

Exhibit B

Procedures and Requirements Edible Food Recovery Grant Program

1st Cycle Fiscal Year 2021-22 and 2022-23

Copies of these Procedures and Requirements must 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 Edible Food Recovery 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 (NTP) Date: Grant Term Begins on date indicated in the Notice to Proceed.

June 15, 2022: Progress Report Due. Covering activities from NTP Date to May 31, 2022.

September 15, 2022: Check-in call with CalRecycle Grant Manager must be scheduled by this date. If the grantee wishes to submit a Payment Request by this date (late submissions will not be accepted), they must also submit a concurrent Progress Report and Performance Table.

December 15, 2022: Progress Report Due. Covering activities from June 1, 2022 to November 30, 2022.

March 15, 2023: Check-in call with CalRecycle Grant Manager must be scheduled by this date. If the grantee wishes to submit a Payment Request by this date (late submissions will not be accepted), they must also submit a concurrent Progress Report and Performance Table.

June 15, 2023: Progress Report Due. Covering activities from December 1, 2022 to May 31, 2023.

September 15, 2023: Check-in call with CalRecycle Grant Manager must be scheduled by this date. If the grantee wishes to submit a Payment Request by this date (late submissions will not be accepted), they must also submit a concurrent Progress Report and Performance Table.

December 15, 2023: Progress Report Due. Covering activities from June 1, 2023 to November 30, 2023. *CalRecycle strongly recommends that all grantees with grant funds remaining at this time submit a Payment Request with this Progress Report.*

April 3, 2024: Final Report and Final Payment Request Due. The Grantee must report diversion data from the NTP date through February 29, 2024. The Final Report should cover grant activities from the NTP date through the Grant Term end date.

April 3, 2024: Grant Term Ends.

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/).

Accessing the Grant

Grantees must <u>log in to GMS</u> (https://secure.calrecycle.ca.gov/Grants) using their web pass. After logging in, 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: Grantee requests reimbursement.
- Reports tab: Grantee uploads required reports.
- Documents tab: Grantee uploads all other grant documents that are not 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: Shows approved project sites.

Follow the instructions in GMS to work in the system. The following sections describe the reports, transactions, and supporting documents CalRecycle requires.

Contact Updates

Access to the grant is limited to those listed in the **Contacts** tab of the **Application Module** with the "Allow 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 or subcontractor to commence work under this grant, the grantee shall submit to the Grant Manager a declaration from the contractor or subcontractor, 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/), California Code of Regulations, Natural Resources, Division 7, has occurred with respect to the contractor or subcontractor. The grantee must submit this form for each contractor and subcontractor working under the grant.

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

The grantee must upload a scanned copy of each signed Reliable Contractor Declaration form 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 "Grants Management System" section (above).

Grant Term

The Grant Term begins on the date of the Notice to Proceed (NTP) email, which is the formal notification from CalRecycle authorizing the grantee to begin the grant project and ends on April 3, 2024. The grantee must make all grant-eligible program expenditures and incur all grant-eligible costs within this period. Expenditures made or costs incurred prior to the NTP date or after the end date are not eligible for reimbursement.

The Final Report and final Payment Request are due on April 3, 2024. CalRecycle recommends reserving the period from March 1, 2024 to April 3, 2024 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.

Project Requirements

- The project(s) must be located in California.
- The project(s) must increase capacity to recover edible food for human consumption.
- The project(s) must result in increases in the quantity of food that is newly diverted from landfills.
 - "Newly diverted" means the pounds of materials that are currently being landfilled that will instead be diverted because of this project.

Eligible Costs

Grantees may incur eligible costs only during the Grant Term, which starts when the grantee receives a Notice to Proceed from CalRecycle and ends on April 3, 2024. See "Grant Term" for additional information. 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 and fully paid (payments must be cleared), and all grant-funded items must be received by the grantee, 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, but are not limited to the following:

- Refrigerators, freezers, and refrigeration systems.
- Vehicles such as refrigerated trucks.
- Transportation such as third party food transportation services.
- Storage and collection infrastructure such as food crates and bins.
- Materials and equipment related to health and safety such as Personal Protective Equipment (masks, gloves, sanitation, etc.).
- Food preparation and cooking items such as ovens, ranges, etc.
- Salaries up to 65 percent of the applicant's requested grant amount (all grantfunded jobs must relate to the proposed project and hourly wages shall not exceed \$75 per hour for direct personnel costs).
- Public education and outreach costs up to ten percent of the applicant's requested grant amount.

- Activities or equipment to modernize production and handling practices, and/or ordering practices, which result in the measurable prevention of food waste.
- Software (food recovery online exchange platforms) up to 25 percent of the applicant's requested grant amount, not to exceed \$50,000.

Indirect Costs

Indirect costs can be claimed by the grantee. The following guidelines must be used when claiming these costs.

- Total indirect costs shall not exceed ten percent of the applicant's total requested amount.
 - These costs are expenditures not capable of being assigned or not readily itemized to a particular project or activity, but considered necessary for the operation of the organization and the performance of the program.
 - Examples of indirect costs include, but are not limited to: the costs of operating and maintaining facilities, accounting services, administrative salaries (management not directly working on the grant project), all types of insurance, roadside assistance, utilities, background checks, safe food handling certification, and travel expenses are examples of indirect costs.
- All indirect costs charged to the grant must be associated with grant activities as shown in the approved Budget.
- Personnel costs associated with supervision performed by managers and supervisors is an indirect cost. However, if a manager or supervisor performs an activity that is directly related to the execution of the grant (not supervising staff working on the project), costs associated with this activity may be included as a direct charge. Such activity must be clearly supported by appropriate documentation and shall not be charged to the grant as an indirect cost.
- The grantee must maintain organized and accurate records that follow generally accepted accounting principles and leave an audit trail. The grantee must provide access to all documents related to the grant program and fiscal operation of the grant program as deemed necessary by CalRecycle.

Ineligible Costs

Any costs not specifically included in the approved Budget and not directly related to food recovery or food waste prevention and the approved grant project are ineligible for reimbursement. The grantee should contact the Grant Manager if clarification is needed. Ineligible costs include, but are not limited to:

- Costs incurred prior to the date that CalRecycle sends the Notice to Proceed email or after April 3, 2024.
- Indirect Costs exceeding ten percent of the applicant's total requested amount.
- Food waste <u>dehydrators</u>
 (https://www.calrecycle.ca.gov/organics/food/commercial/dehydrators) and <u>liquefiers</u> (https://www.calrecycle.ca.gov/organics/food/commercial/liquefiers).
- Activities or equipment already funded by other agencies using California Climate Investments funds.
- Environmental review for project permitting, including the preparation of Environmental Impact Reports or related documents.
- Purchase, rent, or lease of land or buildings.
- Compost bins and composting equipment.
- Cardboard balers.

- Tax preparation.
- Food.
 - o This grant will not reimburse for the purchase of food of any kind.
- Costs deemed unreasonable or not related to the grant project by the Grant Manager.

Modifications

The grantee must submit any proposed revision(s) to the Work Plan and/or Budget in writing to the Grant Manager. The grantee may not incur costs or make expenditures based on the revision without first receiving the Grant Manager's written approval. Proposed revisions must be clearly marked on the Work Plan and/or Budget and must be accompanied by a summary of proposed changes or modifications, including justification for the proposed changes. Any proposed changes to vehicles or refrigeration equipment must include equipment specifications. If approved, the grant manager will upload the final revised Work Plan and/or Budget to GMS and notify the grantee. The grantee may submit proposed revisions in conjunction with a Progress Report but they cannot be submitted as part of the Progress Report. The grantee should retain the approval document(s) for audit purposes. See the "Audit Record/Access" section of the Terms and Conditions (Exhibit A).

- Requests for Work Plan and/or Budget modifications will only be considered for extenuating circumstances.
- Quotes and equipment specifications must be provided with proposed equipment changes.

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 vehicle wraps, 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.

The grantee must install a sign at the project site upon completion of the project, no later than April 3, 2024. In lieu of a sign, the grantee may list an acknowledgement of CalRecycle's funding for the project(s) on their website, for a minimum period of one year.

The sign must include all of the following:

- 1. Required Acknowledgement: "Funded by a Grant from the Department of Resources Recycling and Recovery (CalRecycle)."
- 2. CalRecycle logo.
- 3. Sample acknowledgement language and information regarding logos is below.

Publicity and Education

The following publicity-related materials and items require pre-approval from the Grant Manager prior to incurring the expense. Public service announcements require acknowledgements to CalRecycle that include publicity and education, and outreach such as, but not limited to, the following:

- Brochures and pamphlets
- Fliers and posters
- All television, radio, video, and social media scripts
- Other outreach

All publicity and education materials must include all of the following:

- Required Acknowledgement: "Funded by a grant from the Department of Resources Recycling and Recovery (CalRecycle)."
 Exception: The acknowledgement line is not required on small items where space constraints would not allow for this line, or if it would interfere with the message.
- 2. CalRecycle logo as reflected on the <u>CalRecycle website</u> (www.calrecycle.ca.gov/Gallery).



For high resolution logos, grantees should contact the CalRecycle Office of Public Affairs at opa@calrecycle.ca.gov.

Reporting Requirements

The Grant Agreement requires Progress Reports and a Final Report; however, the Grant Manager may require additional Progress Reports 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.

The grantee must upload all reports in GMS. For further instructions regarding GMS, including login directions, see the "Grants Management System" section (above). 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 click the **Save** button.
 - 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.
- 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 the Grant Agreement and may result in the termination of the Grant Agreement, 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 grantee must report any problems or delays immediately to the Grant Manager.

Progress Report

The grantee must submit a **Progress Report** by the due date listed in the Milestones section. The Progress Report will include a narrative section and a performance table, which are discussed below. The Progress Report must cover all grant activities that occurred within the specified reporting period. The report must be submitted using the Progress Report and Performance Table template documents provided by CalRecycle and include a detailed description of the following:

General Information

The Grant Number, Grantee's name, Primary Contact, reporting period and Grantee's logo. The following disclaimer must appear on the cover page of the report: "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."

Performance Narrative

Work completed in the reporting period, arranged according to tasks and expenditure categories as shown in the Work Plan. Include task number, task description, start date, completion date, and notes that clarify if the work is completed or ongoing for each task.

- For food recovery activities: provide a detailed description of donors and recipients
 for the reporting period, including: names of donors and recipients, quantity of food
 (in pounds) that was recovered and distributed to people that would otherwise be
 destined for landfill, and types of foods that were recovered (e.g., ready-to-eat foods,
 packaged, produce, meat/dairy, etc.)
- For food waste prevention activities: provide a detailed description and analysis (with supporting documentation, as applicable) of how food waste is measured against a specified baseline of food operations.
 - Food waste prevention projects should capture the reduction of food waste using food waste audit analyses and other metrics that demonstrate a reduction in food waste including, but not limited to, food waste prevention software and education and outreach campaigns that result in measureable reduction of food waste.
 - Provide the quantity of source-reduced food waste in pounds.
- Explain any significant changes in food recovered or food waste prevented reported from month to month in the Performance Table.
 - Explain how the quantity of food recovered or prevented was obtained and explain the calculation methodology (e.g., weighing, estimating by other process, etc.)
- List all major equipment purchases (refrigeration, vehicles, heavy equipment, etc.) and include the equipment specifications, purchase date, and date of operation.
 - o Items in this section must match the equipment listed in the approved Budget.
- Provide digital photographs showing the progress of the grant project during the reporting period.
- Describe planned tasks to be completed in the next reporting period.

Quantitative Performance Data

The grantee must report the pounds of edible food recovered for human consumption and food waste prevented, if applicable, as a result of this project, which otherwise would have been disposed in landfills. Provide quantitative data in the Performance Table template provided by CalRecycle.

The grantee must also report the hours worked for each position created and paid for in whole or in part by this grant during the reporting period. Include job title or classification, job permanence, total project work hours, hourly pay rates or salaries, as well as benefits from the job, such as healthcare, paid vacation, and sick leave.

Site Visits

CalRecycle staff may schedule one or more site visits to verify any of the information submitted in the progress report. Site visits may be conducted onsite/in-person or virtually, depending on travel restrictions. The grantee must agree to accommodate site visit requests within 10 working days after the request is made.

Final Report

The Final Report is due **April 3, 2024**. The Grantee is required to collect and report diversion data from NTP email date through February 29, 2024. The Final Report should cover grant activities from the NTP email date through the Grant Term end date. The grantee must upload and submit the Final Report to the Reports tab in GMS by the date listed in the Milestones section. Each grantee will receive a Final Report Template from the Grant Manager that must be used to submit the Final Report.

Grant Payment Information

- Payments to the grantee for eligible grant expenses are made on a reimbursement basis only, and only for those materials and services specified in the approved grant application.
 - **Note:** All grant-funded purchases must be fully paid for and delivered to the grantee prior to requesting reimbursement.
- The grantee may request reimbursement only in conjunction with submission of a Progress Report or the Final Report.
- The grantee must submit the required Progress Report/Final Report prior to, or concurrent with, submission of the Grant Payment Request. No reimbursement is made prior to Grant Manager approval of the report.
- The grantee must submit a completed Grant Payment Request and provide supporting documentation as described in the "Payment Request and Documentation" section.
- CalRecycle will make grant payments to only the grantee. It is the grantee's responsibility to pay all contractors and subcontractors for purchased goods and services.
- Cooperative Agreement Reimbursement: Lead Participants (Lead) for Cooperative agreements are responsible for reimbursing all Non-Lead Participants. When and if the Non-Lead Participant(s) submits an invoice to the Lead, the Lead pays the Non-Lead Participant, in full, directly. The Lead then requests reimbursement from CalRecycle. CalRecycle can only reimburse invoices received from the Lead directly, not from the Non-Lead Participant(s).

- CalRecycle will withhold and retain 10 percent of each approved Grant Payment Request amount until all conditions stipulated in the Agreement, including submission and Grant Manager approval of the Progress and Final Reports, 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 the Grant Manager approves a Grant Payment Request.
- The grantee must provide a Reliable Contractor Declaration (CalRecycle 168) (https://www.calrecycle.ca.gov/Funding/forms/) signed under penalty of perjury by the grantee's contractors and subcontractors in accordance with the "Reliable Contractor Declaration" section of the Terms and Conditions (Exhibit A). The declaration must be received and approved by the Grant Manager prior to commencement of work. See the "Reliable Contractor Declaration" section 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.

The grantee must submit payment requests in GMS. For further instructions regarding GMS, including login directions, see the "Grants Management System" section (above). To submit a Grant Payment Request:

- 1. Go to the **Payment Request** tab.
- 2. Click on the **Create a Payment Request** button.
 - a. Choose **Reimburse** for the **Transaction Type** and enter the amount spent in each budget subcategory.
 - b. When the transaction is complete, click the **Save** button.
 - c. After the transaction is saved, the **Upload Supporting Documents** button will appear in the lower right corner.
- 3. Click the **Upload Supporting Documents** button.
 - a. Choose the **Document Type**, enter a **document title**, click the **Browse** button to search and upload the document, and then click the **Save** button.
 - Select the **Back** button to upload another document and continue this process until all required supporting documents as listed below are uploaded.
 - c. 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.
 - a. 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

- Grant Payment Request form (CalRecycle 87)
 - An Adobe digital signature from 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.

• Expenditure Itemization Summary (EIS) (CalRecycle 777-EFR)

- All expenditures must be itemized and arranged by the reporting and expenditure categories as contained in the grantee's approved Budget and Work Plan. Upload the Excel versions
- Each EIS must be accompanied by the supporting documentation for each line item expense (see below). The grantee should retain the original documents.

• Cost and Payment Documentation

- Acceptable cost and payment documentation must include at least one of each of the following:
 - 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.
- Proof of payment may include:
 - Copy of cancelled check(s) that shows an endorsement from the banking institution.
 - Invoice(s) showing a zero balance, or stamped "paid" with a check number, date paid, and initials.
 - 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.
 - Bank statement(s) along with a copy of the endorsed check or invoice showing the check number.
 - Copy of an electronic funds transfer confirmation
 - Copy of a credit card statement(s).

Note: The Grant Manager may require additional cost and payment documentation as necessary to verify eligible costs.

Personnel Expenditure Summary (PES) (CalRecycle 165)

- A Personnel Expenditure Summary should be submitted if salaries are included in the payment request. Salaries include government taxes and benefits.
- Document personnel expenditures based on actual time spent on grant activities and actual amounts paid to personnel.

• Travel Expense Log (CalRecycle 246)

 A Travel Expense Log should be submitted if vehicle mileage is included for reimbursement in the payment request. Only travel expenses directly related to the implementation of the grant can be claimed. Mileage will be reimbursed at the State rate.

All forms listed above are available from the <u>CalRecycle Grant Forms web page</u> (https://www.calrecycle.ca.gov/Funding/Forms).

Electronic and Original Signatures

CalRecycle now allows for certified e-Signature or original wet signature on documents or forms that certify legally binding information.

Note: E-signatures must include the first and last name of the Signature Authority, be in the Adobe Digital ID format and cannot be the "Fill and Sign" function within Adobe. Any documents using the "Fill and Sign" method is considered incomplete and may be sent back to the grantee.

If you have questions, email <u>grantassistance@calrecycle.ca.gov</u>.

Annual Survey

Post-Grant Term Annual Surveys may be requested by CalRecycle to verify continuous progress of projects funded by the Edible Food Recovery Grant Program. The grantee may be asked to complete and submit an Annual Survey for the Edible Food Recovery Grant Program every year for three years after the end of Grant Term, based on the schedule below. You will be notified via email once the annual online survey is available.

- First Annual Survey: Due June 30, 2025
 - o Covering April 4, 2024–June 30, 2025
- Second Annual Survey: Due June 30, 2026
 - o Covering July 1, 2025–June 30, 2026
- Third Annual Survey: Due June 30, 2027
 - o Covering July 1, 2026–June 30, 2027

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. CalRecycle may stipulate a longer period of records retention 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 cancelled checks. Please refer to the Terms and Conditions (Exhibit A) for more information.