approved by CalRecycle.)
- Purchase of equipment or materials related to infrastructure (i.e., equipment necessary for the operation of the Program, technology required to administer and/or operate the Program).
- Direct operating expenses associated with Program activities (e.g. rent for storage and/or sorting facilities, transportation supplies, etc.).
- Education activities and/or materials promoting beverage container recycling.

## Ineligible Costs

Ineligible costs include, but are not limited to:

- **Costs incurred prior to the date of the Notice to Proceed email or after June 30, 2022.**
- **Promotional Items/SWAG (Stuff We All Get). Promotional items not related to the project (e.g. shirts, magnets, cups, gift cards, stickers, tote bags not used as recycling bins, calendars with no educational content, trophies, awards, plaques, rewards). More information can be found at our SWAG web page( <https://www.calrecycle.ca.gov/funding/swag>).**
- **Trash bins.**
- Equipment not related to the project.
- Personnel (costs or staff not related to the Program or within scope of grant).
- Education activities and/or materials not related to the Program.
- Travel costs exceeding state-approved rates for mileage, per diem, lodging, etc.
- Costs that are inconsistent with local, state, and federal statutes, ordinances and/or regulations.
- Any pre-paid expenditures for future goods or services delivered after the end of the Grant Term. (Exception: The Grant Manager may consider approving products purchased in full the end of the Grant Term but delivered after the Grant Term if the delay is caused solely by the supplier and through no fault of the

grantee. The grantee must request an exemption in writing and receive written approval from the Grant Manager.

- Out-of-state travel, unless pre-approved in writing by the Grant Manager.
- Any other costs not deemed reasonable or related to the purpose of the grant by the Grant Manager.

## **Environmentally Preferable Purchases and Practices Policy Requirement**

Consistent with CalRecycle's core values, all applicants are required to have or develop, adopt, and implement an Environmentally Preferable Purchasing and Practices (EPPP) Policy for their organizations. To see examples of existing EPPP Policies, visit the [Responsible Purchasing Network](http://www.responsiblepurchasing.org/purchasing_guides/all/policies/)

([http://www.responsiblepurchasing.org/purchasing\\_guides/all/policies/](http://www.responsiblepurchasing.org/purchasing_guides/all/policies/)), Environmentally Preferable Purchasing [Laws and Policies](https://www.calrecycle.ca.gov/EPP/LawPolicy/)

(<https://www.calrecycle.ca.gov/EPP/LawPolicy/>), and [Tools and Resources](https://www.calrecycle.ca.gov/EPP/Resources/)

(<https://www.calrecycle.ca.gov/EPP/Resources/>). Some additional practices that CalRecycle encourages organizations to include in their EPPP Policies include:

- Buildings and Grounds
  - All building and renovations follow the green building practices for design, construction and operation, where appropriate, as described in the Leadership in Energy & Environmental Design [Green Building Rating System](https://www.usgbc.org/resources/leed-v4-building-design-and-construction-current-version) (<https://www.usgbc.org/resources/leed-v4-building-design-and-construction-current-version>).
- Continual Improvement
  - Training is provided to new and existing employees.
  - Organization regularly evaluates and/or improves implementation of EPPP policy.

Applicants who have an EPPP Policy in place prior to submitting their application must certify to this fact on the Detail tab in the application. Applicants that do not have an EPPP Policy at the time of application submittal must adopt one by the secondary due date and upload the EPPP Notification to the application.

For more information, visit the [EPPP Frequently Asked Questions webpage](https://www.calrecycle.ca.gov/Funding/EPPPQandA) (<https://www.calrecycle.ca.gov/Funding/EPPPQandA>).

## **Public Records Requests**

It is the policy of CalRecycle to make records requested by the public promptly available in accordance with the [laws](#)

(<https://www2.calrecycle.ca.gov/Forms/ContactUs/PublicRecordsRequest/>) governing disclosure of records and information to the public. In general, all records in the possession of a state agency are public records subject to disclosure, unless a law provides that a particular kind of record or information is not a public record or is exempt or prohibited from disclosure. Upon request, the entire contents of your submitted application are subject to public records requests. This may include contact information, project summary, uploaded documents, and scoring information.

## Confidentiality

CalRecycle appreciates applicants' desire to treat certain documents provided to CalRecycle as confidential. The following describes the treatment of certain confidential or proprietary information under the California Public Records Act (Government Code 6250, et seq.) and related regulations. It also describes how questions are resolved on whether information is truly confidential, the legal protections for confidential information, and internal and program procedures to maintain confidentiality.

### Confidential or Proprietary Information

Title 14 of the California Code of Regulations (14 CCR), [sections 17041-17046](#), states that confidential or proprietary information shall include, but is not limited to:

1. Personal or business-related financial data, customer client lists, supplier lists and other information of a proprietary or confidential business nature provided by persons in applications, reports, returns, certifications or other documents submitted to [CalRecycle] which if released would result in harmful effects on the person's competitive position
2. Tax information prohibited from disclosure, pursuant to the Revenue and Taxation Code

Accordingly, appropriate documents submitted with an application that are clearly marked, on each page, "confidential or proprietary information" will be treated by CalRecycle pursuant to the procedures set forth in 14 CCR sections 17041-17046. However, the mere marking of documents (such as sales brochures, promotional literature and other general non-financial documents) as "confidential or proprietary information" will not result in their being treated as confidential if they do not fall within the categories of protected financial documents listed above.

### What if there is a question about what is confidential?

If CalRecycle receives a request to disclose data claimed by the applicant to be confidential, CalRecycle would notify the applicant of the request and state that the documents were under review to determine whether information was correctly identified as "confidential." If there was any question whether specific information was confidential, CalRecycle would contact the person(s) identified in the application to provide a justification and statement why the information is confidential. The process for evaluating confidentiality claims is set forth in 14 CCR 17046.

### What program procedures will keep information confidential?

Financial information will be evaluated and analyzed only by CalRecycle staff, kept confidential, and will be maintained with restricted access. Grantee businesses agree to provide specific key financial information for three years to develop benchmarks to evaluate the program (edit as needed for your program). Records no longer needed to provide the services offered under the grant program are periodically destroyed, when allowed by audit policies and state law.

# Application Documents

## Electronic and Original Signatures

CalRecycle documents or forms that certify legally binding information require an original wet ink signature. If a signature block with penalty of perjury language is provided, please provide a wet ink signature. CalRecycle will accept electronic signatures on all other documents. If you have questions, email [grantassistance@calrecycle.ca.gov](mailto:grantassistance@calrecycle.ca.gov).

## CalRecycle Documents

CalRecycle documents are on the Summary tab in the Application Documents section. To access a document, click on the link, open it up, fill it out, save it to your computer, and upload it to the Documents tab. Below is a list of the documents. Unless a document specifies that it may be reproduced as necessary, **do not** alter CalRecycle documents. If you are having trouble with a document, email [grantassistance@calrecycle.ca.gov](mailto:grantassistance@calrecycle.ca.gov) or call (916) 341-6534. Altered or reproduced CalRecycle documents or templates may result in automatic disqualification of your application.

## Application Certification

The Application Certification is a required application document that must be generated from GMS. After each tab of the application is complete and documents are uploaded, generate the Application Certification from the Summary tab. A wet ink signature from the authorized Signature Authority (identified in your resolution or letter of commitment) is required, then scan the document, upload it, and retain the original hard copy document.

## Budget

Complete the Budget document. Utilizing a document form other than this official CalRecycle version will subject the applicant to disqualification. Include total anticipated project costs broken down by:

- Administrative Costs (Operating Expenses)
- Education (activities and materials are capped at 25 percent of the total grant award)
  - Public Education and Outreach – (e.g., workshops, public meetings, town halls, public events, etc.)
  - School Education – (e.g., assemblies, curriculum/guides, school events)
  - Media – (e.g., TV, website, radio, scripts, instructional videos)
  - Materials – (e.g., booklets/brochures/flyers, etc.)
- Equipment
- Personnel
- Other Funding Sources – (e.g. City/County Payment Program Funds, other grants, donations)

The totals for each budget category must match the amounts previously entered in the Budget tab of the application. Do not enter any SWAG (Stuff We All Get) items.

## Work Plan

Complete the Work Plan document. Utilizing a document form other than this official CalRecycle version will subject the applicant to disqualification. List the major activities, steps or tasks necessary to implement your project, including start and completion dates. Provide a logical timeframe for activities, taking into consideration the potential for delays. Include 12 months of California Redemption Value volume reporting after the date the program is in place.

## Environmentally Preferable Purchasing and Practices Policy Notification

If you checked “No our organization does not have an EPPP Policy” on the Detail tab of your application, your organization must adopt one by the secondary due date and upload the EPPP Notification or your application will be disqualified. **Do not upload a copy of your organization’s policy. Your policy does not replace the required EPPP Notification document.**

For more information, visit the [EPPP Frequently Asked Questions webpage](https://www.calrecycle.ca.gov/Funding/EPPPQandA) (<https://www.calrecycle.ca.gov/Funding/EPPPQandA>).

## Applicant’s Documents

Below is a list of documents that the applicant is responsible for preparing and uploading to their application. For examples of these documents, please see the **Resolution and Letter Examples** link found on the **Summary Tab** under **Resource Links**.

### Resolution

Any applicant that is subject to a governing body must upload a Resolution that authorizes specific grant-related matters. A copy of the authorizing Resolution is a required application document that must be uploaded no later than the secondary due date or the application will be deemed incomplete and will be disqualified. Resolution requirements vary for individual and regional applications. See the **Resolution and Letter Examples** link for more information. CalRecycle staff are available to answer questions about the Resolution or letter examples, or to review your draft Resolution to ensure it meets the requirements of the grant program. You may upload the Resolution to your application as a Draft Resolution or for immediate review email it to [grantassistance@calrecycle.ca.gov](mailto:grantassistance@calrecycle.ca.gov).

**Note:** Some publicly held businesses or private companies with a governing body may submit a Letter of Commitment, see Letter of Commitment section below.

### Individual Application Requirements:

1. The Resolution must authorize submittal of an application for one or more specifically named CalRecycle grant(s) or for all CalRecycle grants for which the applicant is eligible.
2. The Resolution must identify the period of time, up to five years, during which the authorizations are valid. Five years is encouraged; however, periods of less than five years are acceptable. If a Resolution does not specifically identify a period of time, it will be considered valid for one year from the date of adoption.
3. The Resolution must identify the Signature Authority by listing the job title of the person(s) authorized to sign all grant-related documents necessary to implement and close-out the grant(s).

(Optional but encouraged) The Resolution should authorize the Signature Authority to delegate his/her signature authority to another person identified by job title.

**Note:** The Signature Authority must sign a Letter of Designation **prior** to the Designee's exercise of his/her authority.

#### Regional Application Requirements:

1. The Regional Lead Participant (Lead) must submit an approved Resolution that authorizes it to act as a lead for a regional program. This Resolution authorizes submittal of a regional application on behalf of the Lead and specifically named participants and includes authorization letters from the participating jurisdictions authorizing the Lead to act on their behalf for this cycle.
2. If the Resolution is valid for more than one year, it is highly recommended a) that the list of participants be provided as an attachment rather than embedded in the Resolution, and b) that the Signature Authority be authorized to revise the list as necessary with each subsequent application (this allows a Signature Authority to add or remove participants with each new application without the necessity of obtaining a new Resolution).
3. Participants subject to a governing body must provide a Letter of Authorization to the Lead authorizing the Lead to act on its behalf for this cycle. Letters of Authorizations may be valid for as long as the Lead's Resolution, not to exceed five years, otherwise must be dated within the last 12 months. Copies of the Letters of Authorization must be uploaded with the application by the secondary due date.

#### Letter of Commitment

Applicants that are not subject to a governing body must upload a Letter of Commitment that authorizes specific grant-related matters. Some publicly held businesses or private companies with a governing body may submit a Letter of Commitment under the condition that the signatory is an individual authorized to contractually bind the applicant for the conditions of the grant award. The Letter of Commitment is due by the secondary due date or the application will be deemed incomplete and will be disqualified. The applicant/grantee must maintain the letter with the original signature in the grant file.

#### Letter of Commitment Requirements:

1. The letter must authorize submittal of the Beverage Container Redemption Pilot Project Grant Program application on behalf of applicant.
2. It must designate the job title of the person authorized to execute all grant documents necessary to secure grant funds and implement the approved grant project (Signature Authority).
3. Optional. The letter may authorize the Signature Authority to delegate this authority.

#### Letter of Designation

A Letter of Designation is required only when the authorized Signature Authority title identified in the approved Resolution delegates his/her authority to another person. First, the approved Resolution must indicate the Signature Authority's ability to delegate or designate his/her authority. Second, the letter must be uploaded **prior** to the Designee's exercise of his/her authority. For example, if the Designee signs the Application Certification in place of the Signature Authority, the letter must be uploaded

when the Application Certification is submitted. The letter must be on the applicant's letterhead, signed by the Signature Authority, and include the information below.

- Identify the job title of the Designee and the scope of the Designee's authority.
- Identify the period during which the Designee may exercise the authority. The Designee's authority may not extend beyond the effective date of the approved Resolution or Letter of Commitment. For example, if the Resolution is effective until December 31, 2018, then the Letter of Designation may not be effective beyond December 31, 2018. If the letter does not identify a valid time period, the letter will follow the same time frame as the Resolution.

### **Letter of Authorization**

For grants that allow for Regional applications, a Letter of Authorization may be used. It is prepared by the Participating Jurisdiction and gives the Lead Participant authorization to apply for and to act on its behalf in the implementation and administration of the grant/program. The Lead must upload the Letter of Authorization no later than the secondary due date or the Participating Jurisdiction(s) will be removed from the application. The Lead Participant must maintain the letter with the original signature in their file. The letter must be on the Participant's official letterhead, signed by an individual authorized to contractually bind the Participating Jurisdiction, and include the information below.

- The letter may be valid for as long as the Lead's Resolution, not to exceed five years, otherwise must be dated within the last 12 months.
- It must authorize the Lead to submit a regional application and act as Lead Agency on behalf of the Participating Jurisdiction.
- It must authorize the Lead to execute all documents necessary to implement the grant.

# Grant Review and Award Process

## Grant Application Review Process

CalRecycle staff will review the applications for completeness and eligibility. Only complete applications can be considered for award.

Process for Reviewing Requests for Funding:

- Complete applications will be evaluated to confirm the approval status for the Program. Please see the [CalRecycle website](https://www.calrecycle.ca.gov/bevcontainer/recyclers/pilot2018) (<https://www.calrecycle.ca.gov/bevcontainer/recyclers/pilot2018>) for additional information regarding approval of Pilot Project Programs.
- CalRecycle will review the proposal to determine if costs are appropriate and directly related to the Program.
- Applications will be received on a first come, first served basis.

## Grant Award Process

For qualifying applications, CalRecycle staff will develop funding recommendations for the consideration and approval of CalRecycle's Director, or their designee; this is tentatively scheduled for January 2020 and ongoing. CalRecycle reserves the right to partially fund or fund individual phases of selected proposals, and CalRecycle may fund an amount less than requested.

CalRecycle reserves the right to not award any grant funds under one or more cycles.

## Grant Award Conditions

When awarded, this grant will be subject to two conditions:

- 1) The recommended grantee must pay all outstanding debts due CalRecycle, or bring current outstanding payments owed to CalRecycle, within 60 days of the date of the award email.
- 2) The recommended grantee's Signature Authority (or where delegation is authorized, his or her Designee) must sign and return the Grant Agreement to CalRecycle. The signed Grant Agreement must be received by CalRecycle within 60 days of the date of the award email.

**Failure to comply with either condition will void the grant award.**

# Grant Program Administration

## Grant Agreement

The Grant Agreement binds the grantee to CalRecycle's requirements as outlined in the Grant Agreement documents. An original signature is required on the Grant Agreement. We cannot accept an electronic signature. These documents shall guide the grantee's administration of the grant project.

Following CalRecycle's conditional approval of the grant awards, we will email grantees the information below.

- Award email
- Grant Agreement Cover Sheet (CalRecycle 110)
- Exhibit A – Terms and Conditions: contain CalRecycle standard legal requirements for grants
- Exhibit B – Procedures and Requirements: contain specific requirements for administering this grant, including but not limited to project, reporting, and audit requirements
- Exhibit C – Grantee's approved application with revisions, if any, and any amendments

Note: See [CalRecycle Grant Forms Website](https://www.calrecycle.ca.gov/Funding/Forms/)

(<https://www.calrecycle.ca.gov/Funding/Forms/>) to download the forms.

## Reporting Process

Grantees are required to report on the progress of their grant on a semi-annual basis. The Final Report is due on June 30, 2022. Detailed reporting information is included in the Procedures and Requirements (Exhibit B).

## Payment Request Process

Eligible costs are authorized for reimbursement upon the Grant Manager's approval of the Payment Request, and if required, the accompanying Progress/Final Report.

Payment Requests must include itemized documentation of claimed expenses (e.g., itemized receipts and proof of payment of invoices). CalRecycle will retain 10 percent of each approved Payment Request amount until the Grant Manager approves the Final Report, the final Payment Request, and all required supporting documentation. Failure to submit these final documents by the deadline specified in the Procedures and Requirements (Exhibit B) or failure to receive the Grant Manager's approval of these documents by June 30, 2022, may result in the nonpayment of otherwise eligible costs. Detailed payment information is included in the Procedures and Requirements (Exhibit B).