



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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September 1, 2016

Dear Grantee:

Welcome! Congratulations on securing a grant from the Department of Environmental Protection (MassDEP) Bureau of Water Resources (BWR). The Bureau strives to protect water resources in the Commonwealth through grant-funded programs and projects. Grant funds allow us to develop effective partnerships to accomplish this goal.

The aim of this guide is to organize contract administration tasks as clearly as possible, to allow you to focus your attention and resources on the important work of environmental protection. This Guide includes information needed to comply with federal and state reporting requirements over the duration of the project. This guidance also is available for downloading from the MassDEP website, <http://www.mass.gov/eea/docs/dep/water/gg2016.pdf>.

Successful project management begins and ends with people. Human interaction cannot be replaced by documents such as this one. Accordingly, we are prepared to work with you to ensure that your project proceeds smoothly and meets its intended goals. A list of contacts is in Appendix A. The staff listed there are committed professionals with many years of experience. Please take full advantage of this opportunity to work with them.

Your ability to develop one or more good projects and secure funding to carry them out makes your organization an important partner in our efforts to protect Massachusetts' water resources. We look forward to working with you on your project, and we expect that our combined hard work will result in successful and timely project completion. We are also interested in hearing from you with any suggestions for improving this guidance or our program. If you have questions or suggestions, please call me directly at 617-292-5779.

Sincerely,

Steven J. McCurdy, Director
Division of Municipal Services
Bureau of Water Resources

TABLE OF CONTENTS

INTRODUCTION	3
BWR WATERSHED PROJECTS GRANT PROGRAMS.....	3
YOUR CONTRACT	3
DELIVERABLES	4
MASSDEP PROGRAM STAFF	4
MassDEP Program Coordinator	5
MassDEP Contract Manager	5
MassDEP Quality Assurance (QA) Officer	5
MassDEP Contracts Compliance Unit	5
AFFIRMATIVE ACTION AND DM/WBE UTILIZATION.....	5
NOTICE TO PROCEED (NTP).....	6
QUALITY ASSURANCE PROJECT PLANS (QAPP).....	6
REPORTING.....	7
Quarterly Submittal to MassDEP Program Coordinator	7
Quarterly Submittal to MassDEP Contract Manager	7
REIMBURSEMENT	8
RETAINAGE.....	9
DRAFT FINAL AND FINAL REPORTS	9
PROBLEM RESOLUTION	9
CONTRACT AMENDMENTS.....	10
Changes in the Contract Scope of Work	10
Changes in the Budget	10
Changes in the Project Milestone Schedule	11
Contract End Date Extensions	11
Changes in Grantee Project Staff	11
 APPENDIX A. CONTACT INFORMATION.....	 12
APPENDIX B. REPORTING FORMS.....	13
 TABLE 1. Quarterly Reporting Requirements for BWR Watershed Projects.....	 7
TABLE 2. Required Submittals.....	14

INTRODUCTION

The Division of Municipal Services (DMS) is the section of the Massachusetts Department of Environmental Protection (MassDEP) responsible for awarding and administering several different state and federal programs that provide grant funding on a reimbursement basis for projects under the Bureau of Water Resources' (BWR) Watershed Projects Program. These programs include, but are not limited to:

- 604b Water Quality Management Planning Grant Program (604), and
- 319(h) Nonpoint Source Grant Program (319).

Each grant program has a unique application and purpose. These guidelines aim to help Grantees and MassDEP staff to carry out grant-funded projects, and properly administer the contracts and requirements related to the grant funding. Because all of these programs fall under the purview of MassDEP/DMS, this general set of guidelines is applicable for all BWR Watershed Projects grant programs.

We hope these guidelines will prove useful, from project initiation through project closure. Contact us should you have questions or suggestions on how these procedures may be improved. A downloadable version of this document can be found at MassDEP's web site: <http://www.mass.gov/eea/docs/dep/water/gg2016.pdf>.

BWR WATERSHED PROJECTS GRANT PROGRAMS

Depending on the specific program, BWR Watershed Projects grants may be awarded to public, private, state, or federal agencies. Each program has its own eligibility and reporting requirements. Many programs are competitive grants that are awarded in response to Requests for Proposals that are issued on a regular basis, usually annually. Details about each program, including brief summaries of each project can be found on the MassDEP website at <http://www.mass.gov/eea/grants-and-tech-assistance/grants-and-loans/eea-grants-guide/water-grants.html>.

YOUR CONTRACT

Each project is governed by the terms set forth in the project contract. The heart of the contract is the contract scope of work, which consists of three attachments: *Attachment A, the Scope of Services; Attachment B, the Project Budget; and Attachment C, the Project Milestone Schedule*. The scope of work is based upon the project proposal, and will be negotiated and mutually agreed upon by you and MassDEP program staff prior to finalizing the contract. Tasks may be added to satisfy program requirements or to improve the project. Similarly, some tasks that were originally proposed may be altered or eliminated in the final contract scope of work.

Your agreement to the contract containing the scope of work represents a contractual obligation to carry out the project according to those terms and the project milestone schedule. If it becomes necessary to consider a change in the contract scope of work, refer to the section

on *Problem Resolution (page 9)*. Otherwise, it is our expectation that you will work with your MassDEP Program Coordinator to ensure that the tasks and deliverables proceed in accordance with the contract and the project milestone schedule.

The award of a grant by MassDEP does not constitute a permit or any other approval that may be required for implementation of the grant project. Wetland permits, building permits, and any other requirements must also be met following normal procedures.

DELIVERABLES

Project deliverables are specified in the contract's *Attachment A, Scope of Services*. Some deliverables require the review and approval of MassDEP prior to finalization. This will be spelled out in *Attachment A, Scope of Services*, of the contract. Unless otherwise specified, project deliverables should be submitted as part of the draft final and final project reports, as attachments or integrated into the report.

MASSDEP PROGRAM STAFF

Several different MassDEP staff people will play important roles in your project. Please refer to *Appendix A, Contact Information* for specific names and contact information for these individuals.

MassDEP Program Coordinator. Each grant program has a statewide Coordinator who has overall responsibility for projects. The Program Coordinator serves as a point of contact to help guide the project in accordance with contractual and programmatic requirements. Program Coordinator duties include contract development, report reviews, authorization of invoices and amendments, and approval of project closeout.

The Grantee is the "contractor" who accepts project oversight responsibility as part of the contract with the State. Program Coordinators are responsible for seeing that Grantees carry out the approved contracts in terms of timing, performance, and cost. Program Coordinators also help Grantees recognize and correct problems when they occur. The Program Coordinator's involvement in the form of progress report reviews, occasional meetings, and advisory support is usually all that is needed to assist Grantees in carrying out their projects. Infrequently, more direct involvement is required, either to assist inexperienced Grantees or to prompt performance when progress is unsatisfactory. The MassDEP Program Coordinator is required to review and approve contract deliverables prior to finalization or installation; this will be spelled out in the contract's *Attachment A, Scope of Services*. The MassDEP/Grantee relationship can therefore change with the circumstances, and with the personalities and experience of the people involved.

Developing a good working relationship between Grantee and MassDEP is advantageous so that each can understand the other's needs and duties. In some cases, the MassDEP staff and/or the Grantee may prefer to work closely together on many aspects of a project, including

steering committees, training sessions, report writing, and so on. At other times it may be preferable for the Program Coordinator to remain more distant, but still available to provide assistance upon request. The best approach should be determined on a case-by-case basis by the Program Coordinator and the Grantee, with the mutual goal being to implement the project as effectively as possible.

MassDEP Contract Manager. The Contract Manager works with the Program Coordinator on financial issues. This includes contract preparation, invoice processing, and other related reporting. Contract packages are reviewed to ensure that all appropriate documentation has been received. The contracts are then entered into the Commonwealth of Massachusetts financial system for approval.

Invoices are also reviewed to ensure consistency with contractual requirements and forwarded to the Project Coordinator for approval. Once approved by the program, the invoices are entered into the Commonwealth of Massachusetts financial system for final approval and payment.

MassDEP Quality Assurance (QA) Officer. Although the majority of 319 projects no longer require a Quality Assurance Project Plan (QAPP), 604b projects that involve assessment and monitoring work will require one. The MassDEP QA Officer will work with you to ensure development of a QAPP that is specifically tailored to meet the intent and goals of the project. See page 6 for more about QAPP development.

MassDEP Contracts Compliance Unit. The MassDEP Contracts Compliance Unit (CCU) is responsible for reviewing and approving activities related to Equal Employment Opportunity/Affirmative Action, including the Disadvantaged Minority and Women-Owned Business Enterprise (DM/WBE) program and utilization goals for federally funded projects. The CCU establishes utilization goals at the outset of a project, and is responsible for reviewing and granting DM/WBE waiver requests when necessary (see Affirmative Action and DM/WBE utilization below). For capital or state-funded projects, goals are established under the Supplier Diversity Program at the proposal stage, prior to contract negotiation.

AFFIRMATIVE ACTION AND DM/WBE UTILIZATION

All contracts are awarded in a manner that develops and strengthens Disadvantaged Minority and Women owned Business Enterprises (DM/WBE), in accordance with federal guidelines for federally funded projects and with Massachusetts Executive Order 524, the Supplier Diversity Program for state and capital projects. Utilization goals are specified in each contract. Grantees are expected to make a “good faith effort” to meet or exceed these goals by utilizing the services of businesses that have been certified by the Supplier Diversity Office (SDO, <https://www.sdo.osd.state.ma.us/BusinessDirectory/BusinessDirectory.aspx>).

The Program Coordinator will contact you periodically to discuss your progress toward meeting DM/WBE goals. Ultimately, if a Grantee cannot meet the goals, a waiver may be granted, provided the Grantee proves that the steps outlined on the Request for Waiver form have been

followed, documenting that a good faith effort has been made. Final payment cannot be made on projects where the DM/WBE goals have not been met or a waiver has not been issued, and a waiver will not be granted after the project closes. Therefore, it's important that you pay careful attention to this requirement. Call the MassDEP Program Coordinator or the CCU (see Appendix A) if you have any questions or need assistance. Grantees must report utilization activity every quarter by filing a "PV Attachment for Reporting DM/WBE Activity" form with the MassDEP Contract Manager.

NOTICE TO PROCEED (NTP)

A written Notice to Proceed (NTP) will be issued for each project, stating the effective date of the contract. No work that is done prior to the NTP effective date can be reimbursed or counted toward the project. Note that the start date shown on the contract will probably be slightly different from the NTP date, but the contract end date shown on the contract is accurate unless an extension or amendment is granted. The milestone schedule begins on the NTP date, and project progress should follow the contractual milestone schedule from the NTP effective date forward.

QUALITY ASSURANCE PROJECT PLANS (QAPP)

A Quality Assurance Project Plan is required for each project with a monitoring, modeling or data collection component (i.e., most 604b projects and a few select 319 projects). The QAPP outlines the components of the project monitoring program, including what steps will be taken to ensure the quality of the data that will be generated. It is an invaluable planning and operating tool that outlines the project's methods of data collection, storage, and analysis. The QAPP also serves to assure data users about the quality of the project's findings, and to record methods, goals, and project implementation steps for current and future project participants and for those who may wish to use the project's data over time. While writing a QAPP can be an involved endeavor, it is an excellent exercise that will help develop a credible program and may point to weaknesses or oversights in the strategy that were not previously identified.

Development of the QAPP should be undertaken immediately upon receiving a Notice to Proceed, as the QAPP works together with the contract scope of work to serve as the outline and strategy for how the project goals will be accomplished. Specific guidance for QAPP development will be provided with the Notice to Proceed package at the start of the project. The draft QAPP should be submitted directly to the MassDEP Quality Assurance Officer (*see Appendix A for contact information*). The MassDEP Quality Assurance Officer will review, comment, and ultimately approve the QAPP in concert with the EPA Quality Assurance Officer.

REPORTING

All BWR Watershed Projects grants are required to submit reports on a regular basis. Depending on the program, some or all of the following reports may be required. Refer to Table 1 below for exact information about what quarterly reporting your grant requires. All

quarterly reports are due no later than the 15th of the month following the end of the calendar quarter, i.e., April 15, July 15, October 15, and January 15. Electronic versions of all forms will be provided by your Program Coordinator.

Table 1. Quarterly Reporting Requirements for BWR Watershed Projects				
Grant Source	Progress Report	Invoice	PV Attachment for DM/WBE Reporting	Match Certification
Federal				
604b	X	X	X	X (if Match is specified in Budget)
319	X	X	X	X
State				
Capital	X	X	x	maybe

Quarterly Submittal to MassDEP Program Coordinator - Filed electronically

Quarterly Progress (QR) Reports. A report showing progress, problems, and anticipated activity must be submitted quarterly to the MassDEP Program Coordinator. This report is in a table format, and is ideally filed electronically via email. MassDEP will review the form, and may contact you with follow-up questions.

Quarterly Submittal to MassDEP Contract Manager - Signed original documents sent electronically to MassDEP Contract Manager

Invoices. BWR Watershed Project grants are reimbursement grants. An Invoice including Fiscal Reporting forms, Attachment for DM/DWBE Reporting, and Match Certification forms should be signed by the authorized signatory, scanned, and submitted via an email attachment to the MassDEP Contract Manager. Supporting documentation should be submitted, backed up by invoices and details for all expenses incurred in the previous quarter, e.g., a copy of the invoice or bill from the Grantee’s subcontractor, a summary on letterhead of project staff hours and salaries paid by the municipality, a statement from the town accountant indicating reimbursable expenses paid for the use of town equipment, and so on, via email attachment to the MassDEP Contract Manager. Expenses must be consistent with those shown on the Attachment B budget in the contract scope of work. A partially completed Invoice Summary will be provided at the outset of the project to help ensure efficient and accurate invoicing. If a large expense is incurred and you wish to be reimbursed immediately rather than waiting for the end of the quarter, you may invoice us, provided the MassDEP Program Coordinator is notified and agrees to approve the payment. Payments cannot be made on invoices that are dated prior to the effective date shown on the Contract Notice to Proceed, or for work done in

previous state fiscal years (July 1 – June 30). No reimbursement is made for Massachusetts sales tax. A ten percent retainage is withheld from each invoice and paid to the Grantee at the end of the project, after all final products have been received and approved.

PV Attachment for Reporting DM/WBE Activity. This form documents expenditures related to DM/WBE Fair Share Utilization goals. The Attachment submittal must be filed with every PV or at a minimum quarterly, in order for invoices to be paid. MassDEP’s Program Coordinator will provide a partially completed Attachment to assist with this task.

Match Certification Form. For grant programs requiring a match (319 requires 40% non-federal match, cash or in-kind; and other programs may voluntarily offer a match), the match certification form records the cash or in-kind match contribution toward the project made during the previous quarter. Match is also reported on the Invoice Summary form. As with the Invoice Summary, the Match Certification form must be accompanied by supporting information that adequately describes the match claimed by the Grantee.

REIMBURSEMENT

The MassDEP Contract Manager reviews the invoice package for accuracy and consistency with the Attachment B budget, and then seeks concurrence with the Program Coordinator. Once the invoice is approved by MassDEP and submitted for payment, the payment is usually scheduled to be made within 30 days.

The state fiscal year ends on June 30. Invoices for work conducted within a fiscal year, July 1 – June 30, must be submitted as soon as possible to ensure that payment can be made. Once the books are closed on a fiscal year, usually in early-August, payment cannot be made for project work conducted in the prior fiscal year (up until June 30).

Grantees can verify scheduled payments and payment history by going to the Vendor Web site, <https://massfinance.state.ma.us/VendorWeb/vendor.asp>. Once there, log in with your vendor code (a number beginning with VC found on the contract documents) and the last four digits of your Tax Identification Number code, select “scheduled payments” or “payment history”, and search “EQE” for MassDEP payments.

RETAINAGE

A 10% retainage is withheld from each payment. The retainage is released when the project is closed and all deliverables and reports are accepted, match is met, and DM/WBE goals are met or waived.

DRAFT FINAL AND FINAL REPORTS

Each project is required to file a Final Report. A Draft Final Report should be submitted to the MassDEP Program Coordinator two months prior to the contract end date. The Draft Final

Report should be complete and formatted in final form, with all tables, maps and appendices. MassDEP staff will review the draft Final Report in a timely way, and will provide comments to be addressed and incorporated into the Final Report in time to meet the June 30 Final Report submittal deadline.

The purpose of a Final Report is to report how project goals were met, and to document that the project was conducted in accordance with the contract. Final Reports should also serve as a technology transfer tool, so that others who may be contemplating a similar project can learn from your experience. For that reason, failures and difficulties should also be discussed.

Suggested formats for Final Reports for various programs are available at

<http://www.mass.gov/eea/agencies/massdep/water/grants/watersheds-water-quality.html>.

We recommend that you review the format and requirements for your project's Final Report with your MassDEP Program Coordinator periodically. This will enable you to keep notes and records throughout the project to help build the Final Report.

All final reports must include this Disclaimer/Acknowledgement of Support:

"This project has been financed with Federal Funds from the Environmental Protection Agency (EPA) to the Massachusetts Department of Environmental Protection (MassDEP) under a (§ 319, 604b, etc.) competitive grant. The contents do not necessarily reflect the views and policies of EPA or of the Department, nor does the mention of trade names or commercial products constitute endorsement or recommendation for use."

Payment of grant retainage is contingent upon receipt of a satisfactory Final Report. Generally, two hard copies plus two or more electronic copies of the Final Report are required. See your contract scope of work (contract Attachment A) for specifics related to project deliverables.

PROBLEM RESOLUTION

Grantees are responsible for implementing the project in accordance with the contract and scope of work. Problems such as unforeseen loss of staff, prolonged bad weather, and equipment breakdown may affect the Grantee's ability to meet contract requirements. In such cases, more hands-on interaction between Grantee and MassDEP may be needed to help keep project activities on track. Minor or temporary delays are usually resolved through mutual cooperation between the Grantee and the MassDEP. In some cases, contract amendments may be necessary in order to formalize resolution of problems.

Occasionally, more significant problems occur where the project work is not progressing satisfactorily. Examples of potentially serious deficiencies include:

- Consistent lack of effort to complete project tasks;
- Reports repeatedly not submitted or of poor quality;
- Significant deviation from the project timeline;
- Work significantly changed without notice, or contract otherwise not adhered to; or
- Poor budget management or unsubstantiated project costs.

If the problem cannot be resolved through normal means (i.e., discussion and mutual cooperation between the Grantee and the MassDEP Program Coordinator), it is recommended that the parties arrange a meeting with the Program Coordinator to help resolve the matter. Termination of the contract is one option that can be used in these situations but that is an option that the Department will work hard to avoid.

CONTRACT AMENDMENTS

Changes in the Contract Scope of Work. As the project proceeds, it may become necessary or appropriate to make changes in the project strategy, tasks, or deliverables. Contract amendments can be made for justifiable reasons, however a Standard Contract amendment will need to be signed and submitted to DEP for approval. Examples of circumstances that may require a change in project scope include:

- When a more appropriate project strategy is identified;
- If a better result can be obtained by integrating the grant work into another project or effort; or
- If unforeseen circumstances prevent the work from proceeding as planned.

These changes must be documented in writing. A formal contract amendment should be made upon mutual agreement between the Grantee and MassDEP. Amendments are not retroactive; therefore, it is imperative that you anticipate and discuss the need for an amendment before the contract terms or requirements are violated. A contract amendment should be discussed with the MassDEP Program Coordinator, who will authorize the change and prepare the written amendment.

Changes in the Budget. It may also become necessary to amend budget line items when unanticipated expenditures cause one or more line items to fall short and/or show a surplus. As with changes to the scope of services, a written amendment to the contract budget page must be prepared. This should be discussed with the MassDEP Program Coordinator, who will authorize the change and prepare the written amendment. **Additional grant funds will not be awarded to an existing contract.** Budgetary amendments may not be approved if the amendment will reduce the amount of funds available to meet the DM/WBE goals of the contract.

Changes in the Project Milestone Schedule. Attachment C of each contract outlines the time line for performing each task of the project. If the request is justified, this also can be amended by mutual agreement between the Grantee and MassDEP, following the same process as for scope of services and budget amendments. The milestone schedule will not be amended simply because the Grantee falls behind.

Contract End Date Extensions. At MassDEP's discretion, MassDEP may agree to extend the contract end date for a project, provided it is warranted and feasible. Legitimate reasons for extensions may include:

- schedule changes related to scope of services amendments;

- unavoidable project delays due to seasonal conditions, including extended drought or flooding; or
- a need for additional post-implementation monitoring.

Extension requests must be discussed with and supported by the MassDEP Program Coordinator, who will initiate a formal contract extension if it is deemed appropriate. Contract extensions require a Standard Contract amendment form be signed and approved. Extensions must be initiated at least two months prior to contract end date to allow time for processing the contract extension before contract expiration.

Changes in Grantee Project Staff. MassDEP reserves the right to approve all Grantee project staff and subcontractors. This is to ensure that the project is being managed and carried out by qualified Grantee personnel. In the event that the Grantee experiences key staff turnover, the MassDEP Program Coordinator must be notified in writing and informed of the Grantee's plans for replacement staff who will continue to provide quality project management. Include the resume and qualifications of staff who are being assigned to replace the departing staff.

Notification of the change and subsequent MassDEP approval of the staff transition plan is mandatory in order to ensure continuation of project funding. Very important: if the Grantee's Authorized Signatory changes during the project, then a new authorized signatory form must be completed and submitted to the MassDEP Program Coordinator before any invoices or documents signed by the new Signatory can be processed.

**APPENDIX A
CONTACT INFORMATION**

DIVISION DIRECTOR

Steven J. McCurdy
Director, Division of Municipal Services
One Winter Street
Boston, MA 02108
617-292-5779

PROGRAM MANAGER

Jane Peirce
319 Nonpoint Source Program
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MASSDEP PROGRAM COORDINATORS

604b Program Coordinator:

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319 Program Coordinator

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MASSDEP CONTRACT MANAGER:

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APPENDIX B.

REPORTING FORMS

The following forms may be obtained in electronic format from your MassDEP Program Coordinator. Refer to Table 1 to determine which forms you will be required to submit, and Table 2 for submittal details. All forms can be submitted electronically with automated signatures.

Fiscal Reporting Form: Provides a summary of project expenditures and retainage to date and must be submitted as a cover page with any invoice.

PV Attachment for Reporting DM/WBE Activity: A cumulative summary of DMBE and DWBE contracts and expenditures. A signed copy should be scanned and submitted via an email attachment to the MassDEP Contract Manager with each invoice.

Quarterly Report Form: to be submitted quarterly to the MassDEP Program Coordinator, in electronic format.

Invoice: to be submitted quarterly to the MassDEP Contract Manager. Invoices must be accompanied by details and invoices related to the expenses being claimed.

Match Certification: For those grants that require a match, the match certification form should be submitted with the PV on a quarterly basis. As with the PV, a signed copy should be submitted via an email attachment to the MassDEP Contract Manager. Match certification forms also must be backed up with details and invoices.

Waiver Request: In the event that DM/WBE goals cannot be met, this form must be completed and a hard copy submitted to the Contracts Compliance Unit to demonstrate that a good faith effort was made to comply with the DM/WBE goals for the project. The six steps that must be taken in order to demonstrate the good faith effort are outlined on the waiver form. This form should be submitted as soon as DM/WBE subcontractors are established, but no later than two months prior to contract end date.

	When Due	To: MassDEP Contract Manager	To: MassDEP Program Coordinator	To: Other
Quarterly Progress Report	Quarterly		Via email	
Invoice	Quarterly	Scanned Original plus detail via email	Via email	
PV Attachment for Reporting DM/WBE Activity	With every invoice or at a minimum quarterly	Scanned Original via email	Via email	
Match Certification	Quarterly (319, WCG only)	Scanned Original plus detail via email	Via email	
Waiver Request	As soon as possible when all subcontractors are established		Via email	MassDEP Compliance Unit, MassDEP/DMS Program Manager
Amendment Request	As needed		X	
Notification of Change in Staff	Immediate		X	
Task Deliverables (per scope of work)	With Draft Final Report or per scope of work		X	
Draft Final Report	2 months prior to contract end date		X	
Final Report	Contract end date		X	