



QCT Recovery Grant Program - Lincoln State of Nebraska

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This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.

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1 Introduction

This Program Manual is designed to provide guidance and written standards for the applicable components of the Qualified Census Tract (QCT) Recovery Grant Program - Lincoln that utilizes funding provided through the COVID-19 State and Local Fiscal Recovery Fund (SLFRF) through the American Rescue Plan Act (ARPA).

This manual is designed to support you and your organization in utilizing leading practices, complying with funding requirements, achieving program goals, and successfully navigating the grant lifecycle.

The Manual includes the following:

1. Program Overview, including its goal and objectives
2. Eligibility Determination for Entity and Costs
3. Award and Potential Matching Requirements
4. Pre-Award, Application, and Submission, including application pre-requisites.
5. Award Determination and Obligation
6. Award Administration Information
7. Post-Award Management, including data reporting requirements
8. Technical Assistance for using Grants Management System

The Application and Program Manual, grant schedule, listing of prior awards, and other documents can be found at the QCT Recovery Grant Program - Lincoln webpage: <https://opportunity.nebraska.gov/programs/recovery/>.

2 Program Overview

The QCT Recovery Grant Program - Lincoln is an authorized use of funding from the COVID-19 State and Local Fiscal Recovery Fund (SLFRF) (Assistance Listing 21.027) which was designed to provide state governments with the resources needed to respond to the COVID-19 pandemic and its economic effects and to build a stronger economy during recovery. SLFRF was established by the American Rescue Plan Act of 2021 (ARPA) signed into law by the President of the United States on March 11, 2021.

The QCT Recovery Grant Program - Lincoln is authorized and further described within Neb. Rev. Stat. §81-12,241(3)(a-b). The Nebraska Department of Economic Development (DED) will provide grants, not to exceed \$10,000,000.00, to public and private entities located within qualified census tracts in a city of the primary class to respond to the negative impact of the COVID-19 public health emergency.

Pursuant to 31 CFR § 35.6 (b)(2)(iii)(A)-(C), households, populations, small businesses, and nonprofit organizations residing in or operating in QCTs are presumed to be disproportionately impacted by the negative economic impacts of the COVID-19 public health emergency. Pursuant to 31 CFR § 35.6(b)(1)(i,) DED finds that the income levels and poverty rates which existed at the time of designation for the QCTs in Nebraska were exacerbated by the public health emergency and its negative economic impacts. This program responds to such harm by providing grants to benefit individuals and small businesses located within qualified census tracts (QCT) of a city of the primary class.

DED has determined that those receiving grants (“Awardees”) under the QCT Recovery Grant Program - Lincoln are Subrecipients.

A Subrecipient is an entity that receives a subaward to carry out a project funded by SLFRF funds on behalf of the State. Individuals or entities that are direct Beneficiaries of a project funded by SLFRF funds are not considered Subrecipients. Households, communities, small businesses, nonprofits, and impacted industries are all potential Beneficiaries of projects carried out with SLFRF funds.

The distinction between a Subrecipient and a beneficiary is contingent upon the rationale for why the State is providing funds to the individual or entity. If the State is providing funds to the individual or entity for the purpose of carrying out a SLFRF program or project on behalf of the State, the individual or entity is acting as a Subrecipient. Conversely, if the State is providing funds to the individual or entity for the purpose of directly benefiting the

individual or entity as a result of experiencing a public health impact or negative economic impact, the individual or entity is a beneficiary. As a beneficiary, the individual or entity is not subject to Subrecipient monitoring and reporting requirements. As a Subrecipient, the individual or entity is subject to Subrecipient monitoring and reporting requirements.

The terms and conditions of Federal awards flow down to subawards to Subrecipients, requiring Subrecipients to comply with all of the same requirements the State must comply with such as the treatment of eligible uses of funds, procurement, and reporting requirements. Beneficiaries are not subject to the requirements placed on Subrecipients in the Uniform Guidance (2 CFR Part 200), including audit pursuant to the Single Audit Act and 2 CFR Part 200, Subpart F or Subrecipient reporting requirements.

2.1 Grant Schedule

GRANT SCHEDULE	
Grant Application Open Date	January 13, 2023 at 9:00 a.m. (Central Standard Time)
Letter of Intent Deadline	January 20, 2023
Grant Application Deadline	January 27, 2023 at 5:00 p.m. (Central Standard Time)
Anticipated Award Date	February 2023
Period of Performance	Funds must be expended before December 31, 2026

2.2 Federal Grant Information

FEDERAL GRANT INFORMATION	
Federal Authorizing Agency	U.S. Department of Treasury
Federal Grant Program	COVID-19 State and Local Fiscal Recovery Fund (SLFRF)
Assistance Listing # <i>(formerly Catalog of Federal Domestic Assistance)</i>	21.027 – SLFRF

2.3 Contact Information

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3 Eligibility

The QCT Recovery Grant Program - Lincoln and any awards made thereunder are funded with federal funds allocated to the State of Nebraska from the federal COVID-19 State and Local Fiscal Recovery Fund (SLFRF) pursuant to the American Rescue Plan Act of 2021 (ARPA). As such all funds must be used in compliance with section 602(c) of the Social Security Act, 42 U.S.C. §802(c), 31 C.F.R. Part 35, the U.S. Department of the Treasury regulations implementing that section, all relevant Treasury guidance, and the Federal Award Terms and Conditions.

3.1 Eligible Use

Pursuant to Neb. Rev. Stat. §81-12,241(3)(a-b), The Nebraska Department of Economic Development (DED) will provide grants, not to exceed \$10,000,000.00, to public and private entities located within qualified census tracts in a city of the primary class to respond to the negative impact of the COVID-19 public health emergency. A city of the primary class is defined by Neb. Rev. Stat. §15-101. A QCT is defined in 26 U.S.C. 42(d)(5)(B)(ii)(I), as such section existed on January 1, 2022. A map of QCTs can be found here:

<https://opportunity.nebraska.gov/programs/recovery/>

3.2 Eligible Applicants

The QCT Recovery Grant Program - Lincoln grant application will be open to public and private entities undertaking one of the eligible interventions within QCTs located within in a city of the primary class.

3.3 Funding Restrictions & Allowable Costs

All grant funds must be obligated by December 31, 2024, and funds expended by December 31, 2026.

All grant funds must be used for projects responding to the negative impact of the COVID-19 public health emergency. DED has identified six funding categories which respond to the negative impacts of the COVID-19 public health emergency. Proposals for projects which fall under one of the six funding categories will be considered.

i. Placemaking Projects Grants

Pursuant to 42 U.S.C. § 802(c)(1) Placemaking Projects Grants are in response to negative economic impacts with respect to the coronavirus public health emergency (COVID-19) including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality. This response is an enumerated eligible use under 31 C.F.R. § 35.6(b)(3)(ii)(A)(11)(iii).

Placemaking is about creating and revitalizing public spaces, for people to live and work, through impactful projects that highlight community assets. These projects should improve quality of life for residents within QCTs and attract visitors and new workforce to the area. Projects that promote improved health outcomes and public safety such as parks, recreation facilities and programs that increase access to healthy foods are examples of Placemaking. Placemaking projects are vital components of a community's workforce attraction and retention strategy. Placemaking projects also respond to the negative economic impacts of COVID-19 on those disproportionately impacted. This funding category will assist in the development of regionally significant quality of life projects that leverage local area and community assets.

Applicants must either be a unit of local government or submit a letter of support from a unit of local government with their proposal. Only projects located within QCTs are eligible.

ii. Innovative Housing Solutions Grants

Pursuant to 42 U.S.C. § 802(c)(1) Innovative Housing Solutions Grants are in response to negative economic impacts with respect to the coronavirus public health emergency (COVID-19) including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality. This response is an enumerated eligible use under 31 CFR § 35.6(b)(3)(ii)(A)(5) and 31 CFR § 35.6(b)(3)(ii)(A)(11)(ii).

Innovative Housing Solutions sustain and grow Nebraska's communities and are vital to workforce attraction

strategies. Projects in this funding category should identify gaps in the local housing ecosystem and unmet needs in publicly funded grant programs to leverage truly innovative solutions. This housing funding category represents an opportunity to think outside of the box and pilot new, sustainable solutions to local housing shortages and deteriorating housing stock. A non-exhaustive list of eligible projects includes the following:

- Projects targeting affordable and workforce housing, including acquisition, site preparation, and preservation of existing housing;
- Projects for Tenant-Based Rental Assistance (TBRA) programs that involve partnership(s) with corporate entities;
- Projects that assist communities in using manufactured and modular housing as a means of enabling more housing construction at lower cost; and
- Projects that create or support a Community Land Trust.
 - This Community Land Trust must comply with the U.S. Treasury’s guidelines for ARPA funded affordable housing projects.

See the U.S. Treasury’s [Affordable Housing How-To Guide](#) for an overview of acceptable ARPA-funded affordable housing projects.

Applicants are required to submit a letter of support from at least one local employer or municipality and should clearly document how the project will improve the vitality of the local workforce. Applicants must also demonstrate that the project could not be served by existing federal housing programs administered by DED or the Nebraska Affordable Housing Trust Fund.

iii. Small Business and Entrepreneurship Support Grants

Pursuant to 42 U.S.C. § 802(c)(1) Small Business and Entrepreneurship Support Grants are in response to negative economic impacts with respect to the coronavirus public health emergency (COVID-19) including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality. This response is an enumerated eligible use under 31 CFR § 35.6(b)(3)(ii)(B).

Small businesses and entrepreneurs are an integral part of Nebraska’s vibrant economy. The COVID-19 public health crisis and resulting economic crisis have created a variety of challenges for small businesses and entrepreneurs in communities across Nebraska, and small businesses and entrepreneurs within QCTs were disproportionately impacted. Eligible Subrecipients in this funding category are organizations conducting projects aimed at helping small businesses and entrepreneurs located in QCTs develop, recover, grow, and build resilience through future economic downturns. A non-exhaustive list of creative projects in this category may include:

- Loans or grants to mitigate financial hardship, such as by supporting payroll and benefits, costs to retain employees, and mortgage, rent, utility, and other operating costs;
- Technical assistance, business incubators and grants for start-up or expansion costs for small businesses;
- Support for microbusinesses, including financial, childcare, and transportation costs;
- Technical assistance, counseling, or other services to support business planning and capacity building; or
- Assistance to individuals to start small businesses.

A **small business** is a business with 10 or fewer full-time equivalent (FTE) employees.

An **entrepreneur** is a person who organizes and operates a small business, taking on greater than normal financial risks in order to do so.

Applicants must demonstrate that the beneficiaries of the project meet the above definition(s). The small businesses and/or entrepreneurs must be located in QCTs.

iv. QCT Infrastructure Grants

Pursuant to 42 U.S.C. § 802(c)(1) QCT Infrastructure Grants make necessary investments in water and sewer infrastructure. This response is an enumerated eligible use under 31 CFR § 35.6(e)(1).

Certain necessary investments in water and sewer infrastructure that benefit individuals and/or businesses located within QCTs are eligible under QCT Infrastructure Grants. Projects that would be eligible under the U.S. Environmental Protection Agency's (EPA) Clean Water State Revolving Fund (CWSRF) or EPA's Drinking Water State Revolving Fund (DWSRF) are eligible. See the Treasury's [Final Rule Overview](#), p. 37, for a list of eligible infrastructure projects. Some eligible projects include:

- Construction of publicly owned treatment works;
- Projects pursuant to implementation of a nonpoint source pollution management program established under the Clean Water Act (CWA);
- Decentralized wastewater treatment systems that treat municipal wastewater or domestic sewage;
- Management and treatment of stormwater or subsurface drainage water;
- Water conservation, efficiency, or reuse measures;
- Development and implementation of a conservation and management plan under the CWA;
- Watershed projects meeting the criteria set forth in the CWA;
- Energy consumption reduction for publicly owned treatment works;
- Reuse or recycling of wastewater, stormwater, or subsurface drainage water;
- Security of publicly owned treatment works Facilities to improve drinking water quality;
- Transmission and distribution, including improvements of water pressure or prevention of contamination in infrastructure and lead service line replacements;
- New sources to replace contaminated drinking water or increase drought resilience, including aquifer storage and recovery system for water storage;
- Green infrastructure, including green roofs, rainwater harvesting collection, permeable pavement;
- Storage of drinking water, such as to prevent contaminants or equalize water demands;
- Purchase of water systems and interconnection of systems; or
- New community water systems.

Additional stormwater infrastructure, residential wells, lead remediation, and certain rehabilitations of dams and reservoirs beyond the CWSRF and DWSRF may also be eligible, if they are found to be "necessary." A **"necessary" investment in infrastructure** must be: (1) responsive to an identified need to achieve or maintain an adequate minimum level of service, which may include a reasonable projection of increased need, whether due to population growth or otherwise, (2) a cost-effective means for meeting that need, taking into account available alternatives, and (3) for investments in infrastructure that supply drinking water in order to meet projected population growth, projected to be sustainable over its estimated useful life. Below is a list of projects that would be deemed "necessary."

- Culvert repair, resizing, and removal, replacement of storm sewers, and additional types of stormwater infrastructure;
- Infrastructure to improve access to safe drinking water for individual served by residential wells, including testing initiatives, and treatment/remediation strategies that address contamination;
- Dam and reservoir rehabilitation if primary purpose of dam or reservoir is for drinking water supply and project is necessary for provision of drinking water; and
- A Broad set of lead remediation projects eligible under EPA grant programs authorized by the Water Infrastructure Improvements for the Nation (WIIN) Act, such as lead testing, installation of corrosion control treatment, lead service line replacement, as well as water quality testing, compliance monitoring, and remediation activities, including replacement of internal plumbing and faucets and fixtures in schools and childcare facilities.

Applicants must either be a unit of local government, Tribal government, or an entity that has and submits a letter of support from a unit of local government or Tribal government with their proposal. Any infrastructure project must provide a tangible benefit to individuals and/or small businesses located in QCTs to qualify under QCT Infrastructure Grants.

v. *Talent Attraction and Workforce Development Grants*

Pursuant to 42 U.S.C. § 802(c)(1) Talent Attraction and Workforce Development Grants are in response to negative economic impacts with respect to the coronavirus public health emergency (COVID–19) including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality. This response is an enumerated eligible use under 31 CFR § 35.6(b)(3)(ii)(A)(3), and 31 CFR § 35.6(b)(3)(ii)(A)(8), and 31 CFR § 35.6(b)(3)(ii)(B)(2).

Attracting, retaining, and developing a diverse and highly qualified workforce not only benefits the local economies of Nebraska’s communities, it also secures better opportunities for individuals who experienced a reduction in hours, job loss, or other negative economic impacts due to the COVID-19 public health crisis. Projects aimed at talent attraction and workforce development may include the following non-exhaustive list of eligible uses:

- Assistance to individuals who want and are available for work;
- Job training;
- Public jobs programs and fairs;
- Support for childcare and transportation to and from a jobsite or interview;
- Programs that increase funding for childcare providers to ensure that local childcare services are accessible, affordable, and of high-quality;
- Incentives for newly employed workers;
- Subsidized employment;
- Grants to hire underserved workers;
- Assistance to unemployed individuals to start small businesses; or
- Development of job and workforce training centers.

Projects must provide a tangible benefit to individuals and/or small businesses located in QCTs.

vi. *Planning Grants*

Pursuant to 42 U.S.C. § 802(c)(1) Planning Grants are in response to negative economic impacts with respect to the coronavirus public health emergency (COVID–19) including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality. This response is an enumerated eligible use under 31 CFR § 35.6(b) and 31 CFR § 35.6(e).

Pre-project costs associated with planning and engineering for a specific, eligible project in one of the other funding categories are considered an eligible use of funds. Planning Grants must be completed by December 31, 2023 and should result in the creation of a Master Plan for the project.

A **Master Plan** is a planning document that provides a conceptual layout to guide the future development of a project. It should include analyses, recommendations, and proposals. The Master Plan should also indicate how the project will benefit the disproportionately impacted community within the identified QCT(s).

The maximum award in this funding category is \$100,000.00.

Planning activities for an economic development or workforce strategy regarding general future economic growth are not eligible.

DED will require Planning Grant Recipients to return funds for a Planning Grant that does not result in the future development of an eligible project. DED will evaluate the circumstances surrounding the failed program completion, and will, at its discretion, advise of the amount of funds to be returned.

3.3.1 Additional Considerations

Applicants may apply for more than one project in one or more funding categories. However, each unique project and funding category should be submitted as a separate application.

Ineligible Funding:

- A project that predominantly involves street construction or repair to benefit vehicular traffic would be ineligible;
- Uses of funds that do not respond to the public health emergency or negative economic impacts of the pandemic, such as excessive compensation to employees;
- Expenses incurred prior to award are not eligible. Funds will not be released without an agreed upon contract. Reimbursement requests are only available after notice of award issue date; and
- Projects involving displacement of individuals must comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA). Projects that do not maintain compliance with URA are not eligible for funding.

Who is considered a displaced person under URA?

- A displaced person can be a tenant, homeowner, farm owner or business owner who has to permanently relocate as a direct result of a federally funded project (this can also include personal property, typically owned by someone other than the property owner, which has to be moved off-site because of the project).
- A tenant can also be considered displaced if:
 - The landlord tries to avoid relocation costs by not renewing a lease or telling a tenant to move;
 - The applicant is slow or negligent in providing assistance and advising tenants of their rights;
 - Temporarily relocated tenants who are not offered suitable and affordable units to return to, as defined by the CDBG or HOME Program;
 - The US Department of Housing and Urban Development (HUD) determines that the tenant moved because of the project even if they moved before the application for funding was submitted; and
 - The terms of the temporary relocation are unreasonable.

There is no statute of limitations on claims for displaced tenants who were not fully informed of their rights.

Who is NOT considered a displaced person under URA?

- Tenants who are evicted for cause and with due process;
- Illegal tenants or those who are not on the lease (if the owner was aware of such persons and took no action, the applicant may need to pay relocation);
- Tenants who were correctly provided Move-in Notices before executing a lease and moving into the property; and
- Owner-occupants who sell or rehabilitate their property voluntarily.

Duplication of Funds:

Applicants are required to avoid a duplication of benefits. A duplication of benefits occurs when the amount of the grant exceeds the total identified need. Awardee should conduct an analysis prior to applying for grant funding to determine needs not met by other sources. Listed below are some best practices to determine if there is a duplication of benefits.

Best Practices:

1. Identify assistance from federal and state government, county agencies, and private or nonprofit charity organizations that Applicant reasonably expects to be in a project or any other APRA funds reasonably expected to be or have been received.
2. All Applicants are required to identify other sources and amounts of covered assistance (sources and uses), and to certify that the grant funds requested does not duplicate other covered assistance that has been received or is reasonably expected to be received.
3. Applicants must agree to repay any assistance later received for the same purpose as the grant funds associated with this grant program.

In applying for and receiving an award, the Awardee must adhere to the federal requirement of 2 CFR Part 200, which includes General Provisions of Subpart B, Pre-Award Requirements of Subpart C, Post-Award Requirements in Subpart D, Cost Principles in subpart E, and Audit Requirement found in Subpart F. Allowable costs are based on the premise that an Awardee is responsible for the effective administration of Federal awards, application of sound management practices, and administration of Federal funds in a manner consistent with the program objectives and

terms and conditions of the award. Awardee must implement robust strong financial management in the system of internal controls and effective monitoring.

Funds may be, but are not required to be, used along with other funding sources for a given project. Note that funds may not be used for a non-Federal cost share or match where prohibited by other Federal programs.

Treasury's Final Rule and guidance and the Uniform Guidance outline the types of costs that are allowable, including certain audit costs. For example, per 2 CFR 200.425, a reasonably proportionate share of the costs of audits required by the Single Audit Act Amendments of 1996 are allowable; however, costs for audits that were not performed, or not in accordance with 2 CFR Part 200, Subpart F are not allowable. Please see 2 CFR Part 200, Subpart E regarding the Cost Principles for more information.

3.4 Award

Grants will be awarded for amounts up to \$10,000,000.00.

4 Pre-Award and Application Submission

4.1 Pre-Award

The following action(s) are required prior to submission of an application for this program:

Submission of a completed "QCT Grant Recovery Program - Lincoln Letter of Intent" for each Application indicating interest in applying for grant funds. Applicants who do not submit a Letter of Intent will not be eligible for funding. Letter of Intent should be emailed to the identified Program Manager.

The following information is required:

- Letter of intent must be on the organization's letterhead
- Name of Applicant
- Address
- Contact name
- Phone
- Email
- Amount of funds requested
- Funding category
- Site Location or Project Area
- Brief overview of project (maximum 250 words)

4.1.1 Unique Entity Identifier

The following steps are required to obtain a Unique Entity Identifier (UEI):

1. Type www.sam.gov in your internet browser address bar.
2. Create an account
 - a. Select "Sign In" located in the upper right-hand corner to create an account.
 - b. There will be a "pop up" asking you to accept the U.S. Government System terms to sign into the website.
 - c. If you accept the terms, you will be asked to "create an account".
 - d. Enter any required information and language preferences and submit.
 - e. You will then receive an email message to validate your email address.
 - f. Follow the instruction to continue the registration process. For assistance with the registration process, please use the Help or Contact Links located at the bottom of the page.
3. Once you are logged in, make sure you are on the "Home" page.
4. Select "Get Started" from the "Register Your Entity or Get a Unique Entity ID" sub-window.
5. This will not fully register you with Sam.gov but will get you the UEI you will need to participate in this grant program.
6. Next, click "Get Unique Entity ID" button.
7. Fill in the form exactly as the name you registered with your state filing office and your physical address.

When all required fields are complete, click the next arrow. Note: the next arrow will not display until the information is complete.

8. You will see this pop up as the system searches. When complete, this pop-up box goes away and any results will be displayed.
 - a. If the information you entered was unable to be validated, then a No Match found message will appear at the top of the form. You will need to review and correct the information or click Create Incident for help.
 - b. The progress bar across the top allow you to see where you are in the request process.
9. During the Validate Information step, the system shows what you entered and will list all matches found. Select the one that matches and then the next button to Request the UEI or if you are unable to see your information, select Start Over to retype in your information or Create Incident to request help.
10. Once you have selected the correct listing, you will need to Validate Additional Information by entering your Year of Incorporation and the State of Incorporation. Once entered you may select Next.
11. At the bottom of the page there is a selection that defaults to allow that the selected record be a public display record.
12. Once you have your match and made your choice on public display, click next.
13. During the Request UEI (SAM) process, you will need to check the box to certify that you are authorized to conduct transactions on behalf of the entity and select "Request Unique Entity ID".
14. During the Receive UEI (SAM) process (final process), you will receive your UEI. Keep this information for your records.

* **Note:** DED is aware of the delays with SAM.gov system as it relates to obtaining a UEI number. If Applicant's UEI number is pending, enter "PENDING" under the "Unique Entity Identifier (UEI)" field on the application. Additionally in Part 4 of the application, under the "Other Applicant-Specific Attachments, As Needed" field, Applicant will need to upload proof that it has applied for an UEI number. If Applicant is awarded funds, it must have a valid UEI number within 30 days of Award Date. **Failure to have a valid UEI number within 30 days of the Award Date may cause the conditional award to be revoked.**

4.1.2 Debarment and Suspension

Applicants and any sub-Awardees that are debarred, suspended, or otherwise excluded from Federal assistance programs or activities are ineligible for this program.

Additionally, during the application process, Applicants must disclose information about any and all proceedings involving the entity, its principles, or employees that are ongoing or reached final disposition within the most recent 10-years that:

1. Is or was in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the State of Nebraska of the Federal Government; or
2. Is one of the following:
 - a. A criminal proceeding that resulted in a conviction under verdict or plea;
 - b. A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages;
 - c. An administrative proceeding that resulted in a finding of fault and liability and your payment of a fine, penalty, reimbursement, restitution, or damages;
 - d. A bankruptcy proceeding; or
 - e. Any other criminal, civil, or administrative proceeding if:
 - (i) It could have led to an outcome described in paragraph 2(a)-(c) of this subsection;
 - (ii) It had a different disposition arrived at by consent or compromise with or without an acknowledgment of fault on your part; and
 - (iii) This requirement to disclose information about the proceeding does not conflict with applicable laws and regulations.

Failure to disclose may result in Applicant being determined ineligible for this program.

4.1.3 Acknowledgement of Terms and Conditions for Federal Grants

Awardee must attest to DED in the grant application and agreement that funds will only be utilized for activities allowed under the federal grant.

The Awardee must acknowledge and will agree to in the grant application and agreement that any activities performed by the Awardee determined to be unallowable by DED, or State and Federal oversight monitors or auditors must be returned to the DED for utilization on other SLFRF allowable activities or returned to the federal grantor.

4.2 Application Submission

Applications are submitted electronically through DED's Grant Management System at any time after the application live date and on or before the application due date.

4.2.1 Documentation Required for Application – Content & Forms

To successfully apply, you will need to complete all required fields and sections of the applications. Applicants may view the application at the program webpage – <https://opportunity.nebraska.gov/programs/recovery/>

Applications will have the following sections:

- Opportunity Details
- Project Information
- Forms
- Budget
- Performance Plan

Applicants must provide the following, as applicable:

- Current copy of Articles of Incorporation
- Current copy of By-Laws
- Nebraska Secretary of State - Certificate of Good Standing
- Evidence of Board Approval for grant request
- Construction Memorandum of Understanding, if applicable
- Letter from IRS of 501(c) designation
- 2019-2021 IRS Form 990
- Other Applicant-specific attachments, as needed
- Letter of Intent
- Letter(s) of support
- 2019-2021 Income Statements, Cash Flow, and Balance Statements

4.2.2 Timely Receipt Requirements and Proof of Timely Submission

Applications must be submitted by the Application Deadline indicated in Section 2.1. Applications must be completed via DED's GMS and must fully comply with all requirements within the time period specified. Applications that do not include all of the documentation or attachments required or have not been fully completed, will not be considered. At its discretion, DED may request supplemental materials from Applicants. Please utilize links and other information found in Section 8 of this document to assist with your application submission.

4.3 Conflicts of Interest in the Administration of Awards

Awardees must disclose to the DED any financial conflicts of interest that arise and are required to be managed during the life of the award. Such a conflict of interest would arise when the employee of Awardees or any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. Awardee employees may neither solicit nor accept gratuities, favors, or anything of monetary value from the contractors or parties to contract.

5 Award Determination and Obligation

5.1 Application Evaluation Criteria

Applications will be scored and evaluated using the following criteria:

Criteria	Description	Weighting Factor
Capacity	The ability of the Applicant to complete the program activities within the program period of performance and efficient and effective use of funds.	15%
Financial and Administrative Readiness	Experience of the Applicant in managing federal grant funds and developing program internal controls, established procurement processes, and adhering to reporting requirements.	15%
Economic Impact & Community Need	The impact of the proposal on the local economy, including job creation, economic impact projections, OR the project's alignment with description of community needs, and sustainability	30%
Community Support	Evidence of local buy-in for project, including letter(s) of support and collaboration with outside entities.	30%
Project Readiness	The feasibility of the project reaching completion within the period of performance.	10%

5.2 Applicant Risk Assessment

DED will perform a risk assessment to identify the potential risks associated with this particular award and address those risks by including mitigating terms and conditions in the Subaward as well as additional Subrecipient monitoring procedures for grantees requiring special conditions. This process differs based on the potential Subrecipient's organization type (ex. nonprofit, for-profit business, academic institution). The risk assessment will be performed by collecting and reviewing information about the organization and assigning an appropriate risk level.

5.3 Application Review and Selection Process

Applicants must justify how the proposed project and related costs are an eligible use of SLFRF funding. To justify the project as an eligible use, Applicants must (1) identify a need or negative impact, such as a specific economic harm, and (2) identify how the program, service, or other intervention addresses the identified need or negative impact. DED will disqualify from further consideration any project that is not an eligible use of SLFRF funding.

Applications will be evaluated to determine if they meet eligibility criteria and minimum qualifications. Once they pass this threshold, then applications will be scored by a committee based on the scoring criteria below. Awards will be determined by the review committee.

Characteristic	Criteria
I. Capacity	Organization's qualifications and track record in successfully managing grants.
	Qualifications and experience of organization's staff & partners.
	Track record of completing projects on time or ahead of schedule.
	Organization's history of collaboration with the local community and project partners.
II. Financial and Administrative Readiness	
	Description of organization's internal controls and financial management procedures.
	Organization's ability to manage federal funds responsibly.

	Organization's ability to take on additional projects.
	Organization's ability to maintain federal and state regulatory compliance.
III. Economic Impact & Community Need	
	Economic Impact, as evidenced by: <ul style="list-style-type: none"> • Impact on job creation – number of jobs, number of permanent jobs, quality of jobs. • Impact on business growth. • Impact on workforce development. • Impact on talent attraction. <p>--OR--</p> Community Need, as evidenced by: <ul style="list-style-type: none"> • Project's alignment with qualitative description of community needs.
	Sustainability: <ul style="list-style-type: none"> • Long-term economic impact; OR • Long-term community impact. Projects that include match may demonstrate additional sustainability.
IV. Community Support	
	Letter(s) of Support <ul style="list-style-type: none"> • Letters from state and local elected officials will be given special consideration.
	Evidence of Collaboration.
V. Project Readiness	
	Project timeline is within the performance period.
	Plan for implementation, including detailed steps for achieving milestones.
	Feasibility of plan – Plan is achievable as described. <ul style="list-style-type: none"> • Projects that include match may receive a higher score in feasibility.

Following the award decision by the review committee, a recommendation will be provided to the DED Director. Once approved, notices of award and notices of non-select will be sent to the Applicants.

6 Award Administration

6.1 Notice of Award

DED issues written Notices of Award (NOA) to Awardees of an award. The NOA will outline the anticipated grant amount. These funds will be reserved for the potential Awardee until the grant agreement is signed by both DED and the Awardee or until such time it is determined that a grant agreement cannot be entered between Awardee and DED.

6.2 Grant Agreement Terms and Conditions

Following DED's NOA, DED issues an electronic copy of the QCT Recovery Grant Program - Lincoln Award Agreement via DocuSign. The QCT Recovery Grant Program - Lincoln Award Agreement is entered into between DED and the Awardee. If the Awardee is an organization or other legal entity, an authorized representative of the Awardee must sign the contract.

The Awardee must review, sign, date, and return the agreement via DocuSign to accept QCT Recovery Grant Program - Lincoln awards. DED signs the contract after it is signed by the Awardee. Once all parties have signed

the agreement, Awardees will be required to provide the [State of Nebraska W-9 and ACH Enrollment Form](#).

Unless otherwise directed, the executed agreement and any special conditions will be available within the GMS, under Tools > Documents.

Awardee must attest to DED in the grant application and agreement that funds will only be utilized for activities allowed under the federal grant.

The Awardee must acknowledge and will agree to in the grant application and agreement that any activities performed by the Awardee determined to be unallowable by DED, or State and Federal oversight monitors or auditors must be returned to the DED for utilization on other SLFRF allowable activities or returned to the federal grantor.

6.3 Award Disbursement

Upon full execution of the agreement and the meeting of any required conditions specified in the contract, the Awardee must submit the First Payment Request.

The Awardee must submit the First Payment Request using the GMS as an initial tranche or reimbursement payment as pre-determined by your contract.

Upon DED's approval of the First Payment Request, DED will disburse the funding. Subsequent funding will be provided on a reimbursement basis. This will be reported to DED by logging expenses in the GMS. To receive reimbursement, the Awardee must create one expense for each supporting document. Proof of payment must also be included on each expense. Expenses will be tracked against the Awardee's budget line items. The Awardee will then compile all expenses into a reimbursement Payment Request, which will be submitted to DED.

DED may reject the payment request and require resubmission if documentation is incomplete, funds are requested for ineligible costs, match contribution is not sufficient, or other issues are identified. Upon DED's approval of payment requests, DED will disburse grant funds on a reimbursement basis up to the amount detailed in the reimbursement documentation, minus the initial tranche. An email from the AmpliFund Administrator will give notice to the Grant Manager that DED has approved or denied the request for payment. Funds are transferred electronically to the account designated on the State of Nebraska ACH Enrollment Form which must be submitted with the signed Grant Agreement. If an email address was provided on the State of Nebraska ACH Enrollment Form, it will be notified once the payment has been processed.

Awardees can find detailed instructions for how to submit payment requests in the user guides and other information found in section 8 of this document. Payment of the reimbursement is subject to Awardee's submission of supporting documentation and proof of payments for review and approval by DED.

"Supporting documentation" includes receipts, invoices, timesheets, etc., with sufficient information to demonstrate the amount of the cost and the allowability, applicability, and reasonableness of the cost.

"Proof of Payment" means canceled checks, bank statement, confirmation of wire or automated clearing house transfer, or similar documentation which provides substantiating evidence that payment has been made as claimed. The timing of the final disbursement request depends on the Awardee's ability to document expenditure of funds as required in the agreement but should be submitted to DED on or before the end of the contract term.

7 Post-Award Management and Implementation

7.1 Financial Management

Awardees are required to properly manage their financial resources. DED has established a financial management framework that allows for the appropriate recording and reporting of the receipt and expenditures of federal grant funds. Awardees are required to be in compliance regarding expenditure requirements outlined in 2 CFR Part 200.

7.2 Internal Controls

Awardees must agree to comply with applicable laws, regulations and provisions of grant agreements which includes the requirement to maintain internal controls to provide reasonable assurance of compliance with these requirements. Awardee internal control requirements are further outlined in 2 CFR §200.303.

7.3 Cost Sharing and Matching

Federal Cost Sharing and Matching requirements do not apply to the SLFRF Program per U.S. Treasury Guidelines.

7.4 Program Income

Generally, program income includes, but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under Federal awards and principal and interest on loans made with Federal award funds. Program income does not include interest earned on advances of Federal funds, rebates, credits, discounts, or interest on rebates, credits, or discounts. Awardees of SLFRF funds should calculate, document, and record the organization's program income. Additional controls that Awardees should implement include written policies that explicitly identify appropriate allocation methods, accounting standards and principles, compliance monitoring checks for program income calculations, and records. Awardees will report on program income following the reporting procedures enumerated in the grant agreement.

The Uniform Guidance outlines the requirements that pertain to program income at 2 CFR §200.307. U.S. Treasury clarified in the SLFRF Final Rule Frequently Asked Questions that recipients may add program income to the Federal award. Any program income generated from SLFRF funds must be used for the purpose and under the conditions of the Federal award SLFRF Final Rule Frequently Asked Questions can be found at this link:

<https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-FAQ.pdf>

7.5 Insurance

The Awardee must, at a minimum, provide the equivalent insurance coverage for real property and equipment acquired or improved with Federal funds as provided to property owned by the Awardee in accordance with 2 CFR §200.310, 2 CFR §200.311 and 2 CFR §200.313. Awardees must provide a Certificate of Insurance.

7.6 Real Property and Equipment

Any purchase or improvement of equipment or real property with SLFRF funds must be consistent with the Uniform Guidance at 2 CFR Part 200, Subpart D. Equipment and real property acquired under this program must be used for the originally authorized purpose. Consistent with 2 CFR §200.311 and 2 CFR §200.313, any equipment or real property acquired using SLFRF funds shall vest with the Awardee. Any procurement of equipment or real property must also be in compliance with 2 CFR §200.317 through 2 CFR §200.327.

7.7 Procurement

DED and its Subrecipients are responsible for ensuring that any procurement using award funds, or payments under procurement contracts using such funds are consistent with the procurement standards set forth in the Uniform Guidance at 2 CFR §200.317 through 2 CFR §200.327, as applicable. The Uniform Guidance requires that all procurement transactions for property or services must be conducted in a manner providing full and open competition, consistent with standards outlined in the procurement standards, which allows for non-competitive procurements only in circumstances where at least one of the conditions below is true: the item is below the micro-purchase threshold; the item is only available from a single source; the public exigency or emergency will not permit a delay from publicizing a competitive solicitation; or after solicitation of a number of sources, competition is determined inadequate. The Uniform Guidance requires an infrastructure for competitive bidding and contractor oversight, including maintaining written standards of conduct and prohibitions on dealing with suspended or debarred parties. Awardees must ensure adherence to all applicable local, State, and federal procurement laws and regulations.

7.7.1 Competition and Conflicts of Interest

Competition - All written procurement policies will include procedures to conduct all procurement transactions in a manner providing full and open competition consistent with the standards. DED considers “full and open” competition to mean that a complete requirement is publicly solicited (except if specifically not required) and all responsible sources that are interested in doing so, are permitted to compete.

There are numerous benefits to full and open competition, such as increasing the probability of reasonable pricing from the most qualified contractors and helping discourage and prevent favoritism, collusion, fraud, waste, and abuse.

Conflict of interest - In accordance with 2 CFR §200.112, DED and Awardees must disclose in writing any potential conflict of interest to the Federal awarding agency or pass-through entity in accordance with applicable Federal awarding agency policy. Also, in accordance with 2 CFR §200.113, DED and Awardees of a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or DED all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Failure to make required disclosures can result in any of the remedies described in 2 CFR§200.338 Remedies for non-compliance, including suspension or debarment.

7.7.2 Supply Schedules and Purchasing Programs

The Awardee procurement procedures must address what procurement methods will be used, including a description of those methods and the circumstances when used. These methods should also include a description of how and when the subrecipient will use joint procurements, purchasing agents, and Federal and State supply schedules.

Davis-Bacon Act. While the Davis-Bacon Act requirements (prevailing wage rates) do not apply to projects funded solely with award funds from the SLFRF program, except for certain SLFRF-funded construction projects undertaken by the District of Columbia, when undertaking capital expenditures, Treasury encourages Awardees to adhere to strong labor standards, including project labor agreements and community benefits agreements that offer wages at or above the prevailing rate and include local hire provisions. Treasury also encourages Awardees to prioritize in their procurements, employers with high labor standards and to prioritize employers without recent violations of federal and state labor and employment laws. Additional standards may be applicable based on state statutes and award agreement terms and conditions.

7.8 Cost Principles

Awardees must assume responsibilities for administering Federal funds in a manner consistent with underlying agreements, program objectives, and the terms and conditions of the federal award. Costs pertaining to a Federal award should be allowable, allocable, and reasonable and treated consistently. Cost Principles should be followed in accordance with 2 CFR §200.400 through 2 CFR §200.476.

7.9 Records Retention and Access

As required by Retention Requirements for Records found in 2 CFR §200.334 through §200.338. Awardees must maintain records and financial documents for five years after all funds have been expended or returned. Treasury may request transfer of records of long-term value at the end of such period. Wherever practicable, such records should be collected, transmitted, and stored in open and machine-readable formats. Awardees must agree to provide or make available such records to the State of Nebraska, Nebraska Department of Economic Development, and the U.S. Department of Treasury upon request, and to any authorized oversight body, including but not limited to the Government Accountability Office (“GAO”), Treasury’s Office of Inspector General (“OIG”), and the Pandemic Relief Accountability Committee (“PRAC”).

7.10 Noncompliance Termination

If DED determines that the grantee materially fails to comply with any term of this grant agreement, whether stated in a federal or state statute or regulation, an assurance, in a state plan or application, a notice of award, or any other applicable requirement, DED, in its sole discretion may take actions including:

1. Temporarily withholding payments pending correction of the deficiency or more severe enforcement action by DED;
2. Disallowing or denying use of funds for all or part of the cost of the activity or action not in compliance;
3. Disallowing claims for reimbursement;
4. Wholly or partially suspending or terminating this grant;
5. Requiring return or offset of previous reimbursements;
6. Prohibiting the grantee from applying for or receiving additional funds for other grant programs administered by DED until repayment to DED is made and any other compliance or audit finding is satisfactorily resolved;
7. Reducing the grant award maximum liability of DED;
8. Terminating this Grant Agreement;
9. Imposing a corrective action plan;
10. Withholding further awards; or
11. Taking other remedies or appropriate actions.

The Awardee costs resulting from obligations incurred during a suspension or after termination of this grant are not allowable unless DED expressly authorizes them in the notice of suspension or termination or subsequently. DED, at its sole discretion, may impose sanctions without first requiring a corrective action plan.

7.11 Reporting

7.11.1 Financial Reporting Requirements

All Awardees must complete and submit financial reports as required by the QCT Recovery Grant Program - Lincoln Award Agreement in accordance with the COVID-19 State Fiscal Recovery Funds reporting requirements. Expenditures may be reported on a cash or accrual basis, as long as the methodology is disclosed and consistently applied. Reporting must be consistent with the definition of expenditures pursuant to 2 CFR § 200.1.

7.11.2 Program Performance Reporting Requirements

All Awardees must complete and submit performance reports as required by the QCT Recovery Grant Program - Lincoln Award Agreement and in accordance with the COVID-19 State and Local Fiscal Recovery Funds reporting Requirements.

7.11.3 Reporting of Matters Related to Recipient Integrity and Performance

If the total value of the recipient entity's currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then the recipient entity during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIS)) about civil, criminal, or administrative proceedings described in numbered section 2 of this two-part award condition. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. §2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

7.12 Single Audit Report

Awardees that expend more than \$750,000.00 in total federal awards during their fiscal year will be subject to an audit under the Single Audit Act and its implementing regulation at 2 CFR Part 200, Subpart F regarding audit requirements. Awardees may also refer to the Office of Management and Budget (OMB) Compliance Supplements for audits of federal funds and related guidance and the Federal Audit Clearinghouse to see examples and single audit submissions. Awardees will be notified via email through Amplifund to submit an annual audit. More information can be found at the DED website: <https://dednebraska.zendesk.com/hc/en->

7.13 Department of Economic Development Monitoring and Reporting

As a Recipient for Federal award funds, DED is entrusted with financial resources and responsibilities for the management, disbursement, and accountability of the ARPA SLFRF program. By extension, this responsibility extends to managing risks associated with the grants management process to facilitate efficient operation and compliance with regulatory and programmatic requirements. Monitoring and reporting is critical for the Federal awarding agency and DED to have up-to-date information on awards and subawards, and invaluable for Subrecipients in regard to meeting performance goals and ensuring compliance with applicable rules and regulations.

Awardees will:

- Be responsible for oversight of the operations of Federal award-supported activities;
- Monitor its activities performed under Federal awards to ensure compliance with applicable Federal requirements and performance expectations are being achieved. Monitoring will cover each program, function and activity;
- Submit performance report for each open project to DED within 15 days of the reporting period end date, which will include, but not be limited to, the following:
 - Information indicated in the Performance Report section above;
 - Comparison of actual accomplishments to the objectives of the Federal award established for the period. Where the accomplishments of the Federal awards can be quantified, a computation of the cost.
 - The reason for not meeting established goals, if appropriate; and
 - Additional pertinent information including, when appropriate, analysis and explanation of cost overruns or high cost units;
- Inform DED if the following occur between performance reporting dates:
 - Problems, delays, or adverse conditions which will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of the action taken, or contemplated, and assistance needed to resolve the situation and;
 - Favorable developments which enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned; and
 - Submit annual reports to DED on the status of real property in which the Federal Government retains an interest.

8 Technical Assistance for Using the Grants Management System

To administer this program, DED uses its GMS known as AmpliFund. Applications will be submitted and awards will be managed through the GMS.

8.1 DED Help Portal

User guides about DED's specific business processes for accessing and using the GMS to apply and facilitate the grant are available on DED's website, <http://opportunity.nebraska.gov/amplifund/>. The help portal is organized by topic. You can enter key words into the search bar to find specific articles.



8.1.1 Application User Guides

For instructions on registering to apply, please see **User Management** (<https://dednebraska.zendesk.com/hc/en-us/categories/7865709789851-User-Management>).

For instructions on applying through the GMS, please see **How to Apply** (<https://dednebraska.zendesk.com/hc/en-us/categories/7542920001051-How-to-Apply>).

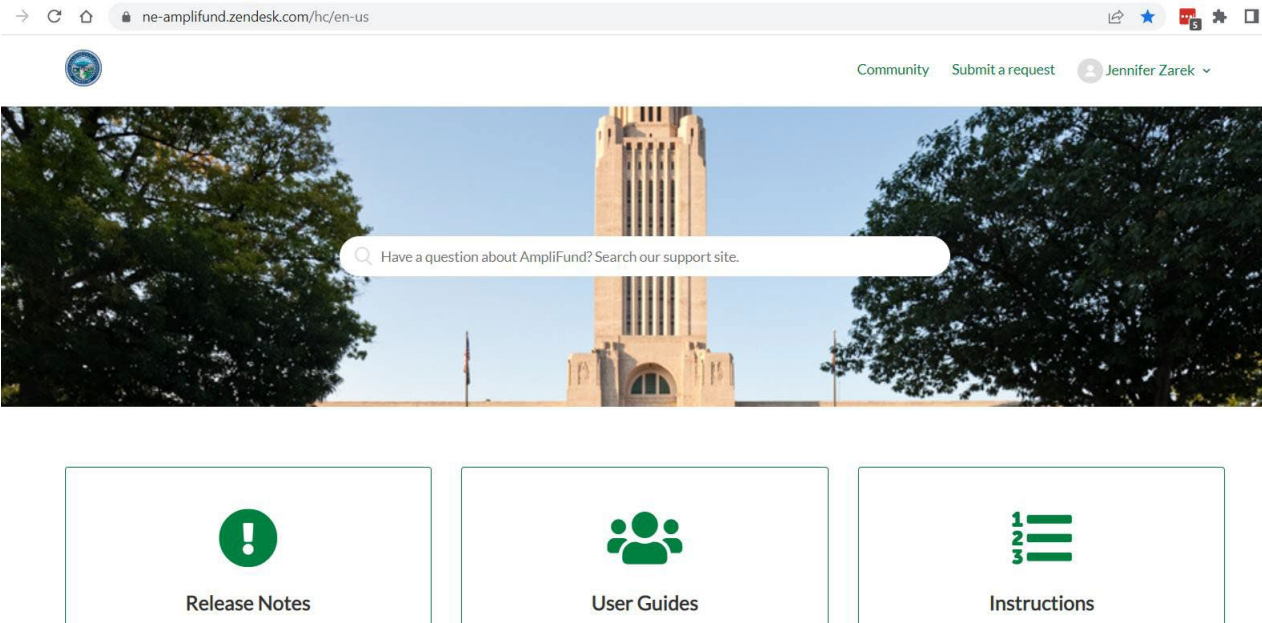
8.1.2 Award User Guides

For initial instructions on managing your award, please see **Getting Started with your Award** (<https://dednebraska.zendesk.com/hc/en-us/categories/7865773985307-Getting-Started-with-your-Award>). Other post-award user guides can be found by topic, such as Payment Requests or Amendments.

For also program-specific user guides, please see **ARPA** (<https://dednebraska.zendesk.com/hc/en-us/categories/7542922996379-ARPA>).

8.2 GMS Help Portal

For user guides about using AmpliFund, please visit <https://ne-amplifund.zendesk.com>. This help portal will help you learn how to use the system, navigate the system, and more.



8.3 Customer Support

If you need help using the GMS to apply or manage you award, you can reach out to customer support in three different ways:

1. Call toll-free 1 (844) 735-0239
 - a. Available from 7:00am-7:00pm CDT
2. Online chat
 - a. Available from 8:00am-4:00pm CDT



3. Email support@ne-amplifund.zendesk.com

Record of Change

Find the Version identifier on the cover page of this document. Summary of Changes includes a brief description of the revisions.

Version	Date	Summary of Changes
1.0	01/2023	1. Initial Program Version: QCT Recovery Grant Program