

Grant Modification / Notice of Award

U.S. DEPARTMENT OF LABOR / EMPLOYMENT AND TRAINING ADMINISTRATION

GRANT MODIFICATION No. 2		PROJECT: NEG	
		Job Driven (JD) NEG Project No. MA-55	
GRANT NUMBER: EM-25863-14-60-A-25	EIN: 046002284	EFFECTIVE DATE: 09/24/2016	PAGE 1
GRANTEE: Executive Office of Labor and Workforce Development 19 Staniford Street BOSTON, MASSACHUSETTS 02114-2502		ISSUED BY U.S. DEPARTMENT OF LABOR / ETA DIVISION OF FEDERAL ASSISTANCE 200 CONSTITUTION AVENUE NW - ROOM N-4716 WASHINGTON, DC 20210	

Action:

The modification request of September 19, 2016, for supplemental funding of \$566,250 and to extend the period of performance to June 30, 2017 is conditionally approved.

FPO change from Tricia Reynolds to Danielle Worthen-Ramos, (617)788-0314, worthenramosdanielle@dol.gov

Notice: A review of the official grant file shows that a Negotiated Indirect Cost Rate Agreement (NICRA) approved by your Cognizant Agency is not current. It is important that the grantee have documentation to justify the utilization of indirect costs for the whole period of performance upon completion of the grant. The failure to have this documentation will cause the closeout of the grant to be delayed and potentially have indirect costs disallowed. Please submit all NICRAs to the FPO as they are approved by your Cognizant Agency.

YEAR / CFDA PROGRAM ACCOUNT ID	Mod 0-1 CURRENT LEVEL	Mod 2 MODIFICATION	NEW LEVEL	PMS DOC #
FY 14 / 17.277 WIA DIS WKRS NAT RES - EMERGENCY (ADVANCE) <small>14-1630-2014-0501741414BD201401740003145DW093A0000AONR00-A90184-410023-ETA-DEFAULT TASK-</small>	\$4,334,766.00	\$0.00	\$4,334,766.00	EM25863QX0
FY 16 / 17.277 WIOA DIS WKRS NAT RES - EMERGENCY (ADVANCE) <small>16-1630-2016-0501741616BD201601740003165DW093A0000AOWI00AOWI00-A90200-410023-ETA-DEFAULT TASK-</small>	\$0.00	\$566,250.00	\$566,250.00	EM258631I0
TOTAL FUND AVAILABILITY	\$4,334,766.00	\$566,250.00	\$4,901,016.00	

Except as modified, all terms and conditions of said grant /agreement remain unchanged and in full effect.

Approved
by



Lynn Fraga

Grant Officer

Date Signed **09/28/2016**

DISLOCATED WORKER GRANTS FEDERAL AWARD TERMS

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1. Order of Precedence

The terms and conditions of this Notice of Award and other requirements have the following order of precedence if there is any conflict in what they require: (1) Workforce Innovation and Opportunity Act; (2) Consolidated and Further Continuing Appropriations Act, 2015 – Public Law 113-235; (3) other applicable Federal statutes and their implementing regulations; (4) terms and conditions of award.

2. Funding Opportunity Announcement

If a Funding Opportunity Announcement or other vehicle is used to announce the availability of these awards, these documents are hereby incorporated into this Grant Agreement. Recipients are bound by the authorizations, restrictions, and requirements contained in the Funding Opportunity Announcement or other vehicle.

3. Approved Statement of Work

The award recipient's project narrative is taken as the Statement of Work. It has been included as Attachment D. If there is any inconsistency between items in this project narrative and any Department of Labor (DOL) regulation, guidance or OMB cost principle, the DOL regulation, guidance or cost principle will prevail.

The grant may be modified in accordance with applicable procedures for grant modifications. All grant modifications (financial or non-financial) under this grant agreement will consist of and be tracked as sequential grant modifications.

4. Approved Budget

The recipient's budget documents are attached in this Notice of Award Package. The documents are: 1) the SF-424, included at Attachment A; 2) the SF-424 A, included at Attachment B; and 3) the Budget Narrative, included at Attachment C. The recipient must confirm that all costs are allowable before expenditure. Pursuant 2 CFR 2900.1, approval of the budget as awarded does not constitute prior approval of those specified in 2 CFR 200 or this grant award as requiring prior approval. The Grant Officer is the only official with the authority to provide such approval.

5. Evaluation, Data, and Implementation

The recipient must cooperate with the DOL in the conduct of a third-party evaluation if required by the grant, including providing DOL or its authorized contractor with appropriate data and access to program operating personnel and participants in a timely manner.

6. Indirect Cost Rate and Cost Allocation Plan

A. A **current** federally approved Negotiated Indirect Cost Rate Agreement (NICRA) or current federally approved Cost Allocation Plan (CAP) has been provided – copy attached. Regarding only the NICRA:

- (1) Indirect Rate approved: _____%
- (2) Type of Indirect Cost Rate: _____ (i.e. Provisional/Predetermined/Fixed)
- (3) Allocation Base: _____
- (4) Current period applicable to rate: _____

Estimated Indirect Costs are shown on the SF-424A budget form. If a new NICRA is issued during the life of the grant, it must be provided to DOL within 30 days of issuance. Funds may be re-budgeted as necessary between direct and indirect costs consistent with institutional requirements and DOL regulations for prior approval, however the total amount of grant award funding will not be increased. Any budget changes impacting the Statement of Work and agreed upon outcomes or deliverables require a request for modification and prior approval from the Grant Officer.

- B. (1) Latest NICRA or CAP approved by the Federal Cognizant Agency¹ (FCA) is not current, or
- (2) _____ No NICRA or CAP has ever been approved by an FCA.

URGENT NOTICE: Estimated indirect costs have been specified on the SF-424A, Section B, Object Class Category “j”, however only \$6,654 will be released to support indirect costs in the absence of a NICRA or CAP approved by the cognizant agency. The remaining funds which have been awarded for Indirect Costs are restricted and may not be used for any purpose until the awardee provides a signed copy of the NICRA or CAP and the restriction is lifted by the Grant Officer. Upon receipt of the NICRA or CAP, ETA will issue a grant modification to the award to remove the restriction on those funds.

The awardee must submit an indirect cost rate proposal or CAP. These documents should be submitted to DOL’s Division of Cost Determination (DCD), or to the awardee’s Federal Cognizant Agency. In addition, the awardee must notify the Federal Project Officer that the documents have been sent. Contact information for the DCD is available at <http://www.dol.gov/oasam/boc/dcd/>. If this proposal is not submitted **within 90 days of the effective date of the award**, no funds will be approved for the reimbursement of indirect costs. Failure to submit an indirect cost proposal by the above date means the grantee will not receive further reimbursement for indirect costs until a signed copy of the federally approved NICRA or CAP is provided and the restriction is lifted by the Grant Officer. All indirect charges must be returned through the Payment Management System and no indirect charges will be reimbursed.

The total amount of DOL’s financial obligation under this grant award **will not** be increased to reimburse the awardee for higher negotiated indirect costs.

¹ The Federal agency providing the organization the preponderance of direct Federal funds.

- ___ C. The organization elected to exclude indirect costs from the proposed budget. Please be aware that incurred indirect costs (such as top management salaries, financial oversight, human resources, payroll, personnel, auditing costs, accounting and legal, etc. used for the general oversight and administration of the organization) must not be classified as direct costs; these types of costs are indirect costs. Only direct costs, as defined by the applicable cost principles, will be charged. Audit disallowances may occur if indirect costs are misclassified as direct.
- ___ D. The organization has never received a negotiated indirect cost rate and, with and pursuant to the exceptions noted at 2 CFR 200.414(f) in the Cost Principles, and has elected to charge a de minimis rate of 10% of modified total direct costs (see 2 CFR 200.68 for definition) which may be used indefinitely. This methodology must be used consistently for all Federal awards until such time as you choose to negotiate for an indirect cost rate, which you may apply to do at any time. (See 2 CFR 200.414(f) for more information on use of the de minimis rate.)

If DOL is your FCA, grantees should work with DOL's DCD, which has delegated authority to negotiate and issue a NICRA or CAP on behalf of the Federal Government. More information about DOL's DCD is available at <http://www.dol.gov/oasam/boc/dcd/>. This website has guidelines to develop indirect cost rates, links to the applicable cost principles, and contact information. The DCD also has Frequently Asked Questions providing general information about the indirect cost rate approval process and due dates for provisional and final indirect cost rate proposals at <http://www.dol.gov/oasam/faqs/FAQ-dcd.htm>.

7. Federal Project Officer

The DOL/ETA Federal Project Officer (FPO) for this award is:

Name: Danielle Worthen-Ramos

Telephone: (617) 788-0314

E-mail: WorthenRamosDanielle@dol.gov

The FPO is not authorized to change any of the terms or conditions of the award or approve prior approval requests. Any changes to the terms or conditions or prior approvals must be approved by the Grant Officer through the use of a formally executed award modification.

8. Applicable Authority

a. Workforce Innovation and Opportunity Act

Funds provided under this grant agreement must be expended in accordance with all applicable federal statutes, regulations and policies, including those of the Workforce Innovation and Opportunity Act (as presently in effect and as may become effective during the terms of this Agreement); the applicable approved State WIOA plan, including approved modifications and amendments to the plan, and any waiver plan; the negotiated performance levels and policies established pursuant to the Secretary's authority under WIOA Section 116; and the applicable provisions in the appropriations act(s).

b. Notice of Award

Funds provided under this grant agreement must be expended in accordance with all applicable federal statutes, regulations and policies, including those of the Workforce Innovation and Opportunity Act (as presently in effect and as may become effective during the terms of this Agreement); the applicable approved State WIOA plan including approved modifications and amendments to the plan, and any waiver plan approved under WIOA Sec. 189(i)(3); the negotiated performance levels and policies established pursuant to the Secretary's authority under WIOA Section 116; and the applicable provisions in the appropriations act(s).

9. Funding Restrictions

a. Administrative Costs

Administrative costs under this award follow the definition in the Workforce Innovation and Opportunity Act. There is a 15 percent limitation on administrative costs on funds awarded under this NDWG for those direct recipients that are not also serving as the project operator. Unless a written justification is approved by the Grant Officer, administrative costs may not exceed this limit. Direct recipients of NDWG funds are limited to spending no more than 5 percent of each amount they are awarded on administrative costs. Sub-recipients are limited to spending no more than 10 percent of the amount of the allocation they receive from the direct recipient on administrative costs. Compliance with the administrative costs limit is monitored throughout the grant period. Any amounts exceeding this limitation at closeout will be disallowed and subject to debt collection. *For those direct recipients who are also serving as the project operator, the administrative costs limit is 10 percent of the allocation.*

b. Consultants

For the purposes of this award, fees paid to a consultant shall be limited to \$585 per day without additional Grant Officer approval. Regulations regarding the determining of a consultant's rate of pay are located at 5 CFR 304.104 with the calculation for a maximum amount located at 5 CFR 304.105.

c. Salary and Bonus Limitations

Under Public Law 113-235, Division G, Title I, Section 105, none of the funds appropriated under the heading “Employment and Training” shall be used by a recipient or sub-recipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. The Executive Level II salary may change yearly and is located on the OPM.gov website: (<http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2014/executive-senior-level>).

The salary and bonus limitation does not apply to vendors providing goods and services as defined in 2 CFR 200.330. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from sub-recipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment and Training Administration programs. See Training and Employment Guidance Letter No. 5-06 for further clarification, available at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2262

d. Budget Flexibility

As directed in 2 CFR 200.308(e), the transfer of funds among direct cost categories or programs, functions and activities is restricted such that if the cumulative amount of such transfers exceeds or is expected to exceed 10 percent of the total budget as last approved by the Federal awarding agency, the recipient must receive prior approval from the Grant Officer.

e. Mileage Reimbursement Rates

Pursuant to 2 CFR 200.474(a), recipients must have policies and procedures in place related to travel costs; however, for reimbursement on a mileage basis, this federal award cannot be charged more than the maximum allowable Mileage Reimbursement Rates for Federal employees. The 2015 Mileage Reimbursement Rates are:

Modes of Transportation	Effective/Applicability Date	Rate per mile
Privately owned automobile	January 1, 2015	\$0.575
Privately owned motorcycle	January 1, 2015	\$0.545

Mileage rates must be checked annually at www.qsa.gov/mileage to ensure compliance.

f. Foreign Travel

Pursuant to WIOA section 181 (e), no funds received shall be used for foreign travel.

g. Restriction on Health Benefits Coverage

The recipient must ensure that the use of these funds for health benefits coverage complies with 506 and 507 of Division G of Public Law 113-235, the Consolidated and Further Continuing Appropriations Act, 2015.

Q: Federal law prohibits the use of federal funds to pay for an abortion or for “health benefits coverage” that includes the coverage of abortion, except in limited circumstances. Is a State grantee prohibited from offering a health benefit that covers abortions?

A: While States are prohibited from using federal funds for such purpose, a State may use State funds (other than the State’s contribution of Medicaid matching funds) or other non-federal funds to contract separately with a managed care provider to provide abortion coverage. State grantees that wish to provide abortion coverage must determine how best to ensure compliance with federal law so that federal funds are not used for the cost of abortion coverage.

h. OTCnet Program Check Capture Legal Notice

The Department of Labor, Employment Training and Administration will be using U.S. Treasury Paper Check Conversion. Henceforth, processing of Check Payments received in Person or by Mail will be converted into an electronic funds transfer (EFT).

10. Administrative Requirements

a. System for Award Management and Universal Identifier Requirements

1. Requirement for System of Award Management

Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

2. Requirement for unique entity identifier

If you are authorized to make subawards under this award, you:

- i. Must notify potential subrecipients that no entity (see definition in paragraph [3] of this award term) may receive a subaward from you unless the entity has provided its unique entity identifier to you.
- ii. May not make a subaward to an entity unless the entity has provided its unique entity identifier to you.

3. Definitions

For purposes of this award term:

- i. *System of Award Management(SAM)* means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at <http://www.sam.gov>).
- ii. *Unique entity identifier* means the identifier required for SAM registration to uniquely identify business entities.

- iii. *Entity*, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:
- a. A Governmental organization, which is a State, local government, or Indian Tribe;
 - b. A foreign public entity;
 - c. A domestic or foreign nonprofit organization;
 - d. A domestic or foreign for-profit organization; and
 - e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
- iv. *Subaward*:
- a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
 - b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330).
 - c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.
- v. *Subrecipient* means an entity that:
- a. Receives a subaward from you under this award; and
 - b. Is accountable to you for the use of the Federal funds provided by the subaward.

b. Federal Funding Accountability and Transparency Act

1. Reporting of first-tier subawards.

- i. *Applicability*. Unless you are exempt as provided in paragraph [4.] of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph [5.] of this award term).
- ii. *Where and when to report*.
 - a. You must report each obligating action described in paragraph [1.i.] of this award term to <http://www.fsrs.gov>.
 - b. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
- iii. *What to report*. You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

2. Reporting Total Compensation of Recipient Executives.

- i. *Applicability and what to report*. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—
 - a. the total Federal funding authorized to date under this award is \$25,000 or more;
 - b. in the preceding fiscal year, you received—

- (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
- (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
- c. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
- ii. *Where and when to report.* You must report executive total compensation described in paragraph [2.i.] of this award term:
 - a. As part of your registration profile at <http://www.sam.gov>.
 - b. By the end of the month following the month in which this award is made, and annually thereafter.

3. Reporting of Total Compensation of Subrecipient Executives.

- i. *Applicability and what to report.* Unless you are exempt as provided in paragraph [4.] of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—
 - a. in the subrecipient's preceding fiscal year, the subrecipient received—
 - (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
 - b. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
- ii. *Where and when to report.* You must report subrecipient executive total compensation described in paragraph [3.i.] of this award term:
 - a. To the recipient.
 - b. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must

report any required compensation information of the subrecipient by November 30 of that year.

4. Exemptions

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

- i. Subawards, and
- ii. The total compensation of the five most highly compensated executives of any subrecipient.

5. Definitions.

For purposes of this award term:

- i. *Entity* means all of the following, as defined in 2 CFR part 25:
 - a. A Governmental organization, which is a State, local government, or Indian tribe;
 - b. A foreign public entity;
 - c. A domestic or foreign nonprofit organization;
 - d. A domestic or foreign for-profit organization;
 - e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
- ii. *Executive* means officers, managing partners, or any other employees in management positions.
- iii. *Subaward*:
 - a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
 - b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see [2 CFR 200.330]).
 - c. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.
- iv. *Subrecipient* means an entity that:
 - a. Receives a subaward from you (the recipient) under this award; and
 - b. Is accountable to you for the use of the Federal funds provided by the subaward.
- v. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
 - a. *Salary and bonus.*
 - b. *Awards of stock, stock options, and stock appreciation rights.* Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
 - c. *Earnings for services under non-equity incentive plans.* This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.

- d. *Change in pension value.* This is the change in present value of defined benefit and actuarial pension plans.
- e. *Above-market earnings on deferred compensation which is not tax-qualified.*
- f. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

c. Personally Identifiable Information

Recipients must recognize and safeguard personally identifiable information (PII) except where disclosure is allowed by prior written approval of the Grant Officer or by court order. Recipients must meet the requirements in Training and Employment Guidance letter (TEGL 39-11, Guidance on the Handling and Protection of Personally Identifiable Information (PII)), (located at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7872)

d. Audits

Organization-wide or program-specific audits shall be performed in accordance with the Single Audit Act Amendments of 1996. Recipients that expend \$750,000 or more in a year in Federal awards shall have an audit conducted for that year in accordance with the requirements contained in 2 CFR 200.501. The provisions of 2 CFR Subpart F, Audit Requirements, will apply to audits of non-Federal entity fiscal years beginning on or after December 26, 2014. The revised audit requirements are not applicable to fiscal years beginning prior to that date.

e. Equipment

Recipients must receive **prior approval** from the DOL/ETA Grant Officer for the purchase of any equipment with a per unit acquisition cost of \$5,000 or more, and a useful life of more than one year. This includes the purchases of ADP equipment. Equipment purchases must be made in accordance with 2 CFR 200.313 or 2 CFR 200.439.

This grant award **does not** give approval for equipment specified in a recipient's budget or application unless specifically approved above. If not specified above, the recipient must submit a detailed description list to the FPO for review within 90 days of the Notice of Award date. Failure to do so will necessitate the need for approval of equipment purchase on an individual basis.

Recipients may not purchase equipment in the last year of performance without receiving approval from the Grant Officer. Such requests must be accompanied by **strong** justification and will be considered on a case-by-case basis. If any previously approved acquisition has not occurred prior to the last year of performance, approval for that item(s) is rescinded and the recipient must re-submit its request and justification to the Grant Officer for consideration.

f. Program Income

The recipient is required to utilize the addition method if any Program Income is generated throughout the duration of this award. The recipient is allowed to deduct costs incidental to

generating Program Income to arrive at a Program Income . Additional information about program income is located in 2 CFR 200.307(b).

g. Supportive Services

Grant funds may be used to pay for supportive services such as transportation, child care, dependent care, registration fees paid on behalf of participants in connection with conferences or training, grooming, and emergency housing-related costs for participants who are participating in programs with activities authorized under WIOA 134 (c) paragraph (2) or (3)) *and* who are unable to obtain these supportive services through other programs (WIOA 134(d)(2)B)). No additional prior approval from the Grant Officer is required. However, costs such as needs-related payments, stipends, subsistence allowances, and/or *any* monetary payment provided directly to participants for any service, must receive written prior approval from the Grant Officer.

This list of supportive services is not all-inclusive. Questions regarding whether any additional supportive service requires written prior approval should be directed to the Federal Project Officer assigned to the grant. As a reminder, if it is determined that prior approval is needed, the Grant Officer is the only official with the authority to provide written prior approval.

h. Pre-Award

Pre-award costs are those incurred prior to the effective date of the Federal award (2 CFR 200.458). The effective date of the award is the start date of the period of performance (2 CFR 200.209). All costs incurred by the recipient prior to the effective date specified in the award issued by the Department are ***incurred at the recipient's own expense.***

i. Reports

All ETA recipients are required to submit quarterly financial reports for each grant award.

A. Quarterly Financial Reports.

All ETA recipients are required to report quarterly financial data on the ETA 9130. ETA 9130 reports are due no later than 45 calendar days after the end of each specified reporting quarter. Reporting quarter end dates are June 30, September 30, December 31, and March 31. A final financial closeout report is required to be submitted no later than 90 calendar days after the grant period of performance ends. For guidance on ETA's financial reporting, reference Training and Employment Guidance Letter (TEGL) 02-16.

ETA requires all grant recipients to submit the 9130 form electronically through an on-line reporting system. Expenditures are required to be reported on an accrual basis, cumulative from the beginning of the life of a grant, through the end of each reporting period.

The instructions for accessing both the on-line financial reporting system and the HHS Payment Management System can be found in the transmittal memo accompanying this Notice of Award. To gain access to the online financial reporting system, a request for a

password and pin must be submitted via e-mail to ETApasword.pin@dol.gov. The Financial Report Access Document, copies of the ETA 9130, and detailed reporting instructions are available at www.doleta.gov/grants/financial_reporting.cfm.

B. Other Program Specific Quarterly Reports

NDWG recipients are also required to submit the following quarterly performance reports:

- o **ETA 9172** – DOL-only Performance Accountability, Information, and Reporting System (OMB Control No. 1205-0521)

Data elements and definitions pertaining to DWGs may be found on ETA's website at: https://doleta.gov/performance/pfdocs/ETA-9172_DOL%20PIRL_FINAL_V25_062816.pdf. Note: Participant record files are due no later than 45 calendar days after the end of each reporting quarter. These files are to be submitted through ETA's Workforce Integrated Performance System. Guidance on file submission is forthcoming from the Department.

- o ETA 9104 – NDWG Quarterly Performance Report (QPR) (OMB 1205-0439)

j. Managing Subawards

Subaward means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

The provisions of the Terms and Conditions of this award will be applied to any subrecipient under this award. The recipient is responsible for the monitoring of the subrecipient, ensuring that the Terms and Conditions are in all subaward packages and that the subrecipient is in compliance with all applicable regulations and the terms and conditions of this award (2 CFR 200.101(b)(1)).

k. Final Year/Closeout Requirements

At the end of the grant period, the recipient will be required to close the grant with ETA. The recipient will be notified approximately 15 days prior to the end of the period of performance that the initiation of closeout will begin at the end of the grant. Information concerning the recipient's responsibilities at closeout may be found in 2 CFR 200.343.

l. Publicity

No funds provided under this grant shall be used for publicity or propaganda purposes, for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress or any state or local legislature or legislative body, except in presentation to the Congress or any state or local legislature itself, or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any state or local government,

except in presentation to the executive branch of any state or local government itself. Nor shall grant funds be used to pay the salary or expenses of any recipient or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive Order proposed or pending before the Congress, or any state government, state legislature, or local legislature body other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a state, local, or tribal government in policymaking and administrative processes within the executive branch of that government.

m. Public Announcements

When issuing statements, press releases, requests for proposals, bid solicitation, and other documents describing project or programs funded in whole or in part with Federal money, all recipients receiving Federal funds, shall clearly state (1) the percentage of the total cost of the program or project which will be financed with Federal money, (2) the dollar amount of Federal funds for the project or program, and (3) the percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

n. Procurement

The Uniform Administrative Requirements (2 CFR 200.317) require states to follow the same policies and procedures it uses for non-federal funds. The state will comply with §200.322 Procurement of recovered *materials* and ensure that every purchase order or other contract includes any clauses required by section §200.326 Contract provisions.

o. Vendor/Contractor

The term “contractor”, sometimes referred to as a vendor, is a dealer, distributor, merchant or other seller providing goods or services that are required for the conduct of a Federal program. (2 CFR 200.23) These goods or services may be for an organization's own use or for the use of beneficiaries of the Federal program. Additional guidance on distinguishing between a subrecipient and a contractor (vendor) is provided in 2 CFR 200.330. When procuring contractor provided goods and services, DOL ETA recipients and subrecipients must follow the procurement requirements 2 CFR 200.319, which call for free and open competition.

p. Intellectual Property Rights

The Federal Government reserves a paid-up, nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use for federal purposes: i) the copyright in all products developed under the grant, including a subgrant or contract under the grant or subgrant; and ii) any rights of copyright to which the recipient, subrecipient or a contractor purchases ownership under an award (including but not limited to curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronically or otherwise. Federal funds may not be used to pay any royalty or license fee for use of a copyrighted work, or the cost of acquiring by purchase a copyright in a work, where the Department has a license or rights of free use in such work, although they may be used to pay costs for obtaining a copy which

is limited to the developer/seller costs of copying and shipping. If revenues are generated through selling products developed with grant funds, including intellectual property, these revenues are program income. Program income must be used in accordance with the provisions of this grant award and 2 CFR 200.307.

If applicable, the following needs to be on all products developed in whole or in part with grant funds:

This workforce product was funded by a grant awarded by the U.S. Department of Labor's Employment and Training Administration. The product was created by the recipient and does not necessarily reflect the official position of the U.S. Department of Labor. The Department of Labor makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This product is copyrighted by the institution that created it. Internal use by an organization and/or personal use by an individual for non-commercial purposes is permissible. All other uses require the prior authorization of the copyright owner."

q. Creative Commons License Requirement

Pursuant to 2 CFR 2900.13, to ensure that the Federal investment of DOL funds has as broad an impact as possible and to encourage innovation in the development of new learning materials the recipient will be required to license to the public all work created with the support of this grant under a Creative Commons Attribution 4.0 (CC BY) license. Work that must be licensed under the CC BY includes both new content created with the grant funds and modifications made to pre-existing, recipient-owned content using grant funds.

This license allows subsequent users to copy, distribute, transmit, and adapt the copyrighted Work and requires such users to attribute the Work in the manner specified by the recipient. Notice of the license shall be affixed to the Work. For general information on CC BY, please visit <http://creativecommons.org/licenses/by/4.0> .

Instructions for marking your work with CC BY can be found at http://wiki.creativecommons.org/Marking_your_work_with_a_CC_license .

Only work that is developed by the recipient in whole or in part with grant funds is required to be licensed under the CC BY license. Pre-existing copyrighted materials licensed to, or purchased by the recipient from third parties, including modifications of such materials, remains subject to the intellectual property rights the recipient receives under the terms of that particular license or purchase. In addition, works created by the recipient without grant funds do not fall under the CC BY license requirement.

The purpose of the CC BY licensing requirement is to ensure that materials developed with funds provided by this award result in work that can be freely reused and improved by others. When purchasing or licensing consumable or reusable materials, the recipient is required to respect all

applicable Federal laws and regulations, including those pertaining to the copyright and accessibility provisions of the Federal Rehabilitation Act.

r. **Requirements for Conference and Conference Space**

Conferences sponsored in whole or in part by the recipient of Federal awards are allowable if the conference is necessary and reasonable for the successful performance of the Federal Award. Recipients are urged to use discretion and judgment to ensure that all conference costs charged to the grant are appropriate and allowable. For more information on the requirements and allowability of costs associated with conferences, refer to 2 CFR 200.432. Recipients will be held to the requirements in 2 CFR 200.432. Costs that do not comply with 2 CFR 200.432 will be questioned and may be disallowed.

s. **Travel**

This award waives the prior approval requirement for domestic travel as contained in 2 CFR 200.407. For domestic travel to be an allowable cost, it must be necessary, reasonable, allocable and conform to the non-Federal entities written policies and procedures. All travel must also comply with Fly America Act (49 USC 40118), which states in part that any air transportation, regardless of price, must be performed by, or under a code-sharing arrangement with, a US Flag air carrier if service provided by such carrier is available.

t. **Funding for Travel to and from Meetings with an Executive Branch Agency**

Grant funds may not be used for the purposes of defraying the costs of a conference held by any Executive branch department, agency, board, commission, or office unless it is directly and programmatically related to the purpose for which the grant or contract was awarded.

No funds made available through DOL appropriations may be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M-12-12 dated May 11, 2012. (P.L. 113-6, 3003 (c)(d)(e)).

11. **Program Requirements**

a. **Additional Provisions** *(Sector Partnership NDWGs only)*

Incumbent Worker Training

Non-Federal Share Match Requirement - For Sector Partnership NDWGs that include in their activities the development and provision of Incumbent Worker Training (IWT) opportunities and policies allowed and described in TEG 31-14, the IWT must include matching resources from the employer in accordance with Sec. 134(d)(4)(C) and Sec. 134(d)(4)(D).

b. Certifications & Assurances

In performing its responsibilities under this award, the recipient hereby certifies and assures that it will fully comply with the following Provisions of the Workforce Investment Act (WIA) codified in the following Codes of Federal Regulation:

- 20 CFR 667.200, Administrative Rules, Costs and Limitations
- 20 CFR 667.260, Prohibition on Real Property
- 20 CFR 667.300, Reporting Requirements
- 20 CFR 667.410, Oversight Roles and Responsibilities
- 20 CFR 667.500 & 667.510, Resolution
- 20 CFR 667.700, Procedure to Impose Sanctions
- 29 CFR Part 37, Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998 (WIA)

12. Public Policy

a. Executive Orders

12928: Pursuant to Executive Order 12928, the recipient is strongly encouraged to provide subcontracting/subgranting opportunities to Historically Black Colleges and Universities and other Minority Institutions such as Hispanic-Serving Institutions and Tribal Colleges and Universities; and to Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals.

13043: Pursuant to Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, recipients are encouraged to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented, or personally owned vehicles.

13166: As clarified by Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, dated August 11, 2000, and resulting agency guidance, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, recipients must take reasonable steps to ensure that LEP persons have meaningful access to programs in accordance with DOL's Policy Guidance on the Prohibition of National Origin Discrimination as it Affects Persons with Limited English Proficiency [05/29/2003] Volume 68, Number 103, Page 32289-32305. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. Recipients are encouraged to consider the need for language services for LEP persons served or encountered both in developing budgets and in conducting programs and activities. For assistance and information regarding your LEP obligations, go to <http://www.lep.gov>.

13513: Pursuant to Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, dated October 1, 2009, recipients and subrecipients are encouraged to adopt and enforce policies that ban text messaging while driving company-owned or -rented vehicles or GOV, or while driving POV when on official Government business or when performing any work for or on behalf of the Government. Recipients and subrecipients are also encouraged to conduct initiatives of the type described in section 3(a) of this order.

b. Veteran's Priority Provisions

The Jobs for Veterans Act (Public Law 107-288) requires recipients to provide priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services in any job training program directly funded, in whole or in part, by DOL. The regulations implementing this priority of service can be found at 20 CFR part 1010. In circumstances where a grant recipient must choose between two qualified candidates for a service, one of whom is a veteran or eligible spouse, the veterans priority of service provisions require that the grant recipient give the veteran or eligible spouse priority of service by first providing him or her that service. To obtain priority of service, a veteran or spouse must meet the program's eligibility requirements. Recipients must comply with DOL guidance on veterans' priority. ETA's Training and Employment Guidance Letter (TEGL) No. 10-09 (issued November 10, 2009) provides guidance on implementing priority of service for veterans and eligible spouses in all qualified job training programs funded in whole or in part by DOL. TEGL No. 10-09 is available at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2816.

c. Flood Insurance

The Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4001 *et seq.*, provides that no Federal financial assistance to acquire, modernize, or construct property may be provided in identified flood-prone communities in the United States, unless the community participates in the National Flood Insurance Program and flood insurance is purchased within 1 year of the identification. The flood insurance purchase requirement applies to both public and private applicants for DOL support. Lists of flood-prone areas that are eligible for flood insurance are published in the Federal Register by FEMA.

d. Architectural Barriers

The Architectural Barriers Act of 1968, 42 U.S.C. 4151 *et seq.*, as amended, the Federal Property Management Regulations (see 41 CFR 102-76), and the Uniform Federal Accessibility Standards issued by GSA (see 36 CFR 1191, Appendixes C and D) set forth requirements to make facilities accessible to, and usable by, the physically handicapped and include minimum design standards. All new facilities designed or constructed with grant support must comply with these requirements.

e. Drug-Free Workplace

The Drug-Free Workplace Act of 1988, 41 U.S.C. 702 *et seq.*, and 2 CFR 182 require that all organizations receiving grants from any Federal agency maintain a drug-free workplace. The recipient must notify the awarding office if an employee of the recipient is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for suspension or debarment.

f. Hotel-Motel Fire Safety

Pursuant to 15 U.S.C. 2225a, the recipient must ensure that all space for conferences, meetings, conventions or training seminars funded in whole or in part with federal funds complies with the

protection and control guidelines of the Hotel and Motel Fire Safety Act (P.L. 101-391, as amended). Recipients may search the Hotel Motel National Master List at <http://www.usfa.dhs.gov/applications/hotel/> to see if a property is in compliance, or to find other information about the Act.

g. Prohibition on Trafficking in Persons

I. Trafficking in persons.

a. Provisions applicable to a recipient that is a private entity.

1. You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not—

- i. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
- ii. Procure a commercial sex act during the period of time that the award is in effect; or
- iii. Use forced labor in the performance of the award or subawards under the award.

2. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity —

- i. Is determined to have violated a prohibition in paragraph a.1 of this award term; or
- ii. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either—
 - A. Associated with performance under this award; or
 - B. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 29 CFR Part 98.

b. Provision applicable to a recipient other than a private entity. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity—

1. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or
2. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either—
 - i. Associated with performance under this award; or
 - ii. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 29 CFR Part 98.

c. Provisions applicable to any recipient.

1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.
 2. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:
 - i. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
 - ii. Is in addition to all other remedies for noncompliance that are available to us under this award.
 3. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.
- d. *Definitions.* For purposes of this award term:
1. “Employee” means either:
 - i. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
 - ii. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
 2. “Forced labor” means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subsection to involuntary servitude, peonage, debt bondage, or slavery.
 3. “Private entity”:
 - i. Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.
 - ii. Includes:
 - A. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).
 - B. A for-profit organization.
 4. “Severe forms of trafficking in persons,” “commercial sex act,” and “coercion” have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

h. Buy American Notice Requirement

None of the funds made available under Titles I or II of the Workforce Innovation and Opportunity Act (Public Law 113-128) or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) may be expended by an entity unless the entity agrees that in expending the funds it will comply with sections 8301 through 8303 of title 41, United States Code (commonly known as the “Buy American Act”).

i. Prohibition on Providing Federal Funds to ACORN

These funds may not be provided to the Association of Community Organizations for Reform now (ACORN), or any of its affiliates, subsidiaries, allied organizations or successors.

j. Prohibition on Contracting with Corporations with Felony Criminal Convictions

The recipient is prohibited from entering into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

k. Prohibition on Contracting with Corporations with Unpaid Tax Liabilities

By drawing down Federal funds under this award, recipient attests that they are not entering into any contract, memorandum of understanding, or cooperative agreement with, making a grant to, or providing a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency has made the recipient aware of the unpaid tax liability, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

l. Prohibition on Contracting with Inverted Domestic Corporations

No funds made available under a Federal Act may be used for any contract with any foreign incorporated entity which is treated as an inverted domestic corporation under section 835(b) of the Homeland Security Act of 2002 (6 U.S.C. 395(b)) or any subsidiary of such an entity. Waivers to this regulation may be granted by the Secretary of Labor if the Secretary determines that the waiver is required in the interest of national security.

m. Violation of the Privacy Act

These funds cannot be used in contravention of the 5 USC 552a or regulations implementing that section.

13. Attachment(s)

Attachment A: SF-424

Attachment B: SF-424A

Attachment C: Budget Narrative

Attachment D: Statement of Work

Attachment E: Negotiated Indirect Cost Rate Agreement (if applicable)

Attachment A: SF-424

Application for Federal Assistance SF-424		Version 02
*1. Type of Submission: <input type="checkbox"/> Preapplication <input type="checkbox"/> Application <input checked="" type="checkbox"/> Changed/Corrected Application	*2. Type of Application <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s) *Other (Specify)
3. Date Received: 09/08/2016		4. Applicant Identifier:
5a. Federal Entity Identifier: NEG-MA-ST-13-005.2		*5b. Federal Award Identifier: EM-25863-14-60-A-25
State Use Only:		
6. Date Received By State:		7. State Application Identifier:
8. APPLICANT INFORMATION:		
*a. Legal Name: Executive Office of Labor and Workforce Development		
*b. Employer/Taxpayer Identification Number (EIN/TIN): 04-6002284		*c. Organizational DUNS: 947581567
d. Address:		
*Street 1: 19 Staniford Street Street 2: 1st Floor *City: Boston County: SUFFOLK *State: MA Province: *Country: US *Zip / Postal Code: 02114		
e. Organizational Unit:		
Department Name: DEPARTMENT OF CAREER SERVICES		Division Name:
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: *First Name: Middle Name: *Last Name: <u>Diane Hurley</u> Suffix:		
Title:		
Organizational Affiliation: DEPARTMENT OF CAREER SERVICES		
*Telephone Number: (617) 626-5701		Fax Number: (617) 626-8671
*Email: dhurley@detma.org		

Application for Federal Assistance SF-424	Version 02
*9. Type of Application 1: Select Applicant Type: A. Type of Applicant 2: Select Applicant Type: Type of Applicant 3: Select Applicant Type: *Other (Specify)	
*10. Name of Federal Agency: DOL/ETA	
11. Catalog of Federal Domestic Assistance Number: 17.277 CFDA Title: Workforce Investment Act (WIA) National Dislocated Worker Grants	
*12. Funding Opportunity Number: N/A *Title: N/A	
13. Competition Identification Number: Title:	
14. Areas Affected by Project (Cities, Counties, States, etc.): STATEWIDE	
*15. Descriptive Title of Applicant's Project: MA-Regular~Job Driven (JD) NEG	

Application for Federal Assistance SF-424		Version 02
16. Congressional Districts Of:		
*a. Applicant: MA District 8		*b. Program/Project: MA District 1, MA District 2, MA District 3, MA District 4, MA District 5, MA District 6, MA District 7, MA District 8, MA District 9
17. Proposed Project:		
*a. Start Date: 07/01/2014		*b. End Date: 06/30/2017
18. Estimated Funding (\$):		
*a. Federal:	\$ 4,901,016	
*b. Applicant:	\$ 0	
*c. State:	\$ 0	
*d. Local:	\$ 0	
*e. Other:	\$ 0	
*f. Program Income:	\$ 0	
*g. TOTAL:	\$ 4,901,016	
*19. Is Application Subject to Review By State Under Executive Order 12372 Process?		
[] a. This application was made available to the State under the Executive Order 12372 Process for review on		
[] b. Program is subject to E.O. 12372 but has not been selected by the State for review.		
[X] c. Program is not covered by E.O. 12372.		
*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)		
[] Yes [X] No		
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)		
[X] ** I AGREE		
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.		
Authorized Representative:		
Prefix:	*First Name:	
Middle Name:		
*Last Name:	<u>Alice Sweeney</u>	
Suffix:		
*Title: Acting Director		
*Telephone Number: (617) 626-6449	Phone Number:	
*Email: jalbert@detma.org		
*Signature of Authorized Representative: Alice Sweeney	*Date Signed: 09/08/2016	

Attachment B: SF-424A

BUDGET INFORMATION - Non-Construction Programs

OMB Approval no. 0348-0044

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.						
2.						
3.						
4.						
5. TOTALS						

SECTION B - BUDGET CATEGORIES

6. OBJECT CLASS CATEGORIES	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total
	(1) Admin Costs	(2) Program Costs	(3)	(4)	(5)
a. Personnel	\$47,603	\$133,701			\$181,304
b. Fringe Benefits	\$16,741	\$47,023			\$63,764
c. Travel	\$98	\$362			\$460
d. Equipment	\$0	\$0			\$0
e. Supplies	\$0	\$0			\$0
f. Contractual	\$410,955	\$4,207,073			\$4,618,028
g. Construction	\$0	\$0			\$0
h. Other	\$3,081	\$27,725			\$30,806
i. Total direct Charges (sum of 6a-6h)	\$478,478	\$4,415,884			\$4,894,362
j. Indirect Charges	\$1,747	\$4,907			\$6,654
k. TOTALS (sum of 6i and 6j)	\$480,225	\$4,420,791			\$4,901,016
7. PROGRAM INCOME					

Prescribed by OMB Circular A-102

Authorized for Local Reproduction

Standard Form 424A (Rev. 7-97)

Attachment C: Budget Narrative

Budget Information Narratives

Budget Narrative

Personnel: Provide a detailed explanation of the cost components of the planned cost for Personnel.

SEE SF424A NARR

Fringe Benefits: Provide a detailed explanation of the cost components of the planned cost for Fringe Benefits.

SEE SF424A NARR

Travel: Provide a detailed explanation of the cost components of the planned cost for Travel.

SEE SF424A NARR

Contractual: Provide a detailed explanation for Contractual costs which specifies:

- Estimated amount of the contractual agreement(s)

- Proposed timelines

- Proposed organization, if known

- Nature of the proposed activities

SEE SF424A NARR

Other: Provide a detailed explanation of the cost components of the planned cost for Other.

SEE SF424A NARR

Indirect Charges: Provide an explanation of the cost components of the planned costs for Indirect Charges.

SEE SF424A NARR

Project Operator: HAMPDEN
 Grant Period: 7/1/2014-6/30/2017
 Date: 8/31/2016

eApp Narrative for Budget and Project Plan including SF424A

FUNCTIONS	Annual Salaries	FTE's	TOTAL
Project Manager	79,546	0.150	35,796
Project Coordinator	62,173	0.380	70,877
Director	95,210	0.035	9,997
Admin & Budget	82,748	0.035	8,689
Quality Assurance Supervisor	64,982	0.085	16,571
Quality Assurance Coordinator	131,252	0.100	39,376
TOTAL		0.785	181,304

GRANTEE	
Personnel:	47,603
Fringe:	16,741
Non-Personnel Services:	3,081
Travel:	98
Indirect Charges:	1,747
TOTAL Grantee Admin	69,270

--Grantee costs associated with performing required administrative grant management activities related to financial accounting and reporting, auditing, contracting, procurement, financial oversight, monitoring, and other relevant financial activities.

GRANTEE OTHER-PROGRAM	OTHER
Personnel:	133,701
Fringe:	47,023
Non-Personnel Services:	27,725
Travel:	362
Indirect Charges:	4,907
TOTAL Grantee OTHER-Program:	213,718

--Grantee costs for program related oversight and management, technical assistance and monitoring of the MA vouchering program, which enables workers dislocated from the subject company to receive services at any One-Stop Career Center in Massachusetts.

GRANTEE	FTE/ICR	Fringe Rate	Admin	OTHER Program	TOTAL
Personnel:	0.785		47,603	133,701	181,304
Fringe:		35.17%	16,741	47,023	63,764
Non-Personnel Services:			3,081	27,725	30,806
Travel:			98	362	460
Indirect Charges:	3.67%		1,747	4,907	6,654
TOTAL Grantee			\$ 69,270	\$ 213,718	\$ 282,988

--Admin is the Grantee costs associated with performing required administrative grant-management activities related to financial accounting and reporting, auditing, contracting, procurement, financial oversight, monitoring, and other relevant financial activities.

--Other-Program is the Grantee costs for program related oversight and management, technical assistance and monitoring of the MA vouchering program, which enables workers dislocated from the subject company to receive services at any One-Stop Career Center.

FRINGE BENEFITS	Admin	OTHER Program	TOTAL
GRANTEE Fringe:	16,741	47,023	63,764

-- Fringe Benefits include, not limited to medical insurance, paid holidays, vacation, personal time, and pension.

TRAVEL	Rate	Cost per Month	Admin	OTHER Program	TOTAL
GRANTEE Travel	0.45	24 months	98	362	460
--Travel (mileage, tolls, parking, overnight, public transportation)		\$ 19.17			

CONTRACTUAL	Admin	PROGRAM	TOTAL
Estimated Amount of Contract:	\$ 4,618,028		
Proposed Timeline:	7/1/2014-6/30/2017		
Proposed Organization:	HAMPDEN		
Nature of Proposed Activities:			
Core & Intensive	410,955	1,593,473	2,004,428
Training		2,613,600	2,613,600
Support Services		-	-
TOTAL Project Operator	410,955	4,207,073	4,618,028

-- Project Operator costs associated with performing required administrative grant management activities related to financial accounting and reporting, auditing, contracting, procurement, financial oversight, monitoring, and other relevant financial activities.

-- Program management activities including outreach, assessment, enrollment, intensive services, training, job search support, and follow-up.

OTHER	Admin	OTHER Program	TOTAL
GRANTEE Other	3,081	27,725	30,806
-- Non-Personnel Services (space, maintenance, insurance, telephone, fax, IT, MOSES, etc)			
TOTAL GRANT	480,225	4,420,791	4,901,016

Attachment D: Statement of Work

The following application is for a grant modification request. This cover page summarizes what was changed from the last approved application.

Modification Details

Project ID: MA-55
Descriptive Title: Job Driven (JD) NEG
Project Type: Regular
Application Number: NEG-MA-ST-13-005.2
Grant Number: EM-25863-14-60-A-25

MODIFICATION EXPLANATION	MA-55 MOD2 NARR 29JUN2016
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Modification Type(s)	Period of Performance Extension Change Supplement
Period of Performance	The Proposed Project Start and End Dates differ from the awarded Project Start and End Dates of the grant. Grant Period of Performance: 07/01/2014 to 09/30/2016 (9 quarters) Proposed Period of Performance: 07/01/2014 to 06/30/2017 (12 quarters). Narrative: SEE GRANT NARR
Funding	The Total Federal Funding Amount on this application (\$4,901,016) is different from the approved up-to amount for this grant (\$4,334,766). Narrative: SEE MA-55 MOD2 NARR 29JUN2016
Participation	The Total Number of Planned Participants on this application (309) is different from the approved up-to amount for this grant (288). Narrative: The number of participants reflects actual enrollments. The Cost-Per-Participant on this application (\$15,860.89) is different from the approved calculated Cost-Per-Participant for this grant (\$15,051.27).



U.S. Department of Labor
Employment and Training Administration

OMB Approval No. 1205-0439
Expiration date: 9/30/2016

Project Synopsis Form

National Emergency Grant Electronic Application System

State of MA	Amount of Funding Request \$4,901,016	Amount Approved by DOL \$
Project Name: MA-Regular~Job Driven (JD) NEG		
Project Type: Regular		
Application Type: Full		
(If Emergency) reason:		
Description/Type of Eligible Dislocation Event:		
<input checked="" type="checkbox"/> Plant Closure/Mass Layoff <input type="checkbox"/> Community Impact Layoffs <input type="checkbox"/> Military Installation <input type="checkbox"/> Industry Wide <input type="checkbox"/> Regional Impact <input type="checkbox"/> Dislocated Service Member		
Description of Activities to be provided:		
Applicant Contact Person: Diane Hurley		
Street Address 1: 19 Staniford Street		
Street Address 2: 1st Floor		
City: Boston State: MA Zip Code: 02114		
Telephone: (617) 626-5701		
Fax: (617) 626-8671		
Email: dhurley@detma.org		
Planned Number of Participants:	309	Planned Entered Employment Rate: 85%
Planned Cost per Participant:	\$15860.89	Actual Cost per Participant in Prior PY: \$3464
% of Planned Participants Receiving NRPs: 0		Planned Earnings: 21000
Counties included in Project Service Area: STATEWIDE		
Project Operator Listing: Executive Office of Labor and Workforce Development		

Public Burden Statement: Persons are not required to respond to this collection of information unless it displays a currently valid OMB Control number. Respondents' obligation to complete this form is required to obtain or retain benefits (PL: 113-128 sec 170). Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This is public information and there is no expectation of confidentiality. Send comments regarding this burden estimate to the U.S. Department of Labor, Office of National Response, Room C-5311, Washington, D.C. 20210 (Paperwork Reduction Project 1205-0439).

ETA 9106 (March 2004)



U.S. Department of Labor
Employment and Training Administration

OMB Approval No. 1205-0439
Expiration date: 9/30/2016

Employer Data Form

National Emergency Grant Electronic Application System

Company/Industry	Location of Facility	Notification Type	Date of Notification	Layoff Date(s)	Number of Affected Workers
JD NEG, INC.	19 STANIFORD STREET BOSTON, MA 02114	None		05/27/2014	900 Closure: No

Date(s) of Rapid Response Actions	Number of Workers Contacted	Field Surveys Completed	TAA Petition	Number of Planned Participants	Labor Organization Representation
Contact with Employer: None Contact with Workers: None	500	None	Date Filed: 0 Number of Workers Covered Not applicable	288	

Type of Business: Not Applicable	Two-Digit NAIC Code: 00
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Public Burden Statement: Persons are not required to respond to this collection of information unless it displays a currently valid OMB Control number. Respondents' obligation to complete this form is required to obtain or retain benefits (PL: 113-128 sec 170). Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This is public information and there is no expectation of confidentiality. Send comments regarding this burden estimate to the U.S. Department of Labor, Office of National Response, Room C-5311, Washington, D.C. 20210 (Paperwork Reduction Project 1205-0439).

ETA 9105 (March 2004)



U.S. Department of Labor
 Employment and Training Administration

OMB Approval No. 1205-0439
 Expiration date: 9/30/2016

Project Operator Data Form
 National Emergency Grant Electronic Application System

Project Operator: Executive Office of Labor and Workforce Development		
Street Address 1: 19 STANIFORD STREET		
Street Address 2:		
City: BOSTON	State: MA	Zip Code: 02114
Contact Person: Diane Hurley		
Telephone: (617) 626-5701		
FAX: (617) 626-8671		
Email: dhurley@detma.org		
Duration of Project Operator Agreement:	Start: 07/01/2014	End: 06/30/2017
Funding Level: \$4,618,028		
Number of Participants: 309		
Counties included in Project Operator Service Area: Statewide		

Public Burden Statement: Persons are not required to respond to this collection of information unless it displays a currently valid OMB Control number. Respondents' obligation to complete this form is required to obtain or retain benefits (PL: 113-128 sec 170). Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This is public information and there is no expectation of confidentiality. Send comments regarding this burden estimate to the U.S. Department of Labor, Office of National Response, Room C-5311, Washington, D.C. 20210 (Paperwork Reduction Project 1205-0439).

ETA 9107 (March 2004)



U.S. Department of Labor
Employment and Training Administration

OMB Approval No. 1205-0439
Expiration date: 9/30/2016

Planning Form (Regular) (page 1 of 3)

National Emergency Grant Electronic Application System

All quarterly entries are CUMULATIVE over all previous quarters.

PERFORMANCE FACTOR	PROGRAM YEAR QUARTER					
	ADMIN	PROGRAM	QTR1 09/30/2014	QTR2 12/31/2014	QTR3 03/31/2015	QTR4 06/30/2015
PLANNED PARTICIPANTS						
Receiving Intensive Services			0	18	46	66
Enrolled In Training			0	13	37	61
Enrolled in OJT Only			0	0	0	42
Receiving Supportive Services			0	0	0	0
Receiving Needs-Related Payments			0	0	0	0
Exits			0	0	4	16
Entering Employment At Exit			0	0	3	12
Entering OJT Employment at Exit			0	0	0	0
Entering OJT-Related Employment at Exit			0	0	0	0
Total Planned Participants			0	18	46	66
Total Expenditures: Grantee Level						
NRPs		0	0	0	0	0
Supportive Services		0	0	0	0	0
<u>Program Management & Oversight</u>						
Admin Excluding NRP Processing*	69,270		0	2,875	6,544	12,771
NRP Processing*	0		0	0	0	0
Other*		213,718	0	7,212	16,419	32,039
Total: Program Management And Oversight	69,270	213,718	0	10,087	22,963	44,810
Indirect* (This line does not add into the subtotal)	1,747	4,907	0	0	0	0
Other*		0	0	0	0	0
Total Expenditures: Grantee Level	69,270	213,718	0	10,087	22,963	44,810
Total Expenditures: Project Operator Level						
Core And Intensive Services		1,593,473	0	62,402	151,810	280,401
Training		2,613,600	0	74,086	196,756	452,179
OJT Training Employer Reimbursement (This line does not add into calculated total)	0	1,981,100	0	0	0	397,904
Supportive Services		0	0	0	0	0
NRPs*		0	0	0	0	0
<u>Program Management & Oversight</u>						
Admin Excluding NRP Processing*	410,955		0	55,155	87,736	118,812
NRP Processing*	0		0	0	0	0
Other*		0	0	0	0	0
Total: Program Management And Oversight	410,955	0	0	55,155	87,736	118,812
Other*		0	0	0	0	0
Total Expenditures: Project Operator Level	410,955	4,207,073	0	191,643	436,302	851,392
Total Expenditures: Grantee and Project Operator Level						
Total Expenditures: Grantee And Project Operator Level	480,225	4,420,791	0	201,730	459,265	896,202

Public Burden Statement: Persons are not required to respond to this collection of information unless it displays a currently valid OMB Control number. Respondents' obligation to complete this form is required to obtain or retain benefits (PL: 113-128 sec 170). Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This is public information and there is no expectation of confidentiality. Send comments regarding this burden estimate to the U.S. Department of Labor, Office of National Response, Room C-5311, Washington, D.C. 20210 (Paperwork Reduction Project 1205-0439).



U.S. Department of Labor
Employment and Training Administration

OMB Approval No. 1205-0439
Expiration date: 9/30/2016

Planning Form (Regular) (page 2 of 3)
National Emergency Grant Electronic Application System
All quarterly entries are CUMULATIVE over all previous quarters.

PERFORMANCE FACTOR	PROGRAM YEAR QUARTER			
	QTR5 09/30/2015	QTR6 12/31/2015	QTR7 03/31/2016	QTR8 06/30/2016
PLANNED PARTICIPANTS				
Receiving Intensive Services	156	219	238	261
Enrolled In Training	136	169	232	259
Enrolled in OJT Only	62	62	62	62
Receiving Supportive Services	0	0	0	0
Receiving Needs-Related Payments	0	0	0	0
Exits	30	51	79	142
Entering Employment At Exit	24	39	63	120
Entering OJT Employment at Exit	0	0	0	0
Entering OJT-Related Employment at Exit	0	0	0	0
Total Planned Participants	156	219	238	261
Total Expenditures: Grantee Level				
NRPs	0	0	0	0
Supportive Services	0	0	0	0
<i>Program Management & Oversight</i>				
Admin Excluding NRP Processing*	22,988	31,868	41,656	52,171
NRP Processing*	0	0	0	0
Other*	57,672	79,951	104,507	130,887
Total: Program Management And Oversight	80,660	111,819	146,163	183,058
Indirect* (This line does not add into the subtotal)	0	0	0	0
Other*	0	0	0	0
Total Expenditures: Grantee Level	80,660	111,819	146,163	183,058
Total Expenditures: Project Operator Level				
Core And Intensive Services	452,049	679,621	876,734	1,160,457
Training	940,835	1,277,340	1,705,389	2,061,399
OJT Training Employer Reimbursement (This line does not add into calculated total)	558,321	797,933	797,933	841,500
Supportive Services	0	0	0	0
NRPs*	0	0	0	0
<i>Program Management & Oversight</i>				
Admin Excluding NRP Processing*	139,670	167,599	194,985	256,248
NRP Processing*	0	0	0	0
Other*	0	0	0	0
Total: Program Management And Oversight	139,670	167,599	194,985	256,248
Other*	0	0	0	0
Total Expenditures: Project Operator Level	1,532,554	2,124,560	2,777,108	3,478,104
Total Expenditures: Grantee and Project Operator Level				
Total Expenditures: Grantee And Project Operator Level	1,613,214	2,236,379	2,923,271	3,661,162

Public Burden Statement: Persons are not required to respond to this collection of information unless it displays a currently valid OMB Control number. Respondents' obligation to complete this form is required to obtain or retain benefits (PL: 113-128 sec 170). Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This is public information and there is no expectation of confidentiality. Send comments regarding this burden estimate to the U.S. Department of Labor, Office of National Response, Room C-5311, Washington, D.C. 20210 (Paperwork Reduction Project 1205-0439).

ETA 9103-1 (March 2004)



U.S. Department of Labor
Employment and Training Administration

OMB Approval No. 1205-0439
Expiration date: 9/30/2016

Planning Form (Regular) (page 3 of 3)
National Emergency Grant Electronic Application System
All quarterly entries are CUMULATIVE over all previous quarters.

PERFORMANCE FACTOR	PROGRAM YEAR QUARTER			
	QTR9 09/30/2016	QTR10 12/31/2016	QTR11 03/31/2017	QTR12 06/30/2017
PLANNED PARTICIPANTS				
Receiving Intensive Services	309	309	309	309
Enrolled In Training	259	259	259	259
Enrolled in OJT Only	144	144	144	144
Receiving Supportive Services	0	0	0	0
Receiving Needs-Related Payments	0	0	0	0
Exits	155	216	247	309
Entering Employment At Exit	131	184	210	263
Entering OJT Employment at Exit	72	101	115	144
Entering OJT-Related Employment at Exit	0	0	0	0
Total Planned Participants	309	309	309	309
Total Expenditures: Grantee Level				
NRPs	0	0	0	0
Supportive Services	0	0	0	0
<i>Program Management & Oversight</i>				
Admin Excluding NRP Processing*	55,416	58,880	65,807	69,270
NRP Processing*	0	0	0	0
Other*	170,974	181,659	203,031	213,718
Total: Program Management And Oversight	226,390	240,539	268,838	282,988
Indirect* (This line does not add into the subtotal)	5,323	5,656	6,321	6,654
Other*	0	0	0	0
Total Expenditures: Grantee Level	226,390	240,539	268,838	282,988
Total Expenditures: Project Operator Level				
Core And Intensive Services	1,354,452	1,434,126	1,513,799	1,593,473
Training	2,221,560	2,352,240	2,482,920	2,613,600
OJT Training Employer Reimbursement (This line does not add into calculated total)	1,683,935	1,782,990	1,882,045	1,981,100
Supportive Services	0	0	0	0
NRPs*	0	0	0	0
<i>Program Management & Oversight</i>				
Admin Excluding NRP Processing*	349,312	369,860	390,407	410,955
NRP Processing*	0	0	0	0
Other*	0	0	0	0
Total: Program Management And Oversight	349,312	369,860	390,407	410,955
Other*	0	0	0	0
Total Expenditures: Project Operator Level	3,925,324	4,156,226	4,387,126	4,618,028
Total Expenditures: Grantee and Project Operator Level				
Total Expenditures: Grantee And Project Operator Level	4,151,714	4,396,765	4,655,964	4,901,016

Public Burden Statement: Persons are not required to respond to this collection of information unless it displays a currently valid OMB Control number. Respondents' obligation to complete this form is required to obtain or retain benefits (PL: 113-128 sec 170). Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This is public information and there is no expectation of confidentiality. Send comments regarding this burden estimate to the U.S. Department of Labor, Office of National Response, Room C-5311, Washington, D.C. 20210 (Paperwork Reduction Project 1205-0439).

Narrative Statements

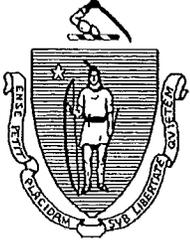
Project Type: Regular
GENERAL EXPLANATION: Please enter any information that would benefit the reviewers who will approve or deny this application. Use this area to explain items and concepts that you feel need additional information, items that need DOL specialist attention during the review process, or any information on how the program is meeting demand-driven goals. SEE MA-55 MOD2 NARR 29JUN2016
Grant Modifications
Modification Explanation: MA-55 MOD2 NARR 29JUN2016
Grant Modification: Please provide justification for changing the project performance period. SEE GRANT NARR
Grant Modification: Please provide justification for changing the approved grant amount. SEE MA-55 MOD2 NARR 29JUN2016
Grant Modification: Please provide explanation for change in number of participants The number of participants reflects actual enrollments.
Project Overview
Please explain why the planned cost per participant exceeds the cost under the formula program. (from NEG-MA-ST-13-005.1) The planned cost per participant exceeds the cost under the formula program because this grant includes Work Based Learning (WBL) and OJT types of training in addition to ITAs. The cost for WBL and OJTs is higher than the average cost of training due to the work component of training.
Project Plan
Please delineate the cost components of the planned cost in Admin. Excluding NRP Processing - Program Management and Oversight (Grantee Level). SEE SF424A NARR
Please explain the basis of providing a value in Other-Program Management and Oversight (Grantee Level). SEE SF424A NARR
Please delineate the cost components of the planned cost in Admin. Excluding NRP Processing (Project Operator Level). SEE SF424A NARR
Please explain the basis for providing a value in Indirect. (from NEG-MA-ST-13-005.1) Indirect costs are developed according to OMB and State guidelines and are utilized at a level above the Department/Agency level to support costs related to the administration, management, and oversight of the NEG.

MA would request \$575,000 in additional funding and an extension through June 30, 2017. The JD NEG has gained momentum throughout its duration; expenditures for the last reporting period were at 80% and grant funding is now fully committed. OJT opportunities for targeted dislocated workers have been identified and awaiting additional funding. It is important to note that we will have spent 38% of the existing grant on work based learning against the MA plan of 32%. The additional funds will support approximately 30 new OJT slots.

The extension until June 30, 2017 will also allow us to fully implement the special project to utilize technology to better match jobseekers with employer job openings. The Regional Employment Board of Hampden County (Operator) is in the process of issuing an RFP to solicit responses for technological solutions that will allow for the cataloguing of jobseeker skills that can be matched to a defined set of skills associated with an employer's vacant position. This technology will allow for more efficient and effective job matching for a greater number of customers in the Career Centers.

We are confident that the funding for this project will be fully utilized, especially as the OJT activity gains momentum, which is happening this quarter. We recognize that March expenditures are well behind schedule, but a close review of current fiscal activity indicates that expenditures, taken together with obligations, are at approximately 35% (against plan of 41%).

**Attachment E:
Negotiated Indirect Cost Rate
Agreement**



The Commonwealth of Massachusetts
Office of the Comptroller
One Ashburton Place, Room 901
Boston, Massachusetts 02108

THOMAS G. SHACK III
COMPTROLLER

PHONE (617) 727-5000
FAX (617) 727-2163
INTERNET: <http://www.mass.gov/osc>

June 23, 2015

Mr. Robert Ford
Chief Financial Officer
Department of Labor and Workforce Development
19 Staniford Street
Boston, MA 02114

Dear Mr. Ford:

The enclosed negotiation agreement involving the FY2016 indirect cost rate for the Massachusetts Department of Labor and Workforce Development (EOL) represents an understanding between the Commonwealth and the U.S. Department of Labor concerning the rate that may be used to support a claim for Federal payment of indirect costs incurred for the performance of a Federal grant or contract. The rate was negotiated in accordance with OMB Circular A-87 and with regulations promulgated by the Secretary of Administration and Finance under Administrative Bulletin #5(A&F5), dated May 1, 2008, entitled *Fringe Benefits, Payroll Taxes and Indirect Costs*.

The automated indirect cost recovery program used to assess EOL's Federal grants and other non-budgetary accounts will reflect the FY2016 rate of 3.67% of salaries (subsidiary AA object codes) beginning with the closing of Period 01 (July), BFY2016.

The above-referenced administrative regulations prohibit indirect costs from being budgeted on federal grants and trusts at any rate or amount less than that approved under this agreement without prior authorization of this office.

Jerry Stephenson is available at 617-973-2638 to answer any questions that you may have regarding this agreement.

Sincerely,

A handwritten signature in black ink, appearing to read "Bryan Hightower".

Bryan Hightower
Director, Federal Grants & Cost Allocation

Enclosure

**STATE DEPARTMENT/AGENCY
NEGOTIATED INDIRECT COST RATE AGREEMENT**

DEPARTMENT/AGENCY

**EIN# 04-6002284
Commonwealth of Massachusetts
Department of Workforce Development
One Ashburton Place, Room 901
Boston, MA 02108**

**DATE: June 16, 2015
FILE REF: This replaces the
negotiation agreement
DATED: September 25, 2014**

The indirect cost rate(s) contained herein are for use on grants and contracts with the Federal Government to which OMB Circular No. A-87 apply subject to the limitations contained in the Circular and in Section II, A, below. The rate(s) were negotiated by the **Massachusetts Department of Workforce Development** and the **U. S. Department of Labor** in accordance with the authority contained in Attachment A, Section F, of the Circular.

Indirect rates for fiscal years that begin on or after 12/26/2014 are subject to 2 CFR Part 200, Subpart E, in accordance with the authority contained in 2 CFR, Part 200, Appendix VII, D.1.

SECTION I: RATES

<u>TYPE</u>	<u>EFFECTIVE PERIOD</u>		<u>RATE*</u>	<u>LOCATION</u>	<u>APPLICABLE TO</u>
	<u>FROM</u>	<u>TO</u>			
Fixed	7/01/15	6/30/16	3.67%	All	All Programs (1)
Fixed	7/01/15	6/30/16	12.57%	All	DCS and DUA (2)

(2) DCS - Department of Career Services; DUA - Department of Unemployment Assistance.

*(See Special Remarks Section)

***BASE:**

(1) Direct salaries and wages including vacation, holiday, and sick pay, but excluding other fringe benefits. This rate is to recover external costs of Central departmental (SWCAP) costs, ITD costs, Health and Welfare costs and Benefit costs.

(2) Total direct costs, which include division payroll and total division non-personnel expenses for DCS and DUA. This rate is to recover internal costs for administrative, finance, HR, IT, and facilities.

TREATMENT OF FRINGE BENEFITS AND PAID ABSENCES: Fringe benefits are based on the rate contained in the State Wide Cost Allocation Plan (SWCAP) approved by the U.S. Department of Health and Human Services and are charged individually as direct costs. The fringe benefits are listed in the Special Remarks Section of this Agreement. Vacation, holiday, sick leave pay and other paid absences are included in salaries and wages and are claimed on grants, contracts, and other agreements in accordance with acceptable leave allocations made under the MMARS Cost Accounting System.

SECTION II: GENERAL

A. LIMITATIONS: Use of the rate(s) contained in this agreement is subject to any statutory or administrative limitations and is applicable to a given grant or contract only to the extent that funds are available. Acceptance of the rate(s) agreed to herein is predicated upon the conditions:

- (1) that no costs other than those incurred by the grantee/contractor or allocated to the grantee/contractor via an approved central service cost allocation plan were included in its indirect cost pool as finally accepted and that such incurred costs are legal obligations of the grantee/contractor and allowable under the governing cost principles;
- (2) that the same costs that have been treated as indirect costs have not been claimed as direct costs;
- (3) that similar types of costs have been accorded consistent treatment, and
- (4) that the information provided by the grantee/contractor which was used as a basis for acceptance of the rate(s) agreed to herein is not subsequently found to be materially inaccurate.

The elements of indirect cost and the type of distribution base(s) used in computing provisional rates are subject to revision when final rates are negotiated. Also, the rates cited in this Agreement are subject to audit.

B. CHANGES: The grantee/contractor is required to provide written notification to the indirect cost negotiator prior to implementing any changes which could affect the applicability of the approved rates. Changes in the indirect cost recovery plan, which may result from changes such as the method of accounting or organizational structure, require the prior written approval of the Division of Cost Determination (DCD). Failure to obtain such prior written approval may result in cost disallowance.

C. FIXED RATE(S): Any fixed rate contained in this agreement is based on an estimate of the cost which will be incurred during the period for which the rate applies. When the actual costs for such period have been determined, an adjustment will be made in the negotiation following such determination, to compensate for the difference between the cost used to establish the fixed rate and that which would have been used were the actual costs known at the time.

D. NOTIFICATION TO FEDERAL AGENCIES: A copy of this document is to be provided by this organization to other Federal funding sources as a means of notifying them of the Agreement contained herein.

E. SPECIAL REMARKS:

1. Indirect costs charged to Federal grants/contracts by means other than the rate(s) cited in this Agreement should be adjusted to the applicable rate cited herein and be applied to the appropriate base to identify the proper amount of indirect costs allocable to the program.

2. Contracts/grants providing for ceilings as to the indirect cost rate(s) or amount(s) which are indicated in Section I above, will be subject to the ceilings stipulated in the contract or grant agreements. The ceiling rate or the rate(s) cited in this Agreement, whichever is lower, will be used to determine the maximum, allowable indirect cost on the contract or grant agreement.

3. Administrative costs consist of all **Direct** and **Indirect** costs associated with the management of an organization's programs. Organizations should refer to their contracts/grants terms and specific program legislation for the applicable definition of Administrative Costs and any related limitations.

4. Fringe benefits are approved by HHS and included in the Section II billed cost of the State-wide Cost Allocation Plan.

ACCEPTANCE

BY THE STATE/LOCAL DEPT/AGENCY
GOVERNMENT:

Commonwealth of Massachusetts
Office of the Comptroller
One Ashburton Place, Room 901
Boston, Massachusetts 02108

(Grantee/Contractor)



(Signature)

Bryan Hightower
(Name)

Director, Federal Grants/ Cost Alloc.

(Title)

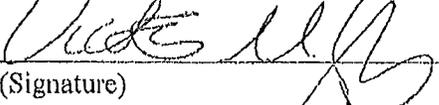
June 23, 2015

(Date)

BY THE COGNIZANT AGENCY
ON BEHALF OF THE FEDERAL

U.S. Department of Labor
Division of Cost Determination
200 Constitution Ave., S-1510
Washington, DC. 20210

(Agency)



(Signature)

Victor M. López
(Name)

Chief, Division of Cost Determination

(Title)

June 16, 2015

(Date)

Negotiated by: Robbin W. Powell
Telephone No.: (202) 693-4107