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## NOTICE OF FUNDING OPPORTUNITY

*Agency:* Denali Commission

*Date:* 16 June 2020

*Title:* Transportation Projects Grants

*Announcement Type:* Initial Solicitation

*Notice of Funding Opportunity Number:* DC-TP-20-001

*Catalog of Federal Domestic Assistance Number:* 90.100

*Application Deadline:* 1:00 p.m. Alaska time on 31 July 2020

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Entities wishing to apply for this opportunity may download the full NOFO package from the Denali Commission website at <https://www.denali.gov/>

Applicants may also request a hard copy of the package by contacting:

**Janet Davis**  
**Denali Commission Grants Management Officer**  
[jdavis@denali.gov](mailto:jdavis@denali.gov)  
(907) 271-1414 or (907) 271-3036

Administrative questions should also be directed to Janet Davis. Program related questions should be directed to:

**Jocelyn Fenton**  
**Denali Commission Transportation Program Manager**  
[jfenton@denali.gov](mailto:jfenton@denali.gov)  
(907) 271-1414 or (907) 271-4714

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### Exhibits

1. Financial Assistance Award Terms and Conditions
2. Example Budget and Funding Summary

## A. Program Description

The Denali Commission (Commission) was established with a specific focus on promoting rural development including surface transportation and waterfront facilities. The Commission aims to connect rural communities to one another and the state highway system, provide functional and safe ports, barge landings, and docking facilities, and to provide opportunities to enhance rural economic development.

For this Notice of Funding Opportunity (NOFO), the Commission has between \$1,500,000 and \$3,000,000 available for transportation grants. The objective of this opportunity is to aid rural Alaskan communities in developing or improving transportation infrastructure. The authority for this solicitation is section 305, of the Denali Commission Act of 1998, which authorizes the Commission, acting through the Federal Co-Chairperson, to award grants.

A list of example projects that could be the basis for a successful application is summarized below. This is not a comprehensive list of eligible projects. Rather, it is intended to communicate the scope and scale of project types that may be considered appropriate for consideration under this competitive opportunity.

1. Road development or improvements
2. Road safety improvements (including surface repair, dust control, fence repair, etc.)
3. Trail upgrades or improvements
4. Drainage and/or drainage structure development or improvement
5. Bridge development or improvements
6. Transportation planning and design
7. Waterfront development or improvements

The funds made available via this NOFO are primarily intended to be used for actual implementation type projects although planning and design projects will be considered.

The costs of repair and upgrade of equipment necessary for completion of a project should not exceed 15% of the proposed construction project.

As used in this NOFO:

- *Contract* is a legal instrument by which a recipient purchases property or services needed to carry out the project under an award. A contract/contractor provides the goods and services within normal business operations; provides similar goods or services to many different purchasers; normally operates in a competitive environment; and provides goods or services that directly support the goals of the Federal program.
- *Transportation Infrastructure* means roads, bridges, ATV trails, and dock/waterfront facilities.
- *Distressed Community* means a community that is listed on the annual update of the distressed community list prepared by the Alaska Department of Labor and Workforce Development, Research and Analysis Section. The 2019 Distressed Community List can be found here:

<https://www.denali.gov/wp-content/uploads/2018/10/2019-Distressed-Communities-Report-Final.pdf>

- *Force Account Construction* means a construction delivery method by which a grantee employs its own workers to complete a publicly funded construction project in lieu of hiring a private contractor.
- *Recipient* means an applicant that is awarded a Denali Commission grant
- *Financial Assistance Award (FAA)* is the grant/award agreement documentation between the recipient and the Denali Commission

## **B. Federal Award Information**

The total amount of funds available in federal fiscal year 2020 for all awards under this NOFO is between \$1,500,000 and \$3,000,000. The maximum amount of assistance that will be awarded for individual applications is \$250,000, although requests for additional funding will be considered if enough eligible projects are not submitted. The Commission will not accept applications for projects with a total cost less than \$50,000. The number of awards will depend on the number of eligible applications submitted, the size of awards requested, and the quality/competitiveness of the applications. The Commission anticipates issuing between 6 and 10 awards under this program. The exact amount of an individual award will be determined in pre-award negotiations between the Commission and the applicant.

Selected applicants (Recipients) will be funded through a Financial Assistance Award (FAA) between the Commission and the successful applicant. The FAA will include the information stipulated in 2 CFR 200.210 (general award information, terms and conditions, budget, schedule, deliverables and reporting requirements). The Commission's FAA general terms and conditions are attached for reference as Exhibit 1. Recipients will be required to adhere to the Bonding and Insurance requirements stipulated in Section 15 of Exhibit 1. Guidance and requirements for all FAA's awarded by the Commission are summarized in *Recipient Guidelines and Requirements (RGR)*, dated September 2018. A copy of the RGR is available on the Commission website which can be found here:

<https://www.denali.gov/wp-content/uploads/2018/11/FINAL-RGR-10-01-20182.pdf>

The Commission expects to be substantially involved in many aspects of the awards. This involvement may include, but is not limited to, collaboration on the scope of work, providing technical assistance, providing comment and review on design submittals, and tracking progress toward successful execution of the proposed project.

Pre-award project direct costs are generally unallowable; however, pre-award costs may be considered in FAA negotiations between the Commission and successful applicants. Incurring pre-award costs is at the applicant's own risk.

Successful applicants will be required to submit additional forms and certifications during the development of the FAA documents, including Standard Form SF-424, Application for Federal Assistance. The Commission uses a platform known as *GrantSolutions* to process new FAAs and

amendments to existing FAAs.

The performance period for Awards issued pursuant to this NOFO will be a maximum of 24 months. Projects should be developed such that they can be fully executed within the award period.

Denali Commission Award recipients will be required to:

1. Be registered in SAM.gov prior to award.
2. Provide a valid DUNS number prior to award.
3. Continue to maintain an active SAM registration with current information at all times during the Award performance period.

Though not required to submit an application in response to this NOFO, applicants are encouraged to address the SAM registration and DUNS number requirements during the application process. The Commission may not issue an FAA until the applicant has complied with all applicable SAM and DUNS requirements. Registration in these systems can take up to one month to complete and, if an applicant has not fully complied with the requirements by the time the Commission is ready to make an award, the Commission may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making an award to another applicant.

### **C. Eligible Applicants**

Eligible applicants include state, municipal, borough and tribal governments, ANCSA Village Corporations, ANCSA Regional Corporations, regional housing authorities, universities, regional tribal non-profit organizations, and non-profit organizations that serve rural Alaska. Proposed projects must benefit rural communities, defined as populations less than or equal to 2,500. Regional transportation projects that impact multiple rural communities are eligible.

No more than one Award may be issued in a single applicant under this NOFO. Applicants must demonstrate the ability to implement requested projects through competitive design and/or construction contracts or via local force account construction.

All Commission construction grants over \$100,000 under this NOFO will require cost sharing or matching as follows:

- *Distressed* communities - Commission funding shall not exceed 80% of the total project cost
- *Non-distressed* communities - Commission funding shall not exceed 50% of the total project cost

Note that cost sharing or matching is a scoring element and part of the selection criteria (reference NOFO Section E) regardless of amount.

"Cost sharing or matching" is defined by 2 C.F.R. 200.29 as "the portion of project costs not paid by Federal funds (unless otherwise authorized by Federal statute)." Any shared costs or matching funds and all contributions, including cash and third party in-kind contributions, will be considered cost sharing or matching when the contributions meet the criteria listed in 2 C.F.R. 200.306. Community owned equipment that is leased or rented to the project may be considered an in-kind contribution to

the project and counted as a non-federal match.

#### **D. Application Format and Submittal Requirements**

All applications must be mailed in a sealed envelope to the Denali Commission and arrive no later than the time specified below. The Commission office is closed to public access at this time due to the COVID-19 pandemic and associated safety measures, but US mail is delivered and collected regularly. Facsimile (fax) or electronic mail applications will not be accepted. Any applications not physically received at the address below on or before the specified date and time will not be opened or considered.

**Deadline:** Friday, 31 July 2020 at 1:00 PM

**Address Responses To:** Denali Commission  
RE: DC-TP-20-001  
510 "L" St., Suite 410  
Anchorage, Alaska 99501

**Mark Submittals as Follows:** Application for Transportation Grant

**Required Number of Copies:** Three (3) hard copies

Applications should only address the selection criteria listed in Section E. Applications shall include all of the following and adhere to the specified criteria. One page is defined as one side of a standard 8 ½ inch by 11 inch sheet of paper.

- |                          |                 |                  |
|--------------------------|-----------------|------------------|
| <input type="checkbox"/> | Cover Letter    | One page maximum |
| <input type="checkbox"/> | Project Summary | One page maximum |
| <input type="checkbox"/> | Narrative       | 8 pages maximum  |
| <input type="checkbox"/> | Appendix        | 15 pages maximum |

**Cover Letter:** Each application must include a cover letter signed by an individual duly authorized to represent the entity submitting the application. The letter must include the following.

1. Acknowledgement that the applicant has reviewed all information included in the original NOFO solicitation, and all subsequent information related to the NOFO (if any) posted on the Commission's website prior to 31 July 2020.
2. Certification that the applicant is in good standing with the Internal Revenue Service.
3. Certification that any funds identified in the project budget as non-federal cost share match are available.
4. If the applicant is a non-profit organization, a reference to current U.S.C. 501(c)(3) documentation included in the Appendix.
5. If the applicant is an entity applying on behalf of a Municipal or local Tribal government, a

statement confirming that the entity is authorized to apply on their behalf with a reference to an appropriate authorizing resolution included in the Appendix.

6. SAM registration number, or certification that the applicant will become registered no later than 31 August 2020.

Failure to include the above information in the cover letter may result in the application being rejected as non-responsive.

*Project Summary:* A one page summary that includes the following information.

- a) Name of applicant
- b) Project title and location
- c) Distressed or non-distressed community
- d) Description of the proposed activity
- e) Total amount of requested funding
- f) Other funding proposed and/or non-federal match or in-kind contribution
- g) Project Schedule

*Narrative:* Information about the proposed project that specifically addresses all the criteria in Section E.

*Appendix:* Other relevant supporting materials such as project design plans, budget and funding table, resumes of key personnel, maps of the project area, photographs, letters of support, etc.

## **E. Application Review Process**

The Commission will review applications based upon merit in accordance with 2 CFR 200.204. An initial review will be conducted to determine if applications meet the submittal requirements and are consistent with program objectives. Only those applications meeting these initial criteria will be considered qualified and forwarded for formal review.

Qualified applications will be reviewed by a Selection Committee established for this particular NOFO. The Committee will be comprised of the State of Alaska Department of Transportation's Roads and Highways Advisory Board chaired by the Federal Co-Chair of the Denali Commission. Each Committee member will score each application on the first three selection criteria listed below. The fourth criteria (Budget Detail) will be scored using a formula that compares all qualified applications to each other, and then added to each Committee member's score sheet. A combined Committee score will be assigned to each application by summing the scores from each reviewer.

As required by 2 CFR 200 of the Uniform Guidance, effective January 1, 2016, the Denali Commission is required to review and consider any information about the applicant that is in the [\*Federal Awardee Performance and Integrity Information System \(FAPIIS\)\*](#) before making any award in excess of the simplified acquisition threshold (currently \$250,000) over the period of

performance. An applicant may review and comment on any information about itself that a federal awarding agency previously entered. Denali Commission will consider any comments by the applicant, in addition to other information in [FAPIS](#) in making a judgment about the applicant’s integrity, business ethics and record of performance under federal awards when completing the review of risk posed by applicants as described in [2 CFR 200.205 Federal Awarding Agency Review of Risk Posed by Applicants](#).

The Review Committee will develop a prioritized list of applications based on the combined Committee score, with the highest priority assigned to the application with the highest score. The Review Committee’s prioritized list of applications will be forwarded to the Denali Commission Federal Co-chair for approval.

<b><u>Evaluation Criteria</u></b>	<b><u>Max. Score</u></b>	<b><u>Percent of Max. Score</u></b>
1. Consistency with Program Intent	400	40%
2. Implementation Plan	250	25%
3. Match Funds	250	25%
4. Budget Detail	<u>100</u>	<u>10%</u>
	<b>1,000 Points</b>	<b>100%</b>

Additional information on each evaluation criteria is summarized below. The narrative section of the application should address all the information described below, with supporting documentation in the appendix. To facilitate the application review and award process, the Commission recommends that application narratives be organized in the order and labeled as stated below.

**1. Program Intent (40%)**

Describe the transportation infrastructure project. Describe the specific goals and objectives that will be achieved by implementing the proposed project. Provide sufficient information defining project activities for reviewers to understand how the project scope will achieve the goals and objectives. Explain progress and coordination of the project so far, such as benchmarks achieved or timelines established, and expected project outcomes should be clearly stated. Identify specific community or individual benefits related to mobility, health, safety, reduced operating costs/cost of living, and/or improving/extending the benefit of existing infrastructure.

The use of photographs or figures to help communicate existing conditions is encouraged. Photographs and other support material referenced in the text of an application but included in an appendix do not count against the narrative section page limits.

**2. Implementation Plan (25%)**

*Organization and Capacity:* Provide information about your organization, including its mission, structure, leadership, programs, and special expertise. Summarize your organization’s experience and capacity to manage Federal grant programs. List key personnel that will be involved in project implementation. Resumes included in an appendix will not count against the narrative section page limits.

*Project Contact:* Identify the designated local project lead, including name, position, address, email address, and telephone number.

*Delivery Method:* Describe your approach to implementation of the project including design, permitting, and construction elements. Delineate work that will be completed by contractors and/or via force-account construction.

*Schedule:* Provide a project implementation schedule illustrating the proposed completion dates of major project milestones including design, permitting, and construction activities. Demonstrate the ability to complete project activities within the award period.

*Qualifications:* Summarize the experience of key personnel assigned to this project with respect to managing federal grants, and contracts or force account construction as applicable. Also summarize key personnel experience in managing the design and construction of similar projects.

### **3. Match Funds/Cost Share (25%)**

Identify project costs provided via other federal, non-federal, or in-kind contributions. Indicate whether Denali Commission funds will be considered non-federal cost share match to other federal funds. Denali Commission funds will not exceed 80% (for distressed communities) or 50% (for non-distressed communities) of any project under this NOFO that is awarded over \$100,000 and is considered construction. While design projects do not require match per Commission policy, projects with matching funds or shared costs will receive a higher evaluation rating.

### **4. Budget Detail (10%)**

Provide a budget and funding estimate for the project that clearly identifies and justifies the cost of the proposed work. An example Budget and Funding Table is provided as Exhibit 2. All costs must be allowable, allocable and reasonable in accordance with 2 CFR 200 Subpart E. The budget should be sufficiently detailed to enable a clear understanding of the various cost elements of the project, the calculations used to derive line item subtotals, and other funding expected for the project. Include the following categories, as applicable.

*Personnel:* Include personnel labor rates and fringe benefits as line items in the budget. Only include costs for employees working directly on the grant project. Include the number of staff, type of personnel, hourly wage (or salary) and total cost to the grant. Costs should be consistent with that paid for similar types of work within the organization. Note that Davis Bacon (DB) and State Prevailing Wages will not apply to most projects funded through this NOFO; they will only be applicable on work done in a Federal Highway Right-of-Way. Prepare application budgets accordingly. The Commission will verify DB applicability. Fringe benefits included in the application must be consistent with benefits paid to all of the organization's employees. Fringe benefits are only for the percentage of time devoted to the grant project. This *In-house Personnel Cost* category is limited to only those individuals directly employed by your organization. The labor cost for individuals working on the project but not employed by your organization should be included in the "*Contractual*" category below.

*Travel:* Summarize costs for travel required for project implementation. Provide the purpose, method of travel, number of persons traveling, number of days, and estimated cost for each trip. If details of each trip are not known at the time of application submission, provide the basis for determining the amount requested.

*Equipment:* Include costs for those items which are tangible, nonexpendable, personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit - unless the applicant has a clear and consistent written policy that results in a different threshold. Include a description, quantity, and unit price for all equipment owned by your organization that will be charged to the project. Each item of equipment must be identified with its corresponding cost. List fuel, maintenance and operator costs separately. General-purpose equipment must be justified as to how it will be used on the project.

Equipment that costs less than \$5,000 should be included under “*Supplies*” or “*Other Direct Costs.*” The costs for rented or leased equipment should be included in the “*Contractual*” or “*Other Direct Costs*” category, depending upon the procurement method.

*Supplies:* Supplies are tangible personal property other than equipment. If supplies are requested, include a justification of why they are needed for project implementation. It is not necessary to document office supplies in great detail (for example: reams of paper, boxes of paperclips, etc.). However, applicants should include a quantity and unit cost for larger cost supply items such as computers and printers.

*Contracts:* Include the estimated costs for labor (fully burdened), travel, materials, equipment and freight for those activities to be performed by an individual or organization, other than the applicant, in the form of a procurement relationship. Applicants should include detailed budget information regarding all known contracts and indicate the basis for the estimated contract costs. Note that Davis Bacon and State Prevailing Wages are not required for contractor labor paid for via an Award made pursuant to this NOFO.

*Other Direct Costs:* Include costs that do not fit any of the aforementioned categories, such as rent for buildings used to conduct project activities, utilities, leased equipment, employee training tuition, etc. “Other” direct costs must be itemized.

*Indirect Costs (unless waived):* Indirect costs are an allowable cost under Commission Awards. Indirect costs are incurred for common or joint objectives that benefit more than one project. If claiming an indirect cost rate, the applicant must include a signed copy of the approved negotiated rate agreement in the Appendix, that is valid as of the date of the application. If the rate will not be approved by the application due date, attach the letter of renewal or letter of request that you sent to your cognizant agency with your application. Applicants that do not have an approved indirect cost rate agreement can use the 10% de-minimis rate referenced in 2 CFR 200.414.

## **F. Administrative Information**

1. Both successful and unsuccessful applicants will be notified within 10 business days after the Selection Committee's final recommendations have been approved by the Federal Co-Chair. It is anticipated that said notifications will be made on or about August 31, 2020. The earliest anticipated date that FAA's will be issued is mid-August 2020.
2. The Denali Commission is not liable for any costs incurred by applicants prior to issuing a formal FAA pursuant to this NOFO. All preparation and other costs in responding to this NOFO are the sole responsibility of the applicant.
3. Notification that an applicant has been selected pursuant to this NOFO is not an authorization to proceed with work or to incur costs. A fully executed FAA signed by the Denali Commission Federal Co-Chair is the authorizing document.
4. Exhibit 1 includes the administrative, national policy, and reporting requirements typically included in a Denali Commission FAA. See Section B for more information regarding the Commission's FAA documents.
5. Guidance and requirements for all FAA's issued by the Commission are summarized in *Recipient Guidelines and Requirements* (RGR). See Section B for a link to the current RGR.
6. If the total value of a Recipient's active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the performance period of an Award made pursuant to this NOFO, then the Recipient must comply with reporting requirements related to civil, criminal and administrative proceedings, in accordance with 2 CFR 200 Appendix XII.
7. In accordance with 2 CFR 200.501, Recipients that expend \$750,000 or more of federal funds in a year shall have a single or program-specific audit conducted for that year.

## **G. Awarding Agency Contacts**

Administrative questions regarding this NOFO or Denali Commission FAA's should be directed to:

**Janet Davis**  
**Denali Commission Grants Management Officer**

[jdavis@denali.gov](mailto:jdavis@denali.gov)

(907) 271-1414 or (907) 271-3036

Program related questions should be directed to:

**Jocelyn Fenton**  
**Denali Commission Transportation Program Manager**

[jfenton@denali.gov](mailto:jfenton@denali.gov)

(907) 271-1414 or (907) 271-4714

## H. Other Requirements and Information

1. If additional information or instructions regarding this NOFO are published, said information or instructions will be posted on the Denali Commission website here:

<https://www.denali.gov/>

No new information or instructions will be posted after 27 July 2020. It is the responsibility of applicants to periodically check the website for any new information or instructions, to comply with said new information or instructions, and to acknowledge that they have done so in the cover letter submitted with their application as stated in Section D.

2. The Denali Commission reserves the right to waive minor informalities, and to make selections deemed consistent with and in the best interest of the Transportation Program. This includes the right to cancel the solicitation at any time, reject any or all applications and the right to proceed utilizing a different process based on the Commission's analysis of the overall program budget.
3. The Denali Commission may require, seek, and utilize all information it deems appropriate in order to assess the qualifications of applicants. All information submitted in response to this NOFO is considered Public Records under the Alaska Public Records Act.
4. Award of an FAA pursuant to this NOFO does not obligate the Denali Commission to issue any future FAA's to selected applicants.

**Financial Assistance Award Terms and Conditions  
Between the Denali Commission and (Recipient)  
For <Title of project, same as on FAA>  
Award No. \_\_\_\_\_**

**1. Project Summary**

- a. Scope of Work: *Brief statement summarizing the scope of work*
- b. Deliverables: *Summarize the primary deliverable(s)*
- c. Budget: The Commission is making \$ \_\_\_\_\_ available for the project via this Financial Assistance Award (FAA). This amount includes all direct, indirect, and pre-award costs (if any) authorized pursuant to 2 CFR 200.458. Other partners on the project include \_\_\_\_\_, who in total are contributing an additional \$ \_\_\_\_\_. All Commission funding is intended to be used for the scope of work identified in this FAA only. Any funds remaining after the full scope of work has been completed shall be returned to the Denali Commission consistent with 2 CFR 200.345.
- d. Delivery Method: *Brief summary of how the project will be accomplished, including relevant comments with respect to phasing, sub-awards, contracts, force account construction, and competitive procurements. If Cooperative Agreement provisions apply then insert a statement to this effect in the Special Provisions and include specific details in Attachment A.*
- e. Performance Period: The Period of Performance for this FAA is \_\_\_\_\_ through \_\_\_\_\_. In accordance with 2 CFR 200.309 Recipients can only incur obligations or costs against this FAA during the Period of Performance, unless specifically authorized in the Special Provisions (Section 14 of this document). If a project cannot be completed within the approved Period of Performance, an extension request must be made in accordance with the Commission's *Recipient Guidelines and Requirements* (RGR) document dated September 2018, available at [www.denali.gov](http://www.denali.gov).

More detailed information on scope, deliverables, budget, funding, project delivery method and/or management plan, schedule and key milestones are included in Attachment A dated \_\_\_\_\_.

**2. Project Reporting and Commission Site Visits**

Progress reports and a close-out report are required under this FAA. Progress Reports shall be submitted at the frequency stipulated in the Special Provisions. The Closeout Report shall be completed within 90-days of the end of the Period of Performance. All reports must be submitted using the Denali Commission's on-line Project Database System, available at [www.denali.gov/dcpdb](http://www.denali.gov/dcpdb).

**Recipient**

Commission staff or agents of the Commission may make visits to the project site and/or home office to monitor progress during and/or after the Period of Performance. The Recipient shall coordinate and make information available as necessary to facilitate any such site visits.

Refer to the *Recipient Guidelines and Requirements* document for further information related to reports and site visits.

**3. Payments**

Payments under this FAA will be made in accordance with 2 CFR 200.305 by electronic transfer in response to a Standard Form 270 (SF-270) "Request for Advance or Reimbursement", submitted by the Recipient. At a minimum, all 270's must include summary cost information on labor, materials, contracts/consultants, and indirect costs. Detailed documentation is required for any single expenditure greater than \$50,000. If Pre-award Costs and/or Advance Payments are authorized under this FAA, the Special Provisions will indicate so. Requests for reimbursements may be made as needed. Refer to the *Recipient Guidelines and Requirements* document for further information about submitting SF-270's.

**4. Modifications**

In accordance with 2 CFR 200.308, the Recipient shall report deviations in project scope, budget, delivery method, management plan, schedule, or changed site conditions, and request prior approvals from the Program Manager. The Recipient shall also submit written requests to the Program Manager for the replacement of Key Staff identified in the Special Provisions. Refer to the *Recipient Guidelines and Requirements* document for further information about modifying a Financial Assistance Award.

**5. Financial Management, Record Keeping, Internal Controls, and Audits**

The Recipient must have financial management and record keeping systems that are consistent with 2 CFR 200.302. If the Recipient is a State organization it must expend and account for FAA funds in accordance with applicable State laws and procedures for expending and accounting for the State's own funds.

The Recipient must establish and maintain effective internal controls with respect to this FAA that are consistent with 2 CFR 200.303.

In accordance with 2 CFR 200.501, Recipients that expend \$750,000 or more of federal funds in a year shall have a single or program-specific audit conducted for that year.

Refer to the *Recipient Guidelines and Requirements* document for further information about financial management, record keeping, internal controls and audits.

**Recipient****6. Direct and Indirect Costs**

All direct costs must be allowable and reasonable. Indirect costs must be allocable based on accepted accounting policies and practices. Indirect costs must be specifically included as a line item or identified with appropriate notes in the approved FAA budget. Refer to 2 CFR 200 Subpart E (Cost Principles) and the *Recipient Guidelines and Requirements* document for further information on direct and indirect costs.

**7. Sub-Awards**

All sub-awards and contracts issued by the Recipient under this FAA must comply with 2 CFR 200.331 and 332.

**8. Procurements**

- a. States: In accordance with 2 CFR 200.317, when procuring property and services under this FAA, a State Recipient must follow the same policies and procedures it uses for procurements from its non-Federal funds. The State Recipient must also comply with 2 CFR 200.322, and ensure that every purchase order or contract includes any clauses and provisions required by 2 CFR 200.326.
- b. Other Non-Federal Entities: All other non-Federal Recipients, including subrecipients of a State, must follow their own documented procurement procedures, provided that the procedures conform to applicable Federal law and the standards in 2 CFR 200.318 through 200.326. Refer to the *Recipient Guidelines and Requirements* document for further information on this subject.

**9. Acknowledgement of Support**

The Recipient shall name the Denali Commission as a financial contributor and project/program partner in all media correspondence related to the work supported by this FAA. If Commission funds are used for construction, the Recipient shall also display a sign at the construction site that acknowledges the Commission's support. Refer to the *Recipient Guidelines and Requirements* document for further information on this subject.

**10. Real Property and Equipment**

The Disposition requirements and restrictions set forth in 2 CFR 200.310 through 200.316 apply, unless specifically altered in the Special Provisions to this FAA.

Any Real Property reporting requirements apply in accordance with 2 CFR 200.329 will be stipulated in the Special Provisions to this FAA.

**Recipient****11. Conflict of Interest**

In accordance with 2 CFR 200.112, the Recipient must disclose in writing any potential conflicts of interest to the Commission. In addition, 2 CFR 200.318 requires that Recipients maintain written standards of conduct covering conflicts of interest and governing the performance of their employees engaged in the selection, award, and administration of contracts. Refer to the *Recipient Guidelines and Requirements* document for further information on this subject.

**12. Denali Commission Policies**

Recipients may be required to comply with published Denali Commission policies covering topics such as cost match, sustainability, private enterprise, competitive bidding, cost containment, etc.. Any specific requirements or deliverables related to these policies will be stipulated in the Special Provisions to this FAA.

**13. Laws and Regulations**

Recipients are required to comply with all applicable Federal laws and regulations. General categories of potentially applicable laws and regulations are summarized below. Refer to the *Recipient Guidelines and Requirements* document for further information on specific laws and regulations that may apply.

- a. Debarment and Suspension
- b. Whistle-blower Protection
- c. Non-Discrimination
- d. Lobbying and Propaganda
- e. Environmental
- f. Drug-Free Workplace
- g. Travel
- h. Human Rights
- i. Animal Welfare
- j. Executive Compensation

**14. Other Provisions**

- a. The United States expressly disclaims any and all responsibility or liability to the Recipient or sub-recipients for the actions of the Recipient or sub-recipients resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this FAA, including sub-awards, contracts, or sub-contracts issued in connection with this FAA.
- b. To the maximum extent practicable, considering applicable laws, the Recipient shall accomplish the project contemplated by this FAA using local Alaska firms and labor.
- c. All terms and conditions contained in this FAA apply to any sub-recipient under this FAA.

**Recipient**

- d. Failure to comply with the provisions of this FAA or maintain satisfactory performance may result in additional FAA conditions pursuant to 2 CFR 200.207. This includes but is not limited to: temporarily withholding of payments pending the correction of the deficiency; disallowance of project costs; wholly or partially suspending or terminating the FAA. In addition, failure to comply with the provisions of this FAA may also have a negative impact on the Recipient's eligibility for future Federal awards.

**15. Special Provisions**

*Insert relevant special provisions as appropriate*

**16. Program Manager, Financial Manager & Other Contact Information**

<b>Denali Commission</b>	<b>Recipient</b>
<b>Name</b> Program Manager 510 L Street, Suite 410 Anchorage, AK 99501 Phone: 907-271-xxxx Fax: 907-271-1415 E-mail: @denali.gov	<b>Name</b> Project Manager <b>Address</b> Phone: 907-xxx-xxxx Fax: 907-xxx-xxxx Email: @
Janet Davis Grants Management Officer 510 L Street, Suite 410 Anchorage, AK 99501 Phone: 907-271-3036 Fax: 907-271-1415 E-mail: jdavis@denali.gov	<b>Name</b> Financial Contact <b>Address</b> Phone: 907-xxx-xxxx Fax: 907- xxx-xxxx Email: @

## Special Provisions Menu

The following are examples of typical special provision clauses. If the standard language presented below does not fit the situation in a particular FAA, then craft a unique clause accordingly.

All FAA's should include the following entries, even if the entry is n/a.

**Progress Reports:** "Shall be submitted on a quarterly basis. The first reporting period is xx Month 20yy to xx Month 20yy, and quarterly thereafter in accordance with the Commission's *Recipient Guidelines and Requirements*", or some other clause with more specific criteria.

**Pre-award Costs:** Either "n/a", "Project related costs beginning xx Month 20yy", or some other clause with more specific criteria.

**Advance Payments:** Either "n/a", "Allowed", or some other clause with more specific criteria.

**Key Staff:** List key staff names and titles.

**Denali Commission Policies:** If no specific requirements from the policies listed below apply, then enter "n/a". Otherwise, list the policies that apply and any specific requirements related to the issues summarized below for each policy. Summarize the requirements in Section 14 of the FAA, or state that they are included within Attachment A to the FAA.

### *Investment Guidance Policy*

- Threats related to erosion, flooding or permafrost degradation
- Consistency with regional planning documents
- Special design phase population/capacity studies
- Special design phase life-cycle cost studies
- Special design phase cost estimating and/or value engineering studies

### *Sustainability Policy*

- Business Plans
- R&R Accounts

### *Community Planning Policy*

- Consistency with current community planning documents

### *Open Door Policy*

- "Completed facility/infrastructure shall be available to all potential users."

**Recipient**

**Private Enterprise Policy**

- Planning and/or design phase public vs. private competition analysis

**Competitive Bid Policy**

- Price competition required for projects with total planning, design and construction costs greater than \$3 million
- Local hire requirements/goals

**Cost Containment Policy**

- Budget and cost estimate detail/justification

**NEPA:** Either “TypeA.x Categorical Exclusion per Denali Commission National Environmental Policy Act (NEPA) Implementing Procedures published in 45 CFR Part 900 on October 1, 2016 therefore no further NEPA documentation required”, or some other clause with more specific criteria in Attachment A”.

**Cooperative Agreement:** Either “n/a”, or “\_\_\_\_\_(Recipient)\_\_\_\_\_ agrees to cooperate and collaborate with the Denali Commission during the project. The Commission will participate in those specific activities stipulated in Attachment A.”

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Include the following provisions in FAA’s that involve the purchase of equipment, design and/or construction.

**Equipment Disposition:** Either “n/a”, or “When any equipment with a useful life longer than one year and a per unit acquisition cost greater than \$5,000 acquired with Denali Commission funds is no longer needed for the originally authorized purpose outlined in this FAA, \_\_\_\_\_(Recipient)\_\_\_\_\_ must contact the Commission for disposition instructions in accordance with 2 CFR 200.313.”

**Insurance:** “The Denali Commission shall be named additional insured on \_\_\_\_\_(Recipient’s)\_\_\_\_\_ General Liability Insurance Policy, the General Liability Insurance Policy of the prime architectural/engineering firm(s) retained to design the project, the Liability Insurance Policy of the first tier construction firm(s) who will construct the project, and the Liability Insurance Policy of all other independent professional service firms (e.g. land surveyors, geotechnical engineers ) with a primary role on the project.”

**Bonds:** Either “n/a” (ex., for projects constructed via force account), or “Bid (if applicable), Payment and Performance bonds in accordance with 2 CFR 200.325.”

**Ownership and Site Control:** Either “n/a”, “\_\_\_\_\_(Recipient)\_\_\_\_\_ shall develop and execute all necessary documents and agreements required to establish site control and/or right of access to any properties effected by execution of the project”, or some other clause with more specific criteria.

**Recipient**

**Davis Bacon Wages:** Either “n/a”, “Apply”, or some other clause with more specific criteria.

**Infrastructure Resilience:** Either “n/a”, or “Simple use of historical environmental data to inform the design work is not appropriate. Recipient and/or Recipient’s design professionals shall judiciously account for the potential for increased rates of permafrost thaw, coastal/riverine erosion, and flooding during the design life of the infrastructure.”

**Real Property Disposition:** Either “n/a”, or “when the original ownership or lease arrangements for the real property improvements change, or when the real property improvements are no longer needed for the originally authorized purpose,       (Recipient)       must contact the Commission for approvals and/or disposition instructions in accordance with 2 CFR 200.311.”

**Real Property Reporting:** Either “n/a” or “Applies per 2 CFR 200.329. Reporting will be once every five years, to begin at the end of the performance period and continue through the useful life of the facilities. Refer to Section IX of the Recipient Guidelines and Requirements document for instructions on how to submit the required reports.”

**BUDGET**

	<b>Cost Category</b>	<b><i>Denali Commission</i></b>	<b><i>Cash Match</i></b>	<b><i>In-Kind</i></b>	<b>TOTAL</b>
1	Labor/Personnel				
2	Fringe Benefits				
3	Travel				
4	Equipment				
5	Contractual				
6	Construction				
7	Other (Specify) _____				
8	Other (Specify) _____				
9	<b>Total Direct Charges</b>				
10	<b>Indirect Charges</b>				
11	<b>TOTAL</b>				Total this column

**FUNDING**

	<b>Source</b>	<b>Reference</b>	<b>Amount</b>	<b>Notes</b>
12	_____			
13	_____			
14	TOTAL			