

OFFICE OF COMMUNITY SERVICES (OCS) DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS STATE OF HAWAII

CAPITAL IMPROVEMENT PROJECT (CIP) GRANT-IN-AID (GIA) GUIDELINES

The Legislature makes appropriations for grants-in-aid (GIAs) in accordance with Chapter 42F of the Hawaii Revised Statutes (HRS). There are two types of grants: Operating and Capital Improvement Project (CIP) grants. Generally, Operating grants are for a nonprofit's operational or program expenses and CIP grants are for construction projects. Funds are available on a reimbursement basis and payments are contingent upon fulfillment of the terms and conditions of the grant agreement.

This document outlines the general process that the Office of Community Services (OCS) uses to administer CIP grants and provides guidelines to help you understand your obligations of being awarded state funds under the law as well as the process involved to obtain and expend public funds. This guideline only applies to grants which have been assigned to OCS (Program ID: LBR 903). OCS reserves the right to change this guideline at any time without notice. If your grant was not assigned to OCS, please contact your assigned expending agency for more information.

The six stages for CIP grant-in-aid process are:

- 1. Application/Award
- 2. Eligibility Verification
- 3. Release of Funds
- 4. Contract Execution
- 5. Contract Administration/Expending
- 6. Contract Closing

This document and other reference materials are available online at: <u>https://labor.hawaii.gov/ocs/service-programs-index/gia/</u>

1 APPLICATION / AWARD

1. Applications submitted to Hawaii State Legislature

2. Legislature awards grants

3. Governor signs budget bill

All state grant-in-aid applications are managed by the Hawaii State Legislature, specifically, the House Finance Committee and the Senate Ways and Means Committee. Typically, applications are made available to the public in late December/early January and is posted on the Legislature's website, <u>capitol.hawaii.gov</u>. OCS does not participate during this stage, and is unable to assist with any applications. All questions should be directed to the Finance and Ways and Means Committees. The Legislature decides who is awarded a grant, the type of grant, the award amount, what the funds can be used for, and which state department will administer said award.

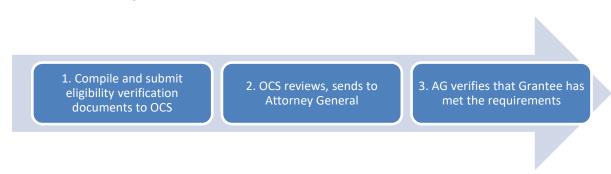
The Governor then reviews and either signs into law or vetoes the budget bill. In general, the Governor has 45 days after sine die (the last day of the legislative session) to decide, which is usually in late June/early July.

Once the budget bill is signed into law, if assigned to OCS, OCS will notify the Grantee of their award and assign a program specialist as their main point of contact. Notification of the award does not mean that expenditures can commence. Grantees must have an executed contract with OCS before expenditures may begin.

Depending on when an award is made, Grantees have two or three years to enter into a contract, or funds will lapse back to the state. Grantees should ask their program specialist when their encumbrance deadline is, and plan accordingly.

2 ELIGIBILITY VERIFICATION

The Eligibility Verification stage requires submission of documentation to verify that the Grantee meets the standards for a grant award under HRS §42F-103.



Per Hawaii Revised Statutes HRS §42F-103, grants shall only be awarded to organizations that meet certain requirements. The declaration statement attesting the organization meets these requirements submitted with the application, by itself, is insufficient to affirm eligibility.

Grantees must submit additional documentation to verify that they meet the **"Standards for the Award of Grants"** in accordance with HRS §42F-103. Listed below are the requirements, and in parenthesis are examples of documents that are typically submitted to fulfill said requirement. Grantees should contact their program specialist for specific guidance.

- 1. Are licensed or accredited, in accordance with federal, state, or county statutes, rules, or ordinances, to conduct the activities or provide the services for which the grant is awarded (*e.g., Certificate of Good Standing*)
- 2. Comply with all applicable federal and state laws prohibiting discrimination against any person on the basis of race, color, national origin, religion, creed, sex, age, sexual orientation, or disability (*e.g., by-laws, corporate resolution*)
- 3. Agree not to use state funds for entertainment or lobbying activities (*e.g., by-laws, corporate resolution*)
- 4. Allow the state agency to which funds for the grant were appropriated for expenditure, legislative committees and their staff, and the auditor full access to their records, reports, files, and other related documents and information for purposes of monitoring, measuring the effectiveness, and ensuring the proper expenditure of the grant. (*e.g., records retention policy*)
- 5. Is incorporated under the laws of the State (e.g., Certificate of Good Standing)
- 6. Has bylaws or policies that describe the manner in which the activities or services for which the grant is awarded shall be conducted or provided (*e.g., by-laws*)
- 7. For non-profit organizations:
 - a. Has been determined and designated to be a nonprofit organization by the Internal Revenue Service (*e.g., IRS determination letter*)
 - b. Has a governing board whose members have no material conflict of interest and serve without compensation (*e.g., by-laws, corporate resolution*)

The Office of the Attorney General (AG) determines if the Grantee meets the standard for a grant award under the law, which typically takes four weeks, once all documents have been submitted. OCS will inform the Grantee once a decision has been made.

3 RELEASE OF FUNDS

The Release of Funds stage involves *securing the Governor's approval for the release of funds* in order for a contract to be executed.

1. Compile and submit Release of Funds documents to OCS 2. OCS reviews, sends to Budget & Finance and Governor

3. Funds are released for contracting or not

Step 1. Grantees work closely with their assigned program specialist to compile and complete the following:

- □ Cover letter that includes the project status, finalized scope of work, timeline, project outcomes and budget, including additional sources of funding. The project must still align with the application and bill description.
- □ Funding Sources Declaration, if applicable (Attachment B)
- □ Budget & Finance Form F (Attachment C)
- □ Form F1 (Attachment D)
- □ Form PAB (Attachment E)
- \Box Table R (Attachment F)

Samples of these forms can be found at the end of this document. Program specialists will send customized forms to Grantees for completion.

Please note that projects must be **fully funded**, or the Department of Budget and Finance and the Governor will not release the funds for contracting. Additionally, once submitted, budgets cannot be modified.

Step 2. OCS sends the compiled packet to the Department of Budget and Finance and the Governor for review. This stage typically takes several months to complete, from the time all forms are submitted, please plan accordingly.

Step 3. The Governor will either release the funds for contracting or not. The Governor's office will issue a notice to the Grantee.

4 CONTRACT EXECUTION

Once the funds have been released, the fourth stage is to *execute a contract*. All contracts are on a reimbursement basis only. A contract must be in place in order for expenses to be eligible for reimbursement.

1. Compile and submit contract documents to OCS

2. OCS drafts contract, Grantee notarizes

3. OCS executes contract

Step 1. Compile and submit to OCS the following documents [Note: The Grantee's legal name must be consistent with the budget bill and on all submitted documents.]:

- □ Current Certificate of Vendor Compliance from Hawaii Compliance Express (issue date cannot be older than one month) or compliance documentation from the following agencies:
 - a. Hawaii Department of Taxation
 - b. Internal Revenue Services
 - c. Hawaii Department of Commerce and Consumer Affairs
 - d. Hawaii Department of Labor & Industrial Relations
- □ Current Certificate of Insurance from the Grantee's insurance agency provided as follows:
 - a. Liability insurance of at least \$2 million in the aggregate; General Liability shall be no less than \$1 million per occurrence and automobile insurance shall be no less than \$1 million per occurrence;
 - b. Additionally insuring the State of Hawaii and the Office of Community Services, their officers, employees, and agents for any liability arising out of resulting from occurrences connected with the Grantee's performance under the contract;
 - c. A statement from the insurance agency that the policy shall not be cancelled or materially changed without giving the State thirty (30) days prior written notice by registered mail;
 - d. The period shall cover the entire period of the contract; and
 - e. The contract identification number shall be identified on the certificate
 - The Grantee's State and Federal tax identification numbers.
 - A corporate resolution showing the duly designated person(s) who has the authority to sign the contract on behalf of the Grantee. Must include name and title of the authorized signee(s). The duly designated person(s) cannot sign the resolution and authorize themselves.
 - A copy of the Grantee's letterhead or invoice showing its legal and mailing addresses.
- Step 2. OCS prepares the contract, and upon approval by the Attorney General, sends two copies of the contract to the Grantee for signature. The Grantee's duly designated person(s) signs and notarizes both copies of the contract, then returns the signed contracts to OCS. See Attachment A for an example of the notary page.
- Step 3. The OCS Executive Director and Attorney General will then sign, thus executing contract. Once executed, OCS returns an original copy of the contract to the Grantee for file.

5 CONTRACT ADMINISTRATION

Once a contract has been executed, stage five is to submit program and fiscal reports and request reimbursement payments.



All contracts are on a reimbursement basis only. In order to be eligible for reimbursement, **all expenses**, **payments**, **and work done**, **must be completed during the life of the contract**. Anything outside of this period of performance is ineligible for reimbursement.

The Grantee submits fiscal and program progress reports. The forms are provided by OCS and samples are attached to these guidelines. OCS reserves the right to modify these forms or substitute new forms during the course of the grant period. There are two components to the periodic reports, fiscal and program progress reports.

- 1. Fiscal Reports: (Forms 300, 310, and Ledger)
 - <u>Form 300</u> (Attachment G): This report uses the numbers from Form 310 to create the "invoice" for the State. This form must be signed and submitted.
 - <u>Form 310</u> (Attachment H): Expenditures are input into this form and the information is automatically transferred to Form 300. This form must be submitted as an excel.
 - Grantees are not permitted to make any changes to the budget.
 - All requests for reimbursement must be accompanied by **accurate and complete copies of supporting documentation of expenditures** (e.g., receipts, invoices, timesheets, payroll, etc.). The Grantee shall retain all original documentation for its tax, audit, and other purposes.
 - Payments are on a reimbursement basis only. Expenses incurred outside of the contract period, will **not** be reimbursed. Expenses must follow the budget as defined in the executed contract. OCS cannot approve requests for payments without proper documentation.
 - <u>Ledger</u> (Attachment I): This ledger helps expedite the review process by matching supporting documents provided to the respective budget line item in the Form 310.
 - **Detailed instructions** on how to complete the fiscal forms may be found on OCS' website: <u>https://labor.hawaii.gov/ocs/service-programs-index/gia/</u>.

2. <u>Program Progress Report</u> (Attachment J). The program progress report shall provide an explanation of program progress, including progress regarding deliverables/outcomes, and a justification of the expenditures and financial obligations.

Reports must be submitted even if no activity has taken place or no reimbursement is requested. The report should (a) request \$0 reimbursement, (b) explain why no activity has taken place, and (c) explain what the Grantee is doing to complete the work specified in the contract.

Samples of these forms can be found at the end of this document. Program specialists will send customized forms to Grantees for completion.

<u>Due Date</u>: Fiscal and program progress reports are due by the 30th day after the end of the quarter, as defined in the contract.

<u>Payment</u> - After reviewing and approving the report, OCS will process the request for payment. Payments are made by check and can take up to one month to process.

Contract Extension (optional)

All contracts end one year after the start date. A CIP grant contract may be extended twice for up to 12 months each beyond the initial expiration date, for a total contract lifespan of three years. Extensions are at the sole discretion of OCS, provided that:

- (a) the original contract provides for extensions;
- (b) the extension request is made by the Grantee, in writing, **60-90 days prior to the expiration date** (changes to the contract are not permitted during the 30 days prior to the contract expiration date);
- (c) there is good cause to extend the contract; and
- (d) the Grantee is continuing to perform its duties under the contract and is in good standing (i.e. all reports have been submitted, valid Certificate of Vendor Compliance, valid Certificate of Insurance, etc.).

Grantees should contact their program specialist for more information.

6 CONTRACT CLOSING

Once the contract expiration date has been reached, the Grantee has 60 days to submit all closing documents. If the Grantee finishes their project prior to the contract expiration date, they may close their contract sooner. Listed below are the documents that must be submitted to OCS in order to close the contract and receive final payment.

- □ Current Certificate of Grantee's liability insurance with State and OCS as additionally insured;
- □ Current Certificate of Vendor Compliance from Hawaii Compliance Express (issue date cannot be older than one month); or compliance documents from the following agencies:
 - a. Hawaii Department of Taxation
 - b. Internal Revenue Services
 - c. Hawaii Department of Commerce and Consumer Affairs
 - d. Hawaii Department of Labor & Industrial Relations
- □ Final program progress report;
- □ Final fiscal report (must check "final report" on form; only expenses incurred and paid for during the life of the contract are eligible for reimbursement);
- □ Certificate of Completion;
- □ Certificate of Acceptance of Facility;
- Expiration of all Architect's and General Contractor's lien period; and
- □ Photos of the completed project

The State will retain 10% of the funds until the project is completed and required certificates are submitted to the State.

Per the contract, Grantees must keep all records relating to the contract for a minimum of three years after the contract has closed.

List of Attachments

Attachment	Description
Attachment A	Notary Page
Attachment B	CIP GIA Funding Sources Declaration
Attachment C	B&F Form F
Attachment D	Form F1
Attachment E	Form PAB
Attachment F	Table R
Attachment G	OCS Form 300
Attachment H	OCS Form 310
Attachment I	Cash Request Ledger
Attachment J	Program Activity Report

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Doc. Description: (Title of cor	tract & contract number on page 1)
	(Notary Stamp or Seal)
Notary Signature	Date

NOTARY CERTIFICATION

GIA Funding Sources Declaration

	Grantee:	Projected Total Cost:
	Project:	
l		
	Project Start Date:	Projected Project Completion Date:

I understand the State of Hawaii is to be utilized as the last source of funding. Listed below are all of our sources of funding for this project, the amounts committed and the dates the funds will be available.

List Funding Sources	Amount Committed	Date Funds Available
		F
		After contract
State of Hawaii		executed and all other funding sources have been utilized

(Please attached commitment letters for the above Funding Sources.)

I certify that the above information is true to the best of my knowledge.

Aut	horized	Signa	ture:

Date: _____

Created June 2017

Form F (July 2021)

(E	Da	te)

TO:	The Honorable David Y. Ige Governor of Hawaii
THRU:	Craig K. Hirai Director of Finance
FROM:	(Department Head, Title) (Department)
SUBJECT:	Request to Allot and Expend a CIP Grant Pursuant to Chapter 42F, HRS
2. pendin	I.P. and Title: Ac. ncy (if this if an above) Agency and Brief Description:
the exper	e what the recipient agency does and whether it has been determined by nding agency to meet the conditions of Section 42F-103, HRS, Is for the award of grants and subsidies.)
Means of	of Grant: \$ for FY Financing: SLH, Section/Item No (as applicable)
5. Description	on of project:

(Describe, as applicable (non-applicable sections may be deleted):

a. The specific use of the funds by the recipient. For example, the funds might be used for the design and construction a new dining hall for the families served by the XYZ foundation (recipient organization).

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Attachment D – Form F1 (page 1) SAMPLE

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2 Project Name					3 Project CIP	No.					
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Project Description and Estimated Useful Life											
PART 2 Project Cost	and Funding	Sources									
8 Does this request for fundi	ng require gene	eral obligation bond fund app	ropriations?			Yes 🗌	No				
If "no" box is checked, no f	urther informat	ion other than signature and	date is require	d.							
9 Has any appropriations be	If "no" box is checked, no further information other than signature and date is required. 9 Has any appropriations been made for any portion of project prior to this request? Yes No										
10 Funding sources for costs	s of project mad	de by this request									
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b General obligation	on bond fund appr	ropriations									
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		schedule and copy of each of									
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	Office of Community Services Department of Labor and Industrial Relations											
	FORM 300 - Cash Report											
	RECIPIENT	ORGANIZATION:		ORGANIZATION	NAME	2. FUNDING	ACT XX					
1.	MAILING A	DDRESS:		123 ALOHA STR	REET	SOURCE: GIA						
3.	PROGRAM		PR	OGRAMTITLE		4. <u>CONTRACT NO.</u>	5.					
-								\$750,000.00				
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	From:	November 1, 2022	To:	October 31, 2023	From:	November 1, 2022	To:	January 31, 2023				
8.	8. REQUEST FOR REIMBURSEMENT Amount Requested For This Period: (All supporting receipts/documents must be attached) \$25,000.00 C. TFICATION ic ify to the bic only kink dge and bief the his repoind supporting the unmade for the incident of grant of greement, an effect the work done for this project. Name Date											
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Attachment H – Form 310 SAMPLE

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ocs		line A+B+C+D+E = line F) Revised 03/2022 ONLY	S		PL		0.00%	\$0.00	\$0.00	\$0.00	\$0.00
	Fo	m 310 Form 300	 (+) 								

REC	IPIENT ORGANIZATION							
Con	tract: OCS-CIP-xx-xx							
				FORM 310 BUDGET	LINES: (According to (Contract)		
				DESIGN				
		•		CONSTRUCTION				
011	ARTER 1 EXPENDITURES							
QU	ARTER I EXPENDITORES							
	Supporting Document Description (Payee etc.)			Form 310 Budget Line	Period of Performance	Proof of Payment (Type and Reference #)	Amount	
1	HAWAII ARCHITECTS	12/15/2022	12345	DESIGN	Q1	Check # 567	\$25,000.00	
2								
3								
4								
5								
6								
7								
8								
9								
10								
20								
30								
40								
50								
60								
70								
80								
90								
						QUARTER 1 TOTAL	\$25,000.00	
							*This total must match	h
							your Form 310 total	

Grant-In-Aid Program Progress Report Office of Community Services Department of Labor and Industrial Relations

Recipient Organization:	Funding Sources:
Program:	Contract Number:
	Contract Amount:
	Contract Period (From/To):
Date Report Submitted:	Report Period (From/To):

1. Estimated Percentage of contract completed as described in Scope of Performance:



Provide a brief narrative of the Program's major activities, highlights and achievement for this reporting period.



 Identify any difficulties or challenges your agency faces in attempting to assist clients or in operating your program efficiently and effectively. Provide specific recommendations or suggestions on how OCS might assist your program and how your agency plans to overcome these challenges.