

Exhibit B
Procedures and Requirements
Tire Incentive Grant Program
8th 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 Tire Incentive 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

Table 1. Milestones

Date	Activity
Notice to Proceed Date	Grant Term Begins on the date the Notice to Proceed is emailed.
April 30, 2021	Progress Report 1 Due (covering activities from Notice to Proceed Date to March 31, 2021)
July 31, 2021	Progress Report 2 Due (covering activities from April 1, 2021 to June 30, 2021)
Oct. 31, 2021	Progress Report 3 Due (covering activities from July 1, 2021 to Sept. 30, 2021)
Jan. 31, 2022	Progress Report 4 Due (covering activities from Oct. 1, 2021 to Dec. 31, 2021)
April 30, 2022	Progress Report 5 Due (covering activities from Jan. 1, 2022 to March 31, 2022)
July 31, 2022	Progress Report 6 Due (covering activities from April 1, 2022 to June 30, 2022)
Oct. 31, 2022	Progress Report 7 Due (covering activities from July 1, 2022 to Sept. 30, 2022)
Jan. 31, 2023	Progress Report 8 Due (covering activities from Oct. 1, 2022 to Dec. 31, 2022)
March 1, 2023	Start Progress Report 9, Final Report, and final Payment Request
April 1, 2023	Progress Report 9 Due (covering activities from Jan. 1, 2023 to April 1, 2023)
April 1, 2023	Final Report and final Payment Request Due
April 1, 2023	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 into GMS](https://secure.calrecycle.ca.gov/Grants) (<https://secure.calrecycle.ca.gov/Grants>) 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.
- **Sites tab** – lists manufacturing location.

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 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.

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 April 1, 2023 and all eligible program costs must be incurred by this date.

The Progress Report 9, Final Report and final Payment Request are due on April 1, 2023. CalRecycle recommends reserving the period from March 1, 2023 to April 1, 2023, exclusively for the preparation of the Final Report and final Payment Request, though they may be completed earlier.

Product Requirements

All products are subject to the following requirements:

- **All** crumb rubber must be from California-generated waste tires processed in California. This may include crumb rubber from truck tire buffings. Because of fluid market conditions and waste tire imports, CalRecycle considers crumb rubber from a California processor eligible for reimbursement even if a de minimis amount (not more than five (5) percent) of the tires processed during a fiscal year at a facility were from non-California sources. Crumb rubber from tires processed outside California is not eligible.
- All of the crumb rubber used in **all** products by a grantee during the term of the grant shall be:
 - Originally from an eligible California waste tire processor, or
 - Recycled post-consumer and/or post-industrial scrap rubber from which the rubber originated from an eligible California waste tire processor.

Eligible Costs

Eligible costs (TIP product sales) include expenditures incurred during the Grant Term (beginning after receipt of the NTP through April 1, 2023) directly related to the purchase of crumb rubber. 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 include crumb rubber usage as follows:

- For **new and existing Tire-Derived Products (TDPs)**, the crumb rubber or end-of-life material used in sold (net of returns) eligible products
- For **feedstock conversion**, the crumb rubber usage for products currently manufactured with virgin rubber, plastic or other material which will be substituted with a minimum of five (5) percent crumb rubber and may be co-extruded, injected, compounded, calendered or otherwise combined. This includes compounded rubber and calendered rubber sheet products as intermediate products.
- For **devulcanized crumb rubber**, the crumb rubber usage for products currently manufactured with virgin rubber, plastic or other material which will be substituted with a minimum of five (5) percent devulcanized crumb rubber and may be co-

extruded, injected, calendered or otherwise combined. This includes devulcanized crumb rubber as an intermediate product.

- For **fine mesh**, the crumb rubber usage for new or existing TDPs must be produced using fine (≤ 50) mesh (originally provided by a California waste tire processor). Particle size and particle size distribution are determined in accordance with American Society for Testing and Materials (ASTM) D5644 and D5603 and will be verified by CalRecycle or a CalRecycle contractor.

With CalRecycle’s prior approval, a manufacturer may further reduce larger crumb rubber material originally purchased from a California waste tire processor to produce their own fine (≤ 50) mesh for use in their TIP products or for sale to another applicant/grantee. Documentation must be provided confirming the original crumb material came from a California waste tire processor.

Eligible applicants that propose to produce and use ≤ 50 mesh material, must have the material sampled and tested to verify the particle size and distribution prior to being authorized by CalRecycle to incur reimbursable costs. Additional samples will be obtained by CalRecycle staff or the Contractor at irregular intervals during the term of the grant. If the sampled material is not at least ≤ 50 mesh (consistent with ASTM D5644 and D5603 standards), reimbursement will be reduced to 10 cents (not the 50 cents fine mesh rate) per pound of crumb rubber used in sold products. Grantees may request that additional material be tested at a future date to return to the 50 cent rate.

Incentive payments are paid quarterly for the use of crumb rubber in sold (net of returns) eligible products starting from the NTP date through the end of the grant term. Inventory of crumb rubber on hand, prior to the NTP is eligible for incentive payment. Products receiving an incentive may not receive any other CalRecycle incentive or grant (including a Tire-Derived Product grant).

Table 2. Incentive Categories and Amounts

Incentive Category	Incentive per pound
New or Existing TDP (TIP product)	10 cents for total crumb rubber or End-of-life (EOL) material used in sold (net of returns) eligible products.
Feedstock Conversion or Devulcanized Rubber (TIP product)	40 cents for total crumb rubber or devulcanized crumb rubber used in sold (net of returns) eligible products or for eligible intermediate products.
Fine (≤ 50) Mesh (TIP product)	50 cents for total crumb rubber used in eligible products sold (net of returns).

Crumb rubber usage must be documented on the Tire Incentive Program Certification form (CalRecycle 774) and is subject to verification and confirmation by CalRecycle. CalRecycle reserves the right to adjust an applicant’s crumb rubber estimates, if deemed appropriate, prior to calculating grant award amounts.

The total grant award will not exceed the amount stated on the Grant Agreement Cover Sheet (CalRecycle 110).

Ineligible Costs

Ineligible costs include, but are not limited to:

- Costs incurred prior to the date of the NTP letter or after April 1, 2023.
- Crumb rubber or recycled rubber that is **not** made from only California-generated waste tires or from tires processed outside of California (see Eligible Products).

- Personnel costs including fringe benefits.
- Overhead and/or indirect costs.
- Any other costs deemed unreasonable or unrelated to the purpose of the grant by the Grant Manager.

Ineligible products include, but are not limited to:

- Crumb rubber used by itself as an intermediate product (i.e., used as infill for a synthetic turf field) except as noted above.
- Tire-derived aggregate.
- Rubberized pavement or rubberized paving products (i.e., chip seal, slurry seal, etc.).
- Rubber nuggets/mulch/bark except as noted above.
- Rubberized sidewalks and tree wells (except as noted above).
- Loose-fill or poured-in-place playgrounds (except as noted above), and playground tiles.
- Sports/running tracks.
- All weather sports field infill.
- Similar type products which have enjoyed significant benefit from the Tire-Derived Product Grant Program and its predecessors.

Modifications

Any proposed revision(s) to the approved product(s) must be submitted in writing and pre-approved in writing by the Grant Manager prior to grantee incurring the proposed expenditure. Proposed revisions must include the reason for the change. Costs based on the proposed revisions may not be incurred until Grant Manager approval. If approved, the grant manager will upload the revisions 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

Progress Reports and a Final Report are required by this Agreement. The grantee must submit nine (9) Progress Reports during the term of the grant. See Table 1 Milestone for due dates. A Progress Report, Progress Report Calculation Summary Guide, collectively the "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 Progress Report contains confidential information and must be labeled as **Confidential**. The grantee must submit the Progress Report to the Grant Manager within 30 days after the end of each calendar quarter, with the exception of the Progress Report 9, which is due April 1, 2023. The Progress Report must address the work completed during the Reporting Period and be accompanied by all required supporting documentation.

The Progress Report must be submitted even if the work has not yet begun on the product(s). The Progress Report must be prepared in the format specified below. Any alternative format must have prior approval by the Grant Manager.

Report Components

Cover Page

- Name of the grantee.
- Grant number.
- Amount of grant award.
- Dates of report coverage.
- Disclaimer statement, as follows:
“The statements and conclusions of this report are those of the grantee and not necessarily those of the Department of Resources Recycling and Recovery, 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.”

Project Summary and Status

Provide a brief description of the progress of the project including:

- The total quantity and mesh size of the crumb rubber purchased (including sieve analysis), the California processor providing the crumb rubber, the amount of crumb rubber used in each of the eligible products, and the quantity of each eligible TDP sold. Sales information (including customer name, address, telephone number and email address) for the identified product(s) during the reporting period. If extensive, you may provide 80 percent of the specific TIP product sales with the balance represented by “other.”
- A narrative describing the progress, any delay or acceleration of timelines, any changes to initially projected sales, any adjustments to individual product incentive estimates, and any significant changes to the product(s). Include any testing activity, the facility performing the testing, and the results.
- Any changes in contact information.

At the end of each calendar year and when the grant is fully expended (not later than April 1, 2023), the grantee shall also provide in its Progress Report a reconciliation of all TDP activity under the TIP. Refer to the Progress Report section above for details regarding the required information and calculations.

Final Report

The Final Report is due **April 1, 2023**. This report should cover grant activities **from the Notice to Proceed through April 1, 2023**. The following items must be included:

1. The Grant Number, Grantee’s name and Grant Term. 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.”
2. Amount of grant award.
3. Dates of report coverage.

Project Summary and Status

Provide a concise Executive Summary of the product(s). Within the narrative of the report, include the following information covering the **entire grant term**.

- The total quantity broken down by mesh size of the crumb rubber purchased, the total amount of crumb rubber used in each of the eligible TDP sold, and the total dollar amount for each eligible TDP sold during the grant term. The number of passenger tire equivalent (PTE’s) diverted.
- A narrative describing the overall project and experience, including any delay or acceleration of timelines, any changes to initially projected sales, and any significant changes to the product(s). Describe any testing activity and the experience.

Photographs/Project Acknowledgement

- Upload two digital photographs of each completed TDP and a copy of any relevant sales material. Please upload photographs separately.
- Upload a copy of your internet webpage and web address to meet project acknowledgement requirement.

Grant Payment Information

- 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.
- Reimbursement may be requested quarterly during the Grant Term in conjunction with the submission of the nine (9) Progress Reports.
- 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.
- The grantee must submit a completed Grant Payment Request and provide supporting documentation as described in the “Payment Request and Documentation” section.
- 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.
- 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.
- 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.
- 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.

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

- A. 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 has been provided to the Grant Manager.

B. Cost and Payment Documentation

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

- a) Invoice(s) from the California processor that provided the crumb rubber. The invoice(s) must include the vendor's name, telephone number, address, date of purchase, and indicate the number of pounds of crumb rubber provided and the mesh size.
- b) Applicable Bill(s) of Lading evidencing the crumb rubber shipment(s) **from** the California processor to the TIP grantee; and
- c) 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. bank statement(s) along with a copy of the endorsed check or invoice showing the check number
 - iv. copy of an electronic funds transfer confirmation
 - v. copy of a credit card statement(s)

C. Tire Incentive Program Certification (CalRecycle 774)

- D. An updated General Checklist of Business Permits, Licenses and Filings form (CalRecycle 669), as applicable.

Note: All supporting documentation must be maintained by the grantee in its files, in accordance with the Audit/Records Access section of the Terms and Conditions (Exhibit A)

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

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.