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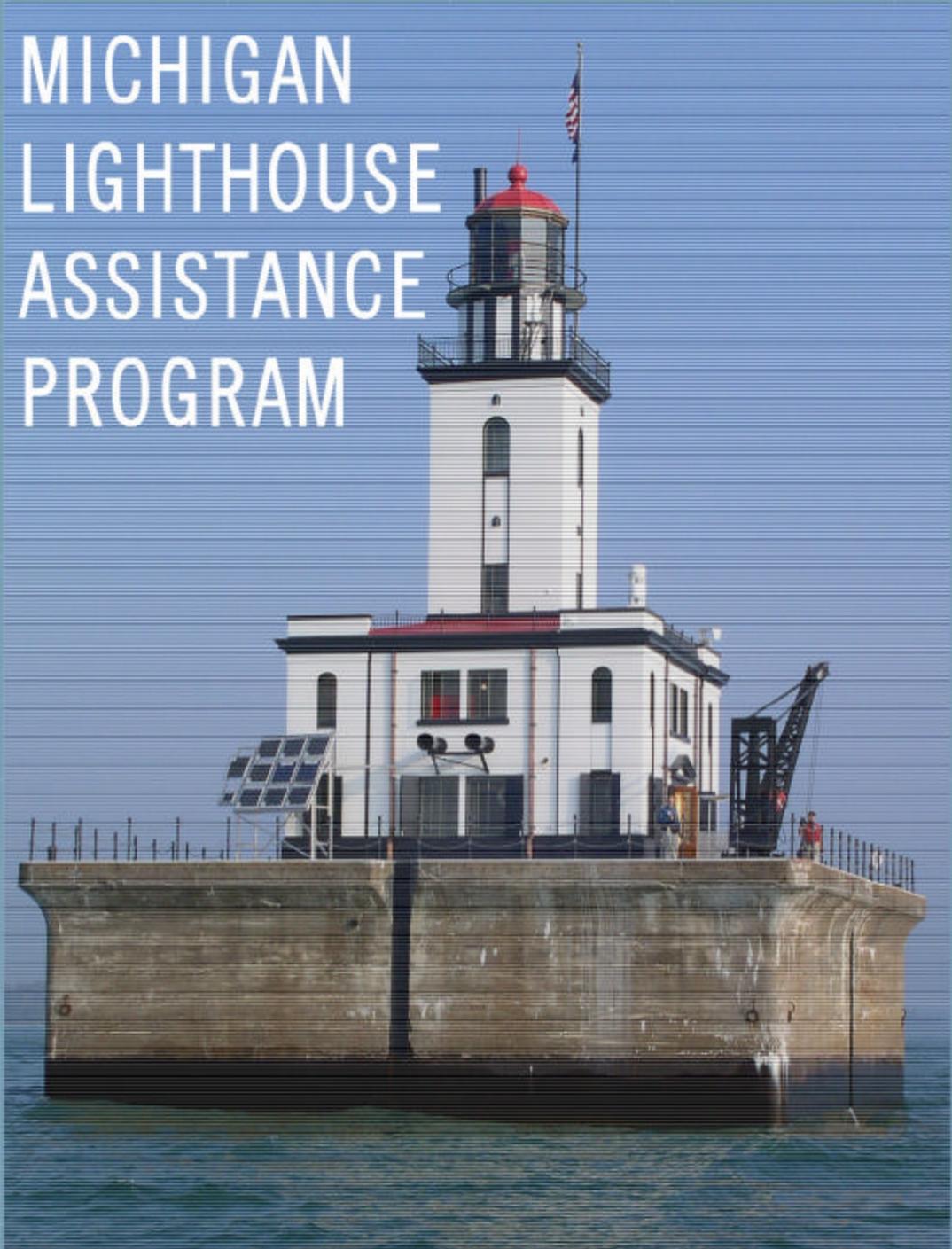
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# MICHIGAN LIGHTHOUSE ASSISTANCE PROGRAM



State

Historic

Preservation

Office

Michigan Historical Center - Department of History, Arts and Libraries  
517.373.1630 - [preservation@michigan.gov](mailto:preservation@michigan.gov)

# **MICHIGAN LIGHTHOUSE ASSISTANCE PROGRAM GRANT MANUAL**

State Historic Preservation Office  
Michigan Historical Center  
Michigan Department of History, Arts and Libraries

This program is managed with state matching funds for the Historic Preservation Program, which is funded with Federal Funds from the National Park Service, U.S. Department of the Interior. However, the contents and opinions do not necessarily reflect the views or policies of the Department of the Interior. The Historic Preservation program receives federal financial assistance for identification and protection of historic properties. Under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975, as amended, the U.S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, or disability or age in its federally assisted programs. If you believe you have been discriminated against in any program, activity, or facility as described above, or if you desire further information, please write to: Office for Equal Opportunity, National Park Service, 1849 C Street, N.W., Washington, D.C. 20240

Cover photograph by Bryan Lijewski  
Cover design by Todd Walsh

September 2004

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## INTRODUCTION

The **Michigan Lighthouse Assistance Program** was established to assist in the preservation, restoration and protection of lighthouses in Michigan. The program arose from the concern about the disposal of approximately 70 lighthouses by the U.S. Coast Guard, and the activities of the Michigan Lighthouse Project.

The **Michigan Lighthouse Project** is composed of state, federal and non-profit groups which have an interest in or a role to play in the future of Michigan's lighthouses. The goals of the project are to increase public and governmental awareness of the lighthouse preservation issues, identify avenues to ensure the long-term preservation of Michigan's lighthouses, locate suitable stewards to maintain and operate these facilities, serve as a clearinghouse for information on the disposal and transfer process, current and pending legislation, available funding, and technical preservation assistance, and act as the single point of contact for all issues and inquiries concerning Michigan's lighthouses. Inquiries can be directed to:

Mr. Steve Belko, Project Manager  
The Michigan Lighthouse Project  
P.O. Box 720  
Clarkston, MI 48347  
Voice: (248) 625-3607  
Fax: (248) 625-3679  
Email: [belko.mlp@voyager.net](mailto:belko.mlp@voyager.net)  
Web Page: <http://www.michiganlighthouse.org>

The grant funds for the Michigan Lighthouse Assistance Program were appropriated by the state legislature to provide seed money for planning or restoration work to assure that the lighthouses are available to future Michiganders. This grant program is managed through the Michigan Department of History, Arts and Libraries, Michigan Historical Center, State Historic Preservation Office.

Funding for the Michigan Lighthouse Assistance Program also comes from the sale of lighthouse license plates. \$25 from each license plate sold goes to the Michigan Lighthouse Assistance Program. For more information on these plates, contact your local Secretary of State office. You can also purchase the lighthouse license plate when renewing by mail or on the internet at [www.michigan.gov/sos](http://www.michigan.gov/sos). Disability and vanity plates are available.

The SHPO is pleased to be able to offer this opportunity to owners, potential owners and lessees of Michigan's lighthouses, powerful symbols of the Great Lakes State's maritime history.

## WHO CAN APPLY

Non-profit organizations and state or local governments that own (or are in the process of acquiring) or have long-term leases on a lighthouse are eligible to apply for these funds. Private individuals are **not** eligible for these grants.

## HOW TO APPLY

Approximately \$110,000 will be available for the Michigan Lighthouse Assistance Program. The maximum award is \$40,000. Grants must be matched equal to 50% of the grant amount awarded (see Chapter 3 – Matching Share).

Complete an application following Chapter 2 instructions if you are doing restoration or stabilization work, or Chapter 4 if you are doing planning work. **Applications must be postmarked no later than November 1, 2004.**

**Send one copy of the application to:**

Michigan Lighthouse Assistance Program  
Denise Sachau, Grants Manager/Budget Analyst  
State Historic Preservation Office  
Michigan Historical Center  
P.O. Box 30740  
702 West Kalamazoo Street  
Lansing, MI 48909-8240

All projects will be competitively scored by the State Historic Preservation Office (SHPO) staff. The criteria to be used in scoring the applications are included in this manual.

*This manual will assist you in the preparation of an application and in administering these funds. **It is incumbent upon each grant applicant to read this manual and to become familiar with its contents.** The following staff would be happy to assist you with any questions not covered in the manual or questions about preparing an application:*

### **State Historic Preservation Office**

Brian Conway, State Historic Preservation Officer (517) 373-1630 or conwaybd@michigan.gov

Bryan Lijewski, Restoration Planning and Restoration (517) 373-1631 or lijewskib@michigan.gov

Denise Sachau, Grants Manager/Budget Analyst (517) 373-1904 or dsachau@michigan.gov

SHPO Fax Number (517) 335-0348

## LIGHTHOUSE ASSISTANCE PROGRAM SCORING CRITERIA

The applications will be scored using the following criteria (not listed in order of significance):

- If interior work is included, the building must be open to the public on a regular basis (see page 21 for details);
- Resource is threatened by Coast Guard disposal or is newly transferred;
- Funding the project will have the following impact on the resource: **High** (structural stabilization or correct deficiencies to prevent further damage); **Medium** (planning to allow continued use); **Low** (interior cosmetics);
- Resource's level of significance is: **High** – one of a few or exemplary as a type or class; **Medium** – National Register listed or eligible
- Planned uses are realistic;
- Broad community support is demonstrated;
- The lighthouse owner supports the project;
- Budget is clearly defined and costs are eligible;
- Costs are reasonable for proposed work;
- Match is clearly defined and eligible;
- Priority projects will exceed \$5,000 in grant costs;
- Match is cash;
- Scope of work is clearly defined and eligible;
- Sponsor is a unit of government or other clearly defined organization with administrative capability;
- Grant applicant has previous experience in managing grants

**Note:** Applications that are incomplete will receive negative points.

### AWARDING GRANTS

If the application is funded, a grant agreement awarding the funds will be executed. **Project work cannot commence before a grant agreement has been executed. Expenses incurred prior to the execution of the grant agreement are not eligible for reimbursement.**

Grantees will be required to attend a half-day grant administration workshop at the Michigan Historical Center. This workshop will help grantees understand the different requirements of the grant and allow them to meet State Historic Preservation Office staff with whom they will be working.

Because the Michigan Lighthouse Assistance Program grants are paid on a reimbursement basis, sufficient funds must be available to complete project work. Once project work and all financial documentation is approved, payment for documented expenses will be made to the grantee.

## CHAPTER 1

### GENERAL CONDITIONS

Below are general conditions which apply to the receipt of a Michigan Lighthouse Assistance Program Grant. These and all other applicable requirements, laws, and regulations are also addressed or referenced in the grant agreement which will be executed between your organization and the Michigan Department of History, Arts and Libraries.

#### A. Project Period

Project costs must be incurred between the date the grant agreement is executed (signed and dated by the Michigan Department of History, Arts and Libraries) and the end-date specified in the agreement. **Costs which are incurred prior to the execution of the grant agreement or after the end-date of the grant agreement are not eligible project costs and will not be used as part of the state grant or the matching share.**

#### B. Project Scope

The scope of the work is defined in the grant agreement. Prior to implementing any change, the grant recipient shall notify the SHPO, in writing, when changes in the scope of the work are necessary. Some changes may be technical in nature and not require a formal grant agreement amendment. Most changes will require an amendment.

#### C. Project Budget

The grant recipient must notify the Michigan Department of History, Arts and Libraries in writing of any major changes in the budget prior to implementing the change.

#### D. Project Extensions

If during the course of the project the grant recipient believes the grant agreement end-date cannot be met, a written request for an extension must be submitted to the SHPO **prior to the end-date specified in the grant agreement**. This request must state the reason the extension is necessary. Extensions may be granted if the grant recipient is making reasonable progress in accomplishing the grant work. End-dates are extended by means of a letter signed by the Michigan Department of History, Arts and Libraries.

#### E. Method of Payment

All grant funds are paid on a reimbursement basis only. Documentation of all expenditures shall be submitted to and audited by the SHPO.

## **F. Completion Material/Report**

The completion materials or report will be specified in the grant agreement. Review this section of the agreement carefully. For restoration projects, completion materials include photographs of the project sign, work in progress, completed work, and a written description of the project's accomplishments.

## **G. Acknowledgment of Funding and Non-discrimination**

*In all publications, reports, and newsletters, the grantee shall acknowledge financial support by the Michigan Lighthouse Assistance Program and administration of the Michigan Department of History, Arts and Libraries, Michigan Historical Center, State Historic Preservation Office. The acknowledgment to be used is included in the grant agreement.*

## **H. Safety Precautions**

The State of Michigan assumes no responsibility with respect to accidents, illnesses, or claims arising out of any work performed under a grant-supported project. The grantee is expected to take necessary steps to insure itself and its personnel and to comply with the applicable local, state, or federal safety standards, including standards established pursuant to the National Occupational Safety and Health Act of 1970 (see CFR 1910).

## **I. Civil Rights Laws**

As mandated under Title VI of the 1964 Civil Rights Act and in Executive Directive 1979-4, it is the policy of the State of Michigan to assure that all Michigan citizens receive full and equal access to benefits provided by State-supported programs and services without discrimination based upon race, color, creed, religion, national origin, height, weight, marital status, age, sex or handicap.

The Michigan Department of History, Arts and Libraries requires compliance with the non-discrimination laws in connection with the use of grant funds. In furtherance of this policy, it is likewise appropriate that the Michigan Department of History, Arts and Libraries not enter into any contract, nor fund or serve as a conduit for funding, programs which may have the effect of creating or perpetrating patterns of discriminatory practice. All grant recipients shall file affidavits pledging a reasonable representation of minority group representatives, and women, in all levels of their work force and that there exists equal opportunity to participate in and enjoy the benefits of programs and activities without regard to race, color, creed, religion, national origin, height, weight, marital status, age, sex or handicap.

Grant recipients with grant agreements of \$25,000 or more or employing 25 persons or more are also required to complete a written Equal Opportunity Plan.

Forms and Instructions for demonstrating civil rights compliance that must accompany the application are part of this manual. If it is determined that the applicant is not in compliance with equal opportunity standards as established by the Michigan Department of Civil Rights, the application will be rejected.

## **J. Barrier Free Access**

State and federal laws, including the Americans with Disabilities Act (ADA), concerning barrier free designs which facilitate access to grant-assisted properties by persons with disabilities are applicable to the Lighthouse Assistance Program. The Michigan Department of History, Arts and Libraries strongly urges each applicant and other individuals contemplating restorations of historic structures to consider the implications of such compliance at the earliest possible stage. It should be kept in mind that not all

preservation work involving extant buildings or structures will trigger the need to meet the barrier-free design requirements.

Should a determination be made that barrier-free design requirements are applicable, the Michigan Barrier-Free Design Board is empowered to grant a variance to the Michigan requirements when an applicant sufficiently shows that: 1) the proposed repairs, alterations or additions are to be performed on a building or structure listed on or eligible for listing on the National Register of Historic Places or the State Register of Historic Sites; and that 2) adherence to the barrier-free design provisions would destroy or diminish a significant feature of the building's or structure's historical character or physical integrity or both. The applicant will make this showing at an administrative hearing conducted in Lansing by a hearings officer for the Design Board.

The governmental entity having primary administration and enforcement authority over the barrier-free design requirements can range from a city building official to various state agencies depending on where the building or structure is located and the type of function for which it is used. If you are unable to determine locally which entity you should be dealing with, you may contact the Department of Labor and Economic Growth, Bureau of Construction Codes and Fire Safety, Plan Review Division, P.O. Box 30254, Lansing, MI, 48909 or call (517) 241-9328.

#### **K. Record Accessibility and Retention**

Grant recipients will submit program, financial, or other reports as are required by the Michigan Department of History, Arts and Libraries. On-site inspections by the Michigan Department of History, Arts and Libraries will be conducted as required to provide necessary information relevant to compliance with grant terms and conditions.

Documentation, papers and records of the grant recipient and any subcontractor shall be kept for a minimum of three years after funds have been reimbursed to the grant recipients or until all claims or audit findings have been resolved.

## CHAPTER 2

### GRANT APPLICATION – For Restoration Projects

*If you are applying for a planning grant, please refer to Chapter 3 of this manual.*

- Consult the chapters on general conditions, allowable costs, matching share and project completion before completing the application.
- The application should be typed on 8 ½ x 11 plain white paper. Submit one copy of the application. **Applications are due November 1, 2004.**
- Complete the Michigan Lighthouse Assistance Program (MLAP) Application Checklist which can be found in Appendix E and submit it with your application.

#### Grant Application Checklist

##### 1. Project Name and Address

List the project name and address

##### 2. Project Contact

List the project contact (this shall be a person who will have complete knowledge of the progress of the project work), include:

Name and Title  
Address (include zip code)  
Daytime Phone Number  
Fax Number  
Email Address

*If the project contact has more than one address, please list all addresses, along with approximate times of the year each address is used (i.e. summer home, used from May to November).*

##### 3. Grant Recipient/Legislator Information

List the grant recipient information:

Name  
Address (include zip code)  
Daytime Phone Number

*Indicate if the grant recipient is a unit of government (local or state) or a private, non-profit organization.*

List the federal and state legislator information as follows:

U.S. Senate District #  
Name of U.S. Senator

U.S. Congressional District #  
Name of U.S. Congressman or Congresswoman

State Senate District #  
Name of State Senator

State House of Representative District #  
Name of State Representative

#### **4. Property Owner**

List property owner information:

Name

Address (include zip code)

Daytime Phone Number

#### **5. Federal Identification Number**

List the Federal Identification Number

#### **6. Deed and Ownership Information, including date of ownership or lease**

- A. Submit a copy of the deed **and** sufficient documentation which discloses all present and future interests in the land, together with a statement of each lien, change, and liability, if any.
- B. For any non-profit owned structures, documentation may consist of a title commitment or an abstract of title.
- C. For publicly owned structures, documentation may consist of a legal opinion from the local unit's attorney.
- D. For leased or licensed properties, provide a copy of the lease/license, the name of the owner, and any additional documentation, as necessary.
- E. If property is leased or licensed, a letter of support from the property owner must also be included.
- F. If a historic preservation historic preservation easement or easement already exists on the property, please provide a copy.

**NOTE:** A historic preservation easement guaranteeing maintenance and public accessibility must be recorded with the deed prior to disbursement of grant funds. See the chapter on historic preservation easements for complete details.

#### **7. Project Summary**

Please provide a short summary of the proposed project (200 words or less).

#### **8. Grant Request and Match**

List the grant amount being requested, as well as total amount of matching share.

Grant funding request: (may be no more than \$40,000)

Total matching share: (must be at least 50% of the total grant amount)

Indicate the source of the matching share in the following format:

Donor: (city, non-profit, etc...)  
 Source: (private, city general fund, etc...)  
 Kind: (cash, donated material, donated equipment, etc...)  
 Amount: \$

- Donated material and equipment use are acceptable sources of matching share, but the value must be substantiated (i.e. a letter from the donor stating the value of the contribution (must be fair market value), an advertisement showing wholesale price of an item, etc...).
- Volunteer labor of professionals, such as roofers, painters, electricians, plumbers, will **not** be allowable as match.

### 9. Detailed Budget

Describe the work which will be done and include all estimated costs. *Be specific.*

Example:

	<u>Grant</u>	<u>Match</u>	<u>Total</u>
Paint analysis to determine historic colors	\$2,000	\$0	\$2,000
Repaint tower using historic colors	\$10,000	\$2,500	\$12,500
Window repair	\$3,000	\$3,000	\$6,000
Shutters to protect windows	\$0	\$2,000	\$2,000
<b>Total Costs</b>	<b>\$15,000</b>	<b>\$7,500</b>	<b>\$22,500</b>

The following work is ineligible:

- Certain environmental cleanup activities required under federal law.
- Acquisition
- Landscaping, such as sidewalks or parking lot;
- Reconstruction of missing buildings (reconstruction of certain missing elements may be allowable if based upon historical documentation, such as photographs).
- Fundraising
- Fines, penalties, debts or interest.
- Operational expenses

### 10. Plans and specifications

- Plans and specifications must be submitted with the application for restoration work.
- **Plans and specifications must meet the Secretary of the Interior’s Standards for Rehabilitation.** The Secretary of the Interior’s Standards are an attachment to this manual. Once approved by the Michigan Department of History, Arts and Libraries, the plans and specifications become part of the grant agreement to accomplish the grant work.
- If you do not have plans and specifications or you desire a complete building assessment with priorities and estimates of cost, you may wish to apply for a planning grant to prepare them.

### 11. Match Certification

Provide proof of the availability and source of the cash match through a certification from an appropriate organization or official. This can be included in the required resolution. Provide documentation of

donated supplies or donated equipment use (this should include market value of donation – see Chapter 4 on matching share).

## **12. Work Schedule**

Develop a work schedule. **Assume that bidding for work can begin *no sooner than May 1, 2005*.** Schedules become a grant agreement attachment. For restoration projects, include items such as:

- Advertisement of work;
- Bid opening;
- Submission of bids to the State Historic Preservation Office;
- Execution of construction contract;
- Submission of expenditures;
- Completion of construction work;
- Submission of financial documentation;
- Submission of completion report;
- Any other dates necessary to keep the project on schedule;
- Project completion date.

\* The preference would be for work to be completed by September 30, 2006; however, we realize that lighthouse locations can present unique problems in getting work done. *Please call Denise Sachau, Grants Manager/Budget Analyst, at (517) 373-1904 to determine if your project will need to have a completion date later than September 30, 2006.*

## **13. Additional Information**

- What are the present and planned uses for the property?
- Please submit letters or other evidence of community support for this project.
- *If the owner is not the applicant, please provide a letter from the owner stating they support the grant application*

## **14. Experience Administering Grants**

Provide a brief description of experience your organization has administering grants.

## **15. Financial Certification**

Include a certification from your financial manager that your organization has in place an adequate accounting system with appropriate internal controls to assure accuracy and reliability of accounting data. The financial management system shall:

- Provide accurate, current and complete disclosure of the financial results of each grant;
- Provide records that identify the source and application of funds for grant supported activities;
- Provide for effective control of all grant assets;
- Compare actual and budgeted amounts for the grant;
- Establish procedures for determining reasonableness, allowability, and allocability of costs in accordance with the provisions of the applicable cost principles and terms of the grant agreement;

- Support accounting records by source documentation such as canceled checks, paid bills, payrolls, and subcontract documents. Separate project records must be established and identified by the grant name and number.

This certification can take the form of a letter stating the above information and signed by the responsible financial officer.

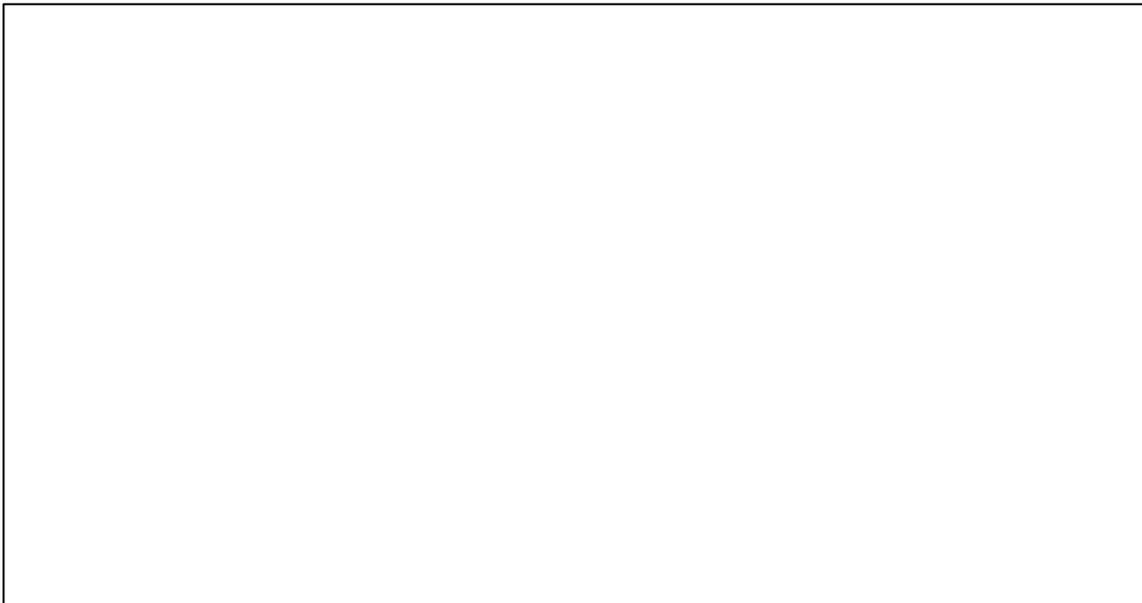
## 16. Resolution and Bylaws

Include a resolution authorizing acceptance of the grant under the conditions attached thereto, and designating all authorized contract signatories. **The resolution must include the names of the individuals authorized to sign the grant agreement, any grant agreement amendments and the historic preservation easement.**

Non-governmental agencies may submit copies of bylaws in lieu of a resolution, provided that the bylaws clearly indicate and designate that certain individuals have the power to execute contracts, contract amendments and historic preservation easements on behalf of the organization. **If any power is lacking in the bylaws then a resolution must still be furnished.**

The property owner also must provide authorization for execution of the historic preservation easement. **If the applicant is not the property owner, please submit a resolution or other document from the owner agreeing to the historic preservation easement.**

*Example of a resolution for a local unit of government:*



## 17. Affirmation of Equal Opportunity

Complete the appropriate Civil Rights Compliance forms (Appendix C). If it is determined that the applicant is not in compliance with the equal opportunity standards as established by the Michigan Department of Civil Rights, the application will be rejected.

### **18. Certification Regarding Debarment**

Complete the Certification Regarding Debarment form (Appendix D) and return with your application. If the application has been debarred from contracting with the federal government, the application will be rejected.

### **19. Photographs and Sketch Map**

Include photographs and a sketch map of all buildings or structures as follows:

- Two 35mm color slides or standard size photographic prints of each structure.
- One view shall show the front and side of the structure, the second view shall show the rear and opposite side of the structure.
- Views of all project work areas: 35mm color slides or standard size color photographic prints (one copy of each view).
- Sketch map of site, including all structures and features.

### **20. Legal Description of Property**

- Provide the complete legal description of property. This may be obtained from the county, lease papers, title work, abstract or deed.
- If the property is an offshore light, without an available legal description, please provide both the county it resides in as well as the latitude and longitude.

### **21. Signatures**

Have all authorized signatories sign the application; also type their names, titles, addresses (including city or town, state and zip code), and telephone numbers.

**SEND ONE COPY OF THE APPLICATION (INCLUDING PHOTOGRAPHS) TO:**

Michigan Lighthouse Assistance Program  
Denise Sachau, Grants Manager/Budget Analyst  
State Historic Preservation Office  
Michigan Historical Center  
P.O. Box 30740  
702 West Kalamazoo Street  
Lansing, MI 48909-8240

## CHAPTER 3

### GRANT APPLICATION – For Planning Projects

*If you are applying for a restoration grant, please refer to Chapter 2 of this manual.*

- Consult the chapters on general conditions, allowable costs, matching share, and project completion before completing the application.
- The application should be typed on 8 ½ x 11 plain white paper. Submit one copy of the application. **Applications should be postmarked no later than November 1, 2004**
- Complete the Michigan Lighthouse Assistance Program (MLAP) Application Checklist which can be found in Appendix E and submit it with your application.

#### Grant Application Checklist

##### 1. Project Name and Address

List the project name and address.

##### 2. Project Contact

List the project contact (this shall be a person who will manage the project and have complete knowledge about the status of the project work), include:

- Name and Title
- Address (include zip code)
- Daytime Telephone Number
- Fax Number
- Email Address

*If this person has more than one address, please list all addresses, along with approximate times of year each address is used (i.e. summer home, used from May to November).*

##### 3. Grant Recipient/Legislator Information

List the grant recipient information:

Name

Address (include zip code)

Daytime Telephone Number

*Indicate if recipient is a unit of government (local or state) or a private, non-profit organization.*

List the federal and state legislator information as follows:

U.S. Senate District #  
Name of U.S. Senator

U.S. Congressional District #  
Name of U.S. Congressman or Congresswoman

State Senate District #  
Name of State Senator

State House of Representative District #  
Name of State Representative

#### 4. Federal Identification Number

List the name and federal identification number for the agency that will be paid the grant funds.

#### 5. Grant Request and Match

List the grant amount being requested, as well as the total amount of matching share.

Grant funding request: (may be no more than \$40,000)  
Total matching share: (must be at least 50 percent of the total grant amount)

Indicate the source of the matching share in the following format:

Donor: (city, non-profit, etc...)  
Source: (private, city general fund, etc...)  
Kind: (cash only)  
Amount: \$

#### 6. Detailed Budget

Describe the work which will be done and include all estimated costs. *Be specific.*

*Example:*

	<u>Grant</u>	<u>Match</u>	<u>Total</u>
Architectural services for plans and specifications to conduct masonry restoration at the keeper's dwelling and restore the boathouse.	\$20,000	\$10,000	\$30,000

The following work is ineligible:

- Certain environmental cleanup activities required under federal law;
- Acquisition;
- Landscaping, such as sidewalks or parking lots;
- Reconstruction of missing buildings (reconstruction of certain missing elements may be allowable if based upon historical documentation, such as photographs);
- Fundraising;
- Fines, penalties, or interest;
- Operational expenses.

#### 7. Match Certification

Provide proof of the availability and the source of the cash match through a certification from appropriate organization or official. This can be included in the required resolution. Provide documentation of donated supplies or donated equipment use (this should include market value of donation – see Chapter 4 on matching share).

#### 8. Additional Information

- What are the present and planned uses for the property?
- Please submit letters or other evidence of community support for this project.

- If the owner is not the applicant, please provide a letter from the owner stating that they support the grant application.

## 9. Scope of Work

*All project work must meet the Secretary of the Interior's Standards for Rehabilitation.*

- Describe in detail the reason the project is needed, the benefits of the work, and what will be produced as a result of the project.
- Plans and specifications may be included so that work can be done at a later date. Perhaps a total building study or historic structures report is needed to prioritize work and provide estimates of costs. Such a document could be useful in fundraising efforts at a later date.
- A feasibility study on the best use of the lighthouse may be needed.
- Architectural consultants to be hired must meet the federal standards for Historical Architect listed below. If a Historical Architect is needed, the SHPO staff can provide assistance in locating qualified consultants.
- The minimum professional qualifications for a Historical Architect are a professional degree in architecture or a State license to practice architecture, plus one of the following: (1) at least one year of graduate study in architectural preservation; or (2) at least one year of full-time professional experience on preservation projects. Such graduate study or experience shall include detailed investigations of historic structures, preparation of historic structures research reports, and preparation of plans and specifications for preservation projects.

## 10. Work Schedule

Develop a work schedule. Remember that when subcontracting work, you must allow time for SHPO review of bidding documents at all stages of the process. Include this in your work schedule. **Assume that bidding for work can begin no sooner than May 1, 2004.** Schedules become a grant agreement attachment and must include dates for the following items:

- Submission of a draft copy of Request for Proposals (RFP) for State Historic Preservation Office approval;
- Due date for RFP's;
- A list of all consultants who were sent the RFP's;
- Copies of all proposals received;
- An analysis of proposals, including the reasons for selecting the consultant you wish to choose and how that consultant meets federal requirements;
- Draft copy of the subcontract;
- Submission of documentation of expenditures;
- Submission of a 75% draft of document;
- Submission of a 95% draft of document;
- Any other dates necessary to keep the project on schedule;
- Project completion date.

\* The preference would be for work to be done by September 30, 2006; however, we realize that lighthouse locations can present unique problems in getting work done. *Please call the Grants Manager/Budget Analyst to determine if your project will need to have a completion date later than September 30, 2006.*

## 11. Experience Administering Grants

Provide a brief description of the experience your organization has in administering grants.

## 12. Financial Certification

Include a certification from your financial manager that your organization has in place an adequate accounting system with appropriate internal controls to assure accuracy and reliability of accounting data. The financial management system shall:

- Provide accurate, current and complete disclosure of the financial results of each grant;
- Provide records that identify the source and application of funds for grant supported activities;
- Provide effective controls for all grant assets;
- Compare actual and budgeted amounts for the grant;
- Establish procedures for determining reasonableness, allowability and allocability of costs in accordance with the provisions of the applicable cost principles and the terms of the grant agreement;
- Support accounting records by source documentation such as canceled checks, paid bills, payrolls, and contract documents. Separate project records must be established and identified by the grant name and number.

## 13. Resolution and Bylaws

Include a resolution authorizing acceptance of the grant under the conditions attached thereto, and designating all authorized contract signatories. **The resolution must include the names of the individuals authorized to sign the grant agreement, any grant agreement amendments and the historic preservation easement.**

Non-governmental agencies may submit copies of bylaws in lieu of a resolution, provided that the bylaws clearly indicate and designate that certain individuals have the power to execute contracts, contract amendments and historic preservation easements on behalf of the organization. **If any power is lacking in the bylaws then a resolution must still be furnished.**

The property owner also must provide authorization for execution of the historic preservation easement. **If the applicant is not the property owner, please submit a resolution or other document from the owner agreeing to the historic preservation easement.**

*Example of a resolution for a local unit of government:*

I, \_\_\_\_\_, the duly qualified and acting Clerk of \_\_\_\_\_, do hereby certify that the following resolution was adopted at a meeting of the (governing body) held on \_\_\_\_\_; is on file; has not been amended, altered or revoked; and is in full force and effect.

RESOLVED:

That the (title) is authorized and directed to file an application for (amount) for (name of project) and that upon approval of the Application by the Michigan Department of History, Arts and Libraries the (title) shall be authorized to sign the grant agreement, any grant agreement amendments, other agreement-related documents and the required historic preservation easement.

SEAL

\_\_\_\_\_  
Signature of Clerk

#### **14. Affirmation of Equal Opportunity**

Complete the appropriate Civil Rights Compliance forms (Appendix C). If it is determined that the applicant is not in compliance with the equal opportunity standards as established by the Michigan Department of Civil Rights, the application will be rejected.

#### **15. Certification Regarding Debarment**

Complete the Certification Regarding Debarment form (Appendix D) and return with your application. If the applicant has been debarred from contracting with the federal government, the application will be rejected.

#### **16. Photographs and Sketch Map**

Include photographs and a sketch map of all the buildings or structures as follows:

- Two 35mm color slides or standard size photographic prints of each structure.
- One view shall show the front and side of the structure, the second view shall show the rear and opposite side of the structure.
- Views of all project work areas: 35mm color slides or standard size color photographic prints (one copy of each view).
- Sketch map of the site, including all structures.

#### **17. Legal Description of Property**

- Provide the complete legal description of property. This may be obtained from the county, lease papers, title work, abstract, or deed.
- If the property is an offshore light, without an available legal description, please provide both the county in which it resides as well as the latitude and longitude.

#### **18. Signatures**

Have all authorized signatories sign the application; also, type their names, titles, addresses (including city or town, state and zip code), and all telephone numbers.

**SEND ONE COPY OF THE APPLICATION (INCLUDING PHOTOGRAPHS) TO:**

Michigan Lighthouse Assistance Program  
Denise Sachau, Grants Manager/Budget Analyst  
State Historic Preservation Office  
Michigan Historical Center  
P.O. Box 30740  
702 West Kalamazoo Street  
Lansing, MI 48909-8240

## CHAPTER 4

### MATCHING SHARE

Under this program, the recipient must provide match equal to fifty percent of the grant award. Certification of the availability of the match must be provided with the application. Certification may be a statement from a banker that funds are available, a resolution from the city council setting aside specific funds, or similar verification. The certification should specify the amount and source of the funding, and that the funds are earmarked for the project.

The matching share must be approved prior to the execution of the grant agreement. **Any changes in the match must be approved by the SHPO.**

Matching funds may include the following:

For **Planning Projects**, match may be **cash** from any of these sources:

- Private Funds
- Local Government Funds
- State Funds

For **Restoration Projects**, match may be **cash** from any of the above sources **and donated material, but may not include donated labor.**

- For approval of donated material, submit (with the application) 3 price estimates on the material to be provided.
- Provide a letter from the supplier that it intends to donate supplies.
- In addition, **donated equipment use** may be used as matching share. To qualify, documentation of the usual rental cost of this equipment must be provided. This could include price sheets from the firm donating the use of the equipment.

PLEASE NOTE: Federal funds are not allowable as a matching share.

*Examples of grant and match amounts:*

Grant amount	\$20,000	Grant Amount	\$15,000
Match amount	<u>\$10,000</u>	Match amount	<u>\$7,500</u>
Total project amount	\$30,000	Total project amount	\$22,500

## CHAPTER 5

### ALLOWABLE AND UNALLOWABLE COSTS

#### **Allowable Costs**

The SHPO will review and may make changes to the budget line items as submitted in the application. The final budget approved by the Michigan Department of History, Arts and Libraries will become an attachment to the grant agreement.

#### **Supplies**

The cost of supplies necessary to carry out the grant work is allowable. Purchases made specifically for the grant work shall be charged at their actual prices after deducting all cash discounts, trade discounts, rebates and allowances received by the grant recipient.

The grant recipient must use the following rules for the purchase of supplies:

#### **Value of Proposed Supplies**

- \* \$0 - \$500.00
- \* \$500.01 - \$4,999.99
  
- \* \$5,000.00 or more

#### **Award Process**

Competition not required but encouraged.  
Documentation of competitive pricing through phone, mail, personal shopping, fee schedules. Must use "Documentation of Contract Award" process. If a proposal with a work statement is required, "Small Dollar" Request for Proposals (RFP) process must be used.  
"Small Dollar" RFP process required, "Formal" RFP process optional.

#### **Travel**

Travel costs are allowable expenses for transporting, lodging, subsistence and related items for project personnel who are in travel status for project related work. Such costs may be charged on an actual basis or on a standard rate basis so long as the standard rate is consistent with State rates. When actual costs are used, documentation must be provided for each cost. All lodging costs must be substantiated by invoices. First-class airfare is not allowable.

#### **Unallowable Costs**

A partial listing of unallowable costs is as follows:

1. Federal agencies are required under federal law to do certain environmental cleanup activities; this work is not eligible under this grant program;
2. Acquisition is not an eligible cost because the funds available are not adequate to fund this activity;
3. Landscaping, such as sidewalks or parking lots;
4. Reconstruction of missing buildings is not allowable; reconstruction of certain missing elements may be allowable if based upon historical documentation such as photographs;
5. Fundraising;
6. Fines, penalties, debts or interest;
7. Operational expenses.

## CHAPTER 6

### GUIDELINES FOR BIDDING AND PROCUREMENT

#### CONSTRUCTION PROJECTS:

##### **Guidelines for Construction Costs Over \$10,000 (“Formal” Request for Proposal)**

- All work **over \$10,000** must be advertised for bids either three times in one newspaper of general circulation or one time in at least three newspapers of general circulation. Sufficient time should be given for contractors to prepare and submit bids, preferably 30 days.
- If the project cost is **over \$100,000**, a bid guarantee is required from each bidder equal to 5% of the bid price.
- Formally advertised procurements should use sealed bids, public opening of bids, and fixed-price type subcontracts. The subcontract must be awarded to the lowest bidder whose bid is responsive to the project specifications.
- **The Michigan Department of History, Arts and Libraries must receive documentation of and approve the procurement at each stage.**
- Documentation of the bidding process for projects **over \$10,000** shall be submitted to the State Historic Preservation Office at each stage of the bidding process. That documentation shall include:
  - A) A copy of the advertisement.
  - B) A description of the methods of publicizing the solicitation, including dates and places of publication or posting.
  - C) Copies of responses received.
  - D) Method and justification for contractor selection.
  - E) A signed copy of the bid tabulation sheet.
  - F) A copy of a draft subcontract.
  - G) A copy of the signed and dated subcontract.

##### **Guidelines for Construction Costs Under \$10,000 (“Small Dollar” Request for Proposal)**

- Purchases **under \$10,000** must have a minimum of three proposals solicited.
- Award should be made to the responsible bidder whose proposal is most advantageous to the grantee.
- Documentation of the competition and a copy of the signed subcontract must be submitted to the SHPO at each stage of the bidding process. That documentation includes:
  - A) Copies of responses received.
  - B) Method and justification for contractor selection.
  - C) A signed copy of the bid tabulation sheet (Appendix F).
  - D) A copy of a draft subcontract.
  - E) A copy of the signed and dated subcontract.

*NOTE: cost-plus subcontracts and unlimited time and materials contracts are not allowed.*

## PLANNING PROJECTS:

### **Guidelines for Professional/Architectural or Engineering Services**

- Professional/architectural or engineering services must have a minimum of three proposals solicited.
- Award should be made to the responsible bidder whose proposal is most advantageous to the grantee.
- Documentation of the competition and a copy of the signed subcontract must be submitted to the SHPO at each stage of the bidding process. That documentation includes:
  - A) Copies of letters mailed to prospective consultants.
  - B) Copies of responses received.
  - C) Method and justification for contractor selection.
  - D) A signed copy of the bid tabulation sheet (Appendix F).
  - E) A copy of a draft subcontract.
  - F) A copy of the signed and dated subcontract.

*NOTE: cost-plus subcontracts and unlimited time and materials contracts are not allowed.*

### **ADDITIONAL GUIDELINES FOR CONSTRUCTION AND PLANNING PROJECTS:**

- **The grant recipient may subcontract all or part of the project work.**
- **Free and open competition must be maintained.**
- The Michigan Department of History, Arts and Libraries must receive documentation of and approve the procurement at each stage.
- The Michigan Department of History, Arts and Libraries must approve the subcontractor **and** the subcontract **prior to execution.**
- The following shall be submitted to the Michigan Department of History, Arts and Libraries and **each step must be approved before the grant recipient proceeds further:**
  - A) Copy of the specifications or request for proposals (RFP). The RFP shall identify all evaluation criteria.
  - B) Documentation that bids were requested from at least three consultants and a copy of each proposal received.
  - C) Documentation of the evaluation of the proposals. Grant recipients may develop their own systems for evaluating proposals as long as the award is made to the responsible bidder whose proposal will be most advantageous, price and other factors considered. Unsuccessful bidders should be notified promptly after approval of the selected bidder has been received from the Michigan Department of History, Arts and Libraries.

#### ***Possible proposal evaluation criteria:***

- 1) *Price* – Favors the least expensive proposal providing an adequate work product.
- 2) *Capability and qualifications* – Covers the ability of a prospective consultant to meet the terms of the RFP, especially the time constraints, and the quality and relevance of similar projects completed by the consultant. Emphasis will also be placed on the soundness of the consultant's approach to the problem, including techniques to be used for collecting and analyzing data, as well as the ability to utilize the data collected or recovered from the project to address the research problems involved.

- 3) *Professionalism* – Refers to the competence of professional personnel who will be assigned to the project by the consultant for both the administrative and infield components of the work. Qualifications of professional personnel will be measured with particular reference to experience on projects similar to that described in the RFP.

**NOTE:** The SHPO may be able to provide assistance in locating consultants who are qualified to perform project work.

- D) Draft of the subcontract **prior to execution**
- E) A copy of the **signed subcontract** must be submitted to the SHPO immediately after it is executed. The subcontract shall specify the project work and be priced at a set fee or a not-to exceed figure. Because the subcontract must include all work as outlined in the grant agreement with the Michigan Department of History, Arts and Libraries, it is recommended that the grant agreement with the Michigan Department of History, Arts and Libraries be an attachment to the subcontract.

## **CHAPTER 7**

### **GRANT AGREEMENT**

**ANY WORK DONE PRIOR TO THE EXECUTION OF THE CONTRACT WITH THE MICHIGAN DEPARTMENT OF HISTORY, ARTS AND LIBRARIES IS NOT ELIGIBLE AS PART OF THE GRANT OR MATCHING SHARE EXPENDITURES.**

The grant is formally awarded at the time the agreement is signed and dated by the Michigan Department of History, Arts and Libraries, after it has been signed by an authorized representative of the grant recipient.

The agreement will specify:

- Exact work to be accomplished with the grant award;
- Method of and requirements for the disbursement of funds, including any provisions authorizing partial reimbursement prior to completion of all project work. Partial reimbursement is strongly discouraged by the Michigan Department of History, Arts and Libraries. If the grant recipient needs to negotiate partial payments because of cash flow problems, the amount and number of payments shall be agreed to by the Michigan Department of History, Arts and Libraries during the application process and specified in the grant agreement;
- Period for completion of the project;
- State statutes, regulations, and requirements which must be followed; and
- The number and content of the completion report and/or materials.

**Attachments to the agreement include:**

- Work schedule detailing when various tasks will be completed;
- The approved budget;
- Plans and specifications for restoration projects.

**MAKE COPIES OF THE GRANT AGREEMENT AVAILABLE TO PROJECT STAFF AND TO CONSULTANTS TO ASSURE THAT WORK MEETS THE CONTRACTUAL REQUIREMENTS.**

## CHAPTER 8

### HISTORIC PRESERVATION EASEMENT

When restoration or stabilization work is performed, a historic preservation easement (easement of maintenance and public accessibility) must be executed to protect structures. The historic preservation easement will be prepared by the Michigan Department of History, Arts and Libraries and recorded with the Register of Deeds by the grant recipient before grant funds can be released.

- With the grant application, local units of government must submit a legal opinion from the local unit's attorney.
- Non-profit groups must submit a title commitment or an abstract of title. A copy of the deed must also be attached to the application.
- It is the obligation of the property owner to advise the Michigan Department of History, Arts and Libraries about any entity which may have an interest in the property and all must consent to the historic preservation easement.
- Present owner(s) and successor(s) must be bound by the historic preservation easement.

The length of a historic preservation easement to maintain and administer the property for the public's benefit varies, depending on the amount of the restoration grant:

- Up to \$10,000 – language in the grant agreement ensuring appropriate maintenance for five years (not recorded);
- \$10,001 - \$25,000 – 5 year historic preservation easement;
- \$25,001 - \$40,000 – 10 year historic preservation easement.

#### **The historic preservation easement will include the following provisions:**

- The property must be maintained in such a way as to ensure its historical and architectural integrity;
- No major visual or structural changes may be made without the written approval of the Michigan Department of History, Arts and Libraries, Michigan Historical Center, SHPO;
- The grounds must be maintained in keeping with the historical integrity of the property;
- Equal opportunity standards regarding race, color, religion, national origin, age or sex in relation to any program or activity directly or indirectly related to the structure must be adhered to;
- Public access for 12 days a year to the exterior is required where funds are used for exterior work, and to the interior where funds are used for interior work.

#### **The procedures for executing the historic preservation easement are as follows:**

1. A resolution authorizing execution of a historic preservation easement must be provided.
2. The historic preservation easement is prepared by the Michigan Department of History, Arts and Libraries and approved by the Department of Attorney General.
3. The historic preservation easement must be signed by the authorized individuals in the presence of two witnesses.
4. The historic preservation easement must be signed by two additional persons who witnessed the signing of the easement. The name of each witness must appear below his/her signature. The full address of each witness must appear below the printed name.
5. The authorized individuals who have signed must appear before a Notary Public for the purpose of acknowledging the signing. The witnesses need not appear before the Notary.

6. The Notary Public before whom the authorized individuals appear must execute a Certificate of Acknowledgment.
7. The historic preservation easement must be recorded at the Register of Deeds for the county in which the property is located. There will be a fee for recording at the Register's Office. The original historic preservation easement will be numbered and stamped by the Register of Deeds. The stamp reflects the date and time of recording. The historic preservation easement will be copied and placed with the deed and other documents or record concerning the property.
8. The original historic preservation easement, after recording, must be returned to the Michigan Department of History, Arts and Libraries for filing with the Office of the Great Seal. Copies for your use should be made prior to returning the original.

## CHAPTER 9

### PROJECT SIGN

When restoration or stabilization work is performed, a sign at the project site acknowledging support from the Michigan Lighthouse Assistance Program shall be placed on site when work begins and be maintained until work is complete. Whenever possible, it should be displayed so it is clearly readable from the public right-of-way.

The sign shall be obtained and installed by the grant recipient. **The cost of the sign is an allowable project expense.** The sign should be at least 3' x 5' and be located in a publicly accessible location. It should read:

*This restoration of (name of property) has been funded with the assistance of a grant from the State of Michigan through the Michigan Lighthouse Assistance Program. This grant has been awarded by and is administered through the Michigan Department of History, Arts and Libraries, Michigan Historical Center, State Historic Preservation Office.*

*The public can help fund the restoration and preservation of Michigan lighthouses by purchasing a lighthouse license plate. Contact your local Secretary of State's Office for more details.*

**One photograph of the sign in its location on site must be submitted to the Michigan Department of History, Arts and Libraries prior to project completion.**

## CHAPTER 10

### COMPLETION REPORT AND REIMBURSEMENT

#### *Project Completion Report*

The grant recipient should consult the grant agreement for the specifics of what is needed for the completion report. Below are some examples of items usually included.

- Name and address of the grant assisted property
- Project number
- Name and address of grant recipient
- Names and titles of project supervisors and consultants
- Total project cost
- Grant share
- Donor, source, kind and amount of matching funds
- Final work cost breakdown by major work categories
- Any reports from consultants and any test results
- An evaluation of the project work

#### *For Restoration Projects:*

- Copies of at least one 35mm color slide or standard size photographic print of the before appearance and at least one of the after appearance.
- Copies of at least one 35mm color slide or standard size photographic print showing the project work in progress.
- Copies of at least one 35mm color slide or standard size photographic print of the project sign.

#### *Expenditure Documentation*

- Funds will be disbursed to the grant recipient only on a reimbursement basis.
- No advances shall be made under any circumstances.
- Partial reimbursements are strongly discouraged by the Michigan Department of History, Arts and Libraries but may be made under exceptional circumstances if specifically provided for in the grant agreement.
- Agreements will not be amended later to provide for partial payments, so it is important to think about cash flow before the project begins.

**All documents and supporting entries on the accounting records must be available for inspection by authorized representatives of the Michigan Department of History, Arts and Libraries.**

#### **Partial Payment**

**Prior to a partial payment being made, the following must be submitted:**

- Progress of work accomplished and any completed products;
- Request for Reimbursement form (see appendix);
- Summary of all expenditures by cost category and by grant and matching share;
- Copies of invoices, time sheets and **canceled** checks;

- All bidding documents for subcontractors must be pre-approved by the Michigan Department of History, Arts and Libraries and a signed copy of the grant agreement with the subcontractor submitted prior to the work beginning.

### **Final Payment**

#### **Prior to the final payment being made, the following must be submitted:**

- Copies of the completion report;
- Request for Reimbursement form (see appendix);
- Copies of all invoices, time sheets and **canceled** checks.

## **MLAP APPENDIX A**

### **THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION**

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alterations of features and spaces that characterize a building shall be avoided.
3. Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historical features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to the historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

## **MLAP APPENDIX B**

### **REQUEST FOR REIMBURSEMENT INSTRUCTIONS**

1. Enter the name of the grant project.
2. Enter the name of the grant recipient.
3. Enter the address where the check should be mailed.
4. Enter the amount of the grant award.
5. Enter the amount of the reimbursement request.
6. Enter the amount of the grant award less the amount of the reimbursement request.
7. Enter the total matching share for this reimbursement request.

Any request for reimbursement must be accompanied by documentation of both the grant award and matching shares. Documentation should include an itemization of expenditures, copies of canceled checks or other proof of payment, timesheets and invoices. The request for final payment must be accompanied by the final completion report and/or other finished projects. In the case of a partial reimbursement, a progress report will be required.

The person who signed the grant agreement or the chief financial officer must sign this form. The federal identification number must be included. Reimbursement cannot be processed without it.

### **RETURN THE REIMBURSEMENT REQUEST FORM TO:**

Michigan Lighthouse Assistance Program  
Denise Sachau, Grants Manager/Budget Analyst  
State Historic Preservation Office  
Michigan Historical Center  
P.O. Box 30740  
702 West Kalamazoo Street  
Lansing, MI 48909-8240

**Michigan Department of History, Arts and Libraries  
Michigan Historical Center  
State Historic Preservation Office  
Michigan Lighthouse Assistance Program Reimbursement Request**

Project Name:							
Name of Grant Recipient:							
Address to which reimbursement should be made:							
City:	State:	Zip Code:					
Federal Identification Number:							
Amount of this Grant Award Amount of This Request Grant Balance Total Matching Share	\$ \$ \$ \$	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">For HAL Use</td> </tr> <tr> <td style="text-align: center;">Verified</td> </tr> </table>	For HAL Use	Verified	Verified	Verified	Verified
For HAL Use							
Verified							
Verified							
Verified							
Verified							
<b>Attachments:</b> <input type="checkbox"/> Itemization of Expenditures <input type="checkbox"/> Copies of Canceled Checks <input type="checkbox"/> Copies of Invoices <input type="checkbox"/> Progress or Completion Reports							
Signature of Responsible Officer	Date	Phone Number					

**Approvals**

Michigan Historical Center	SHPO	Budget Director
Date:	Date:	Date:

**MLAP APPENDIX C**  
**CIVIL RIGHTS MANUAL**  
**FOR THE**  
**MICHIGAN LIGHTHOUSE ASSISTANCE PROGRAM**  
**IN**  
**MICHIGAN**

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# CIVIL RIGHTS COMPLIANCE REQUIREMENTS

## I. Introduction

These procedures are issued under the authority of Title VI of the 1964 Federal Civil Rights Act, and the State of Michigan Executive Directive 1979-4. It is the policy of the State of Michigan to afford all Michigan citizens full and equal employment benefits provided by federal- and state-supported programs and services, without discrimination based upon race, color, creed, religion, national origin, age, sex or handicap.

It is appropriate that the State of Michigan, in fulfilling that policy, assure compliance with the non-discrimination provisions of state and federal laws whenever grant funds are awarded and used. It is further appropriate that the State not enter into any contract or agreement, not fund or serve as a conduit for funding for programs which may have the effect of creating or perpetuating patterns of discriminatory practice.

All recipients of state grants and federal grants passing through the Michigan Department of History, Arts and Libraries are therefore required to file a statement pledging that there is a reasonable representation of minority group individuals and women in all levels of their work forces and that there exists equal opportunity to participate in and enjoy the benefits of all programs and activities without regard to race, color, religion, national origin, age, sex or handicap.

Subgrantees receiving sums of \$25,000 or more or employing 25 persons or more will also be required to complete a written Equal Employment Opportunity Plan.

Enclosed are instructions for completion of the Civil Rights forms that must accompany an application for a Historic Preservation Lighthouse grant. If it is determined at any time that an applicant is not in compliance with the equal opportunity standards established by law, the application will be rejected or the grant agreement terminated.

## II. Definitions

As used in this document:

- “Subgrantee”** Means any public or private agency, organization or contractor, to whom state or federal funding is extended through the Michigan Department of History, Arts and Libraries
- “Contractor”** Means all contractors, vendors, subcontractors and suppliers providing goods or services directly or indirectly to a subgrantee
- “Minority Persons”** Means (1) American Indians or Alaskan Natives. Persons having origins in any of the original peoples of North America, and who maintained cultural identification through tribal affiliation or community recognition; (2) Asian or Pacific Islanders. Persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands and Samoa; (3) Blacks. Persons having origin in any of the black racial groups of Africa; (4) Hispanics. Persons of Mexican, Puerto Rican, Cuban, Central or South America or other Spanish culture or origin, regardless of race.
- “White Persons”** Means persons having origins in any of the original peoples of Europe, North Africa or the Middle East.
- “Facility”** Includes all or any part of structures, equipment or other real or personal property or interests.

<b>“Program, Activity or Service”</b>	Means any function conducted by any unit of the subgrantee or contractor receiving funds through the Michigan Department of History, Arts and Libraries.
<b>“Population Base”</b>	Means the relevant population for the area from which the work force is drawn, (e.g. county, municipality or geographic area).
<b>“Handicap”</b>	Means a determinable physical or mental characteristic of an individual or the history of the characteristic which may result from disease, injury, congenital condition of birth or functional disorder which characteristically is unrelated to the individual’s ability to perform the duties of a particular job or position, or is unrelated to the individual’s qualifications for employment or promotion, or is unrelated to the individual’s ability to utilize and benefit from a program. Qualified handicapped includes a handicapped person who, with reasonable accommodation, can perform the essential functions of the job in question.

### III. What Must Be Submitted With the Grant Application

- A) Recipients employing fewer than 25 employees and less than \$25,000 are required to submit the following reports to the Michigan Department of History, Arts and Libraries with the application:
- 1) The Work Force Status Report (Appendix 1).
  - 2) The Affirmation of Equal Opportunity (Appendix 2).
- B) Recipients employing 25 or more persons or receiving \$25,000 or more are required to submit the following reports with the application:
- 1) The Work Force Status Report (Appendix 1).
  - 2) The Affirmation of Equal Opportunity (Appendix 2).
  - 3) Work Force Analysis (Appendix 3).
  - 4) An Equal Opportunity Plan (Appendix 4)
- C) Additional Responsibilities. A subgrantee’s responsibilities include requiring its contractors to file a Work Force Status Report and an Affirmation of Equal Opportunity.
- D) Alternative Compliance. A subgrantee who has obtained a current Certificate of Awardability from the Michigan Department of Civil Rights (MDCR) may fulfill the minority and female requirements of these procedures by submitting a copy of the Certificate to the SHPO, Michigan Department of History, Arts and Libraries.
- E) Preservation of Record. Each subgrantee/contractor is required to keep employment and other records used in preparation of the above reports for not less than six months beyond the end-date of the contract and to permit access to records by the SHPO of the Michigan Department of History, Arts and Libraries, MDCR, or the Office of Equal Opportunity to ascertain compliance with Executive Directive 1979-4 and Title VI of the Civil Rights Act.
- F) Reporting Requirements. Failure to file timely, complete and accurate documents as described above constitutes presumptive noncompliance with the obligations of recipients under Executive Directive 1979-4 and Title VI of the 1964 Civil Rights Act and may be a basis for the imposition of sanctions authorized under Executive Directive 1979-4 and Title VI of; the 1964 Civil Rights Act.

#### **IV. Equal Opportunity in the Provision of Services, Activities and Programs**

- A) Prohibited Discriminatory Actions. No person in the State of Michigan shall, on the grounds of race, color, religion, national origin, age, sex or handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any contract, program or activity funded in whole or in part with funds made available through any state agency. Prohibited discriminatory actions include, but are not limited to the following:
- 1) Deny any services or other benefit provided.
  - 2) Provide any service or other benefit to a minority, female or handicapped person which is different, or is provided in a different form, from that provided to the majority, unless such action is necessary to provide qualified handicapped persons with benefits or services necessary to others.
  - 3) Treat a minority, female or handicapped individual differently from others in determining whether the person satisfies any admission, enrollment, eligibility membership or other requirement which persons must meet in order to provide any service or other benefit.
  - 4) Deny any person an equal opportunity to participate as an appointed member of a planning or advisory body involved in administering state or federal funds.
- B) Site Selection. Each subgrantee/contractor shall, make selections of site and location of facilities which are available to all individuals without regard to race, color, religion, national origin, age, sex or handicap.
- C) Imbalance in Services. Each subgrantee/contractor shall take no action to improve any imbalance in services or facilities provided to any geographic area or specified group in order to overcome the effects or prior discriminatory practice.

#### **V. Equal Opportunity Employment**

- A) General. In any program or activity funded in whole or in part with public funds, each subgrantee/contractor shall not directly or indirectly subject any individual to unlawful discrimination on the basis of race, religion, color, national origin, age, sex or handicap in its employment practices. These practices include retirement, recruitment advertising, hiring, lay-off, termination, up-grading, demotion, transfer, rates of pay or other forms of compensation, use of facilities, and all other terms and conditions of employment.
- B) Employment Selection Procedures. MDCR, in carrying out its responsibilities under the Michigan Constitution and Act No. 453 of the Public Acts of 1976, has adopted and promulgated the Guidelines on Employee Selection Procedures as published by the U.S. Equal Employment Opportunity Commission (EEOC), to assist in establishing and maintaining equal employment opportunities. Among other things, these guidelines forbid the use of employee selection practices (e.g. tests, minimum educational levels, experience) which disqualify a disproportionate number of minorities or women for employment and which are not related to job performance.
- C) Sex Discrimination. MDCR has adopted and promulgated guidelines on sex discrimination as published by EEOC. Among special requirements relating to equal opportunity for women are:
- 1) There shall be no distinction based upon sex in employment opportunities, wages, hours, the granting of fringe benefits, leave, mandatory or optional retirement age and other terms and conditions of employment.

- 2) Medically verifiable disabilities caused or contributed to by pregnancy, miscarriage, therapeutic abortion, childbirth and recovery shall be treated as temporary disabilities under any health or temporary disability insurance policy or sick leave plan. Written and unwritten employment policies and practices involving matters such as the commencement and duration of leave, the availability of extensions, the accrual of seniority and other benefits, reinstatement, and payment under any health or temporary disability insurance policies or sick leave plans, shall be applied to pregnancy disability or childbirth in the same way as they are applied to other temporary disabilities.
- 3) Advertisements for employment in newspapers and other media must not express a sex preference. The placement of an advertisement in columns "Male" or "Female" is considered to be a discriminatory limitation.
- 4) Nothing in these procedures shall prohibit the hiring of employee's of one sex, provided sex is an established bona fide occupational qualification, as provided under section 208 of Act No. 453 of 1976. A bona fide occupational qualification will be interpreted narrowly. The assumption that women are not aggressive or that co-workers or customers prefer one sex or the other does not establish a bona fide occupational qualification.

D) Religious Discrimination. MDCR has adopted and promulgated guidelines on religious discrimination, requiring in part that employers make "reasonable" accommodations to the religious needs of employees and applicants for employment. These procedures shall not apply to a religious corporation, association or society with respect to the employment of an individual of the same religion to perform work connected with carrying on its religious activities.

E) National Origin. MDCR has adopted and promulgated guidelines on national origin discrimination. In addition to the protection guaranteed to all minorities, requiring proficiency in the English language where it is not a requirement for satisfactory performance on the job is prohibited.

F) Age. A subgrantee or contractor shall not refuse to hire, and shall not otherwise discriminate against, a person with respect to employment because of the age of that person, except as otherwise prohibited by law.

G) Handicap. With regard to handicapped persons:

- 1) Under the obligations imposed by Executive Directive 1979-4, each subgrantee is required to take specific action to employ and advance in employment qualified handicapped individuals at all levels of employment, including the executive level. Specific action shall apply to all employment practices, including but not limited to: hiring, upgrading, demotion or transfer; recruitment or termination; rates of pay or other forms of compensation; and selection for training including apprenticeship.
- 2) Each subgrantee shall evaluate its total process, including training and promotion, to ensure freedom from stereotyping handicapped persons in a manner which limits their access to all jobs for which they are qualified.
- 3) If a physical or mental job qualification requirement is used in the selection of applicants for employment or changes in employment status such as promotion, demotion or training and to the extent that the requirement tends to screen out qualified handicapped individuals, the requirement shall be related to the specific job for which the individual is being considered. The subgrantee shall bear the burden of demonstrating that it has complied with the requirements of this paragraph.

- 4) Each subgrantee must make reasonable accommodations for the physical and mental limitations of an employee or applicant, unless the contractor can demonstrate that such accommodations would impose an undue hardship. In determining the extent of these accommodation obligations, business necessity and financial cost among other factors may be considered.

## **VI. Funding Approval**

- A) Condition of Approval of EEO. The execution or renewal of any contract awarding a grant covered under Executive Directive 1979-4 shall be conditioned upon written approval of the subgrantee's EEO Affirmation of the Equal Opportunity Plan.
- B) Review of Reports and Program Proposals. The SHPO of the Michigan Department of History, Arts and Libraries has primary responsibility to review and accept or reject the reports and program proposals submitted by each subgrantee.
- C) Review of Remedial Action. When the subgrantee/contractor who employs more than 25 employees or receiving grants of \$25,000 or more has areas of underutilization, which require a written plan, the SHPO will review any remedial action which the recipient proposes to take to determine whether the requirements of Executive Directive 1979-4 have been met.
  - 1) When the requirements appear to have been met, the recipient will be notified of acceptance on the condition that the proposed corrective action will be taken.
  - 2) When the recipient fails to submit a required plan or submits a plan that does not meet the requirements of Executive Directive 1979-4, the SHPO will notify the recipient that the plan (or lack thereof) is not acceptable, specifying each area of deficiency. If necessary, assistance shall be provided to the recipients in revising the plan to meet the Executive Directive.
- D) Review On-Site. On-site compliance reviews of a subgrantee/contractor's program may be scheduled by the SHPO pending or following acceptance of a plan. Priority shall be given to any subgrant that excludes handicapped persons or that has a significant disparity between the percentage of minorities and women in the population area and the percentage in the recipients work force.
- E) Alternative in Event of Noncompliance. When the SHPO and the subgrantee/contractor cannot agree on a mutually acceptable plan, the SHPO may:
  - 1) Declare the subgrantee/contractor unawardable and proceed as in any determination of nonperformance under the contract.
  - 2) Notify MDCR that the SHPO and the subgrantee are unable to resolve their differences. Written notice to that effect will be served on the subgrantee by the SHPO.
  - 3) Staff from the MDCR will review the file, consider any additional information either party cares to submit, and offer assistance in resolving the differences in a final effort to secure voluntary compliance. Whenever an amicable solution cannot be achieved, MDCR will issue a written determination to the SHPO that the subgrantee/contractor is or is not in compliance. Thereafter, either party may petition MDCR for a hearing as provided for in the rules of the Michigan Civil Rights Commission.

## **APPENDIX 1**

### **Instructions for Work Force Status Report**

1. Every subgrantee shall submit a report on the status of the present work force to the SHPO (see next page). The Report shall include the following information:
  - A) Current total number of employees, and the numbers of minority, female and handicapped employees in all levels of employment.
  - B) The percentage of minority and the percentage of female employees in all levels of employment.
  - C) The total number of employees, and the numbers of minority, female and handicapped employees hired and/or terminated for any reason within the preceding 12 months.
  - D) A calculation of the percentage of minorities and women in the population and in the work force for the geographic area from which employees are drawn, based on figures obtained from the Michigan Employment Security Commission or an equally reliable source. ([www.michigan.gov/census](http://www.michigan.gov/census)) The basis for establishing the geographic area must be included.
  - E) A comparison of the available percentage of minorities and females (D. above) and the percentage of minorities and women among the total employees. Reasonable representation for minorities and females means employing a work force which reflects the percentage of minorities and females in the population base at all job levels and in all cases. A subgrantee or contractor whose work force does not meet this standard is required to make remedial action, described in Appendices 2 or 3.

2. The subgrantee shall submit the Work Force Status Report to:

Michigan Lighthouse Assistance Program  
Denise Sachau, Grants Manager/Budget Analyst  
State Historic Preservation Office  
Michigan Historical Center  
P.O. Box 30740  
702 West Kalamazoo Street  
Lansing, MI 48909-8240

## Work Force Status Report

PAYROLL DATE USED \_\_\_\_\_  
 MINORITY POPULATION BASE \_\_\_\_\_

Job Category	Total	Black		Hispanic		American Indian		Female		Minority		Handicapped	
		M	F	M	F	M	F	Total	%	Total	%	Total	%
Administrative													
Professional													
Technicians													
Office/Clericals													
Service/Maintenance													
<b>TOTAL</b>													

### NEW HIRES

New Hires Within Last Year													
Terminated													

### WAGE RANGE

Annual Salary	Administrative	Professionals	Technicians	Office/Clericals	Service/Maintenance
Minimum					
Maximum					

1. Provide date of the payroll used to obtain the workforce breakdown.
2. Fill-in Minority Population figure for your area.
3. Use the Minority Population percentages on the following pages.
4. Circle each percentage, which is less than minority availability for your area in the Percentage Minority Column.
5. Circle each percentage, which is less than 42%, which is the statewide % of females in the labor force, in the Female column.
6. Is residence required for employees in the above classification?

<b>Name</b>	<b>Date</b>
<b>Organization</b>	

### Return Form To:

Michigan Lighthouse Assistance Program  
 Denise Sachau, Grants Manager/Budget Analyst  
 State Historic Preservation Office  
 Michigan Historical Center  
 P.O. Box 30740  
 702 West Kalamazoo Street  
 Lansing, MI 48909-8240

**APPENDIX 2**

**Affirmation of Equal Opportunity**

1. The Subgrantee/contractor hereby affirms a policy of equal opportunity in employment and participation in and benefit from all programs, activities and services without regard to race, color, religion, national origin, age, sex or handicap.
2. The subgrantee/contractor hereby agrees to:
3. Take all remedial steps necessary to correct any under-representation of minorities or women reported on the Work Force Status Report.
4. To achieve a reasonably representative work force at all levels of employment.
5. State in all promotional, and advertising materials that all programs, services and activities are performed without regard to race, color, religion, national origin, age, sex or handicap and that in employment practices all applicants shall receive equal consideration.
6. Post, in a conspicuous place, notices setting forth the law on equal opportunity in employment and services. (Posters are available from the SHPO, Michigan Department of History, Arts and Libraries or the Michigan Department of Civil Rights).

<b>Print Name</b>	
<b>Signature</b>	<b>Date</b>
<b>Title</b>	
<b>Organization</b>	

**Return Form To:**

Michigan Lighthouse Assistance Program  
Denise Sachau, Grants Manager/Budget Analyst  
State Historic Preservation Office  
Michigan Historical Center  
P.O. Box 30740  
702 West Kalamazoo Street  
Lansing, MI 48909-8240

## APPENDIX 3

### Work Force Analysis

In addition to completing Appendix 1 and 2, a subgrantee/contractor with a contract in excess of \$25,000, or employing 25 or more persons is required to prepare the following analysis:

1. The first step in analyzing the present representation of minority and female persons accomplished by completing the Work Force Status Report. If minority and female work force in all job categories is equal or exceeds the standard at all levels, no further analysis is required for minorities and women.
2. The first step in providing equal opportunity for handicapped persons shall be a self-evaluation that shall identify any selection, promotion or training programs which exclude or tend to exclude handicapped persons who are otherwise qualified to perform a particular job.
3. Each subgrantee/contractor is required to conduct a continuing program of self-evaluation to ascertain whether any recruitment, selection or promotional policy directly or indirectly has the effect of denying equal opportunities to minority individuals, women or handicapped persons.
4. In making the evaluation of employment opportunities, the subgrantee/contractor shall conduct a separate analysis for minorities, women and handicapped persons. However, all racial and ethnical data collected should be cross-classified by sex to ascertain to which minority women and minority men may be under-utilized.
5. Whenever under-utilization of minorities and women occurs or whenever conditions have resulted in the limited participation of handicapped persons, it will be necessary to identify those policies and procedures which operate to the disadvantage of minorities, women or handicapped persons. The analysis should include:
  - A) A review of the employment selection procedures for the preceding fiscal year, including application forms, recruitment methods, interview procedures, test validity, experience or education requirements and final selection methods to insure that minorities, women and handicapped persons are not disadvantaged by unnecessary barriers. The number of individuals by race, sex, national origin and handicap applying for employment within the preceding fiscal year should be compared with the number of applicants who were offered employment and those who were actually hired. Attention should be paid to the reasons for rejection and the effects on minorities, women and handicapped persons. If such data is unavailable the subgrantee should institute a system for collection of such data.
  - B) A review of promotion procedures and training programs during the preceding year in order to insure equal opportunity. The race, age, national origin and handicap of applicants who made application for promotion or training should be compared with the number who were actually promoted or trained.
  - C) For handicapped persons, the subgrantee shall invite applicants and employees who believe themselves covered by the Executive Directive and who wish to benefit under the affirmative action program to identify themselves as handicapped. The invitation shall state that the information is voluntary, and will be used only in accordance with the Executive Directive. Refusal to provide the information will not result in adverse treatment. If a handicapped person is identified the subgrantee should seek suggestions from the applicant or employee regarding proper placement and appropriate accommodations.

## APPENDIX 4

### Equal Employment Opportunity Plan

This section applies to those plan/contractors employing 25 or more or contracts in excess of \$25,000 and who have an under-utilization of minorities and females or limited participation of handicapped persons in one or more areas. A written Equal Opportunity Plan shall specifically address the areas of under-utilization for minorities, women or handicapped persons and shall include:

1. A plan for the recruitment of minorities, women and handicapped persons based on what is necessary to attract applicants including but not limited to use of advertising media patronized by women, minorities and handicapped person.
2. A statement of the plan's existing employment policies and practices, e.g., testing, experience and education requirements, with particular emphasis on steps which have been taken or will be taken to assure that each is job related.
3. An evaluation of the effect the policies and practices have on minorities, women and handicapped persons. Specific attention should be given to transfer and promotion policies and procedures, including credit for departmental seniority which may disadvantage women, minorities and handicapped persons. Where improvement is necessary, the plan shall set forth the steps that will be taken to assure equal opportunity.
4. The equal opportunity goal is the employment of minorities and women in each job category so that the work force reflects the percentage of minorities and women found in the population base. In establishing goals and timetables for the employment of minorities and women during the life of the contract, the availability for specific job categories may be determined by the following factors:
  - A) The minority and female population of the labor area surrounding the facility;
  - B) The availability of minorities and females having requisite skills in an area in which the plan can reasonably recruit;
  - C) The availability of minorities and females within the work force who may be transferred or promoted;
  - D) The existence of training institutions capable of preparing minority persons and females in the requisite skills.

These goals should be significant, measurable and attainable. In establishing timetables to meet the goals, the plan or contractor will consider the anticipated expansion, contraction or turnover of the work force. In no case are the goals to be viewed as rigid quotas. The purpose of setting a projected goal is to permit the plan to measure the success of the steps taken to implement equal employment opportunity. Failure to meet a goal should alert the employer that the plan is not working and that additional action is required.

5. Provision for dissemination of the Equal Employment Opportunity Plan to all personnel, applicants and the general public.

## **MLAP APPENDIX D**

### **Instructions for Certification Regarding Debarment**

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The Certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department of agency with which this transaction originated may pursue available remedies, including suspension or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms “covered transaction,” “debarred,” “suspended,” “ineligible,” “principal,” “proposal,” and “voluntarily excluded,” as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal was submitted for assistance in obtaining a copy of these regulations.
5. The prospective lower tier participant further agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement list.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue remedies, including suspension and/or debarment.

U.S. Department of the Interior

**Certifications Regarding Debarment, Suspension and  
Other Responsibility Matters, Drug-Free Workplace  
Requirements and Lobbying**

Persons signing this form should refer to the regulations referenced below for complete instructions:

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions – **The prospective primary participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.** See below for language to be used or use this form certification and sign. (See Appendix A of Subpart D of 43 CFR Part 12.)

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions - (See Appendix B of Subpart D of 43 CFR Part 12.)

Certification Regarding Drug-Free Workplace Requirements - Alternate I. (Grantees Other Than Individuals) and Alternate II. (Grantees Who are Individuals) - (See Appendix C of Subpart D of 43 CFR Part 12)

Signature on this form provides for compliance with certification requirements under 43 CFR Parts 12 and 18. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of the Interior determines to award the covered transaction, grant, cooperative agreement or loan.

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**PART A: Certification Regarding Debarment, Suspension, and Other Responsibility Matters-  
Primary Covered Transactions**

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*CHECK \_\_\_\_\_ IF THIS CERTIFICATION IS FOR A PRIMARY COVERED TRANSACTION AND IS APPLICABLE.*

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
  - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
  - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

---

**PART B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -Lower  
Tier Covered Transactions**

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*CHECK \_\_\_\_\_ IF THIS CERTIFICATION IS FOR A LOWER TIER COVERED TRANSACTION AND IS APPLICABLE.*

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

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**PART C: Certification Regarding Drug-Free Workplace Requirements**

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*CHECK \_\_\_\_\_ IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS NOT AN INDIVIDUAL*

Alternate I. (Grantees Other Than Individuals)

- A. The grantee certifies that it will or continue to provide a drug-free workplace by:
- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
  - (b) Establishing an ongoing drug-free awareness program to inform employees about--
    - (1) The dangers of drug abuse in the workplace;
    - (2) The grantee's policy of maintaining a drug-free workplace;
    - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
    - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
  - (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
  - (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will -
    - (1) Abide by the terms of the statement; and
    - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
  - (e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
  - (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted --
    - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
    - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
  - (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a) (b), (c), (d), (e) and (f).
- B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

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Check \_\_\_\_\_ if there are workplaces on files that are not identified here.

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**PART D: Certification Regarding Drug-Free Workplace Requirements**

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*CHECK \_\_\_\_\_ IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS AN INDIVIDUAL*

Alternate II. (Grantees Who Are Individuals)

- (a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
- (b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to the grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

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**PART E: Certification Regarding Lobbying**  
**Certification for Contracts, Grants, Loans, and Cooperative Agreements**

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*CHECK \_\_\_\_\_ IF CERTIFICATION IS FOR THE AWARD OF ANY OF THE FOLLOWING AND THE AMOUNT EXCEEDS \$100,000: A FEDERAL GRANT OR COOPERATIVE AGREEMENT, SUBCONTRACT, OR SUBGRANT UNDER THE GRANT OR COOPERATIVE AGREEMENT.*

*CHECK \_\_\_\_\_ IF CERTIFICATION FOR THE AWARD OF A FEDERAL LOAN EXCEEDING THE AMOUNT OF \$150,000, OR A SUBGRANT OR SUBCONTRACT EXCEEDING \$100,000, UNDER THE LOAN.*

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making entering into this transaction imposed by Section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the authorized certifying official, I hereby certify that the above specified certifications are true.

---

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

---

TYPED NAME AND TITLE

---

DATE

DI-2010  
June 1995  
(This form replaces DI-1953, DI-1954,  
DI-1955, DI-1956 and DI-1963)

## MLAP APPENDIX E

### MLAP APPLICATION CHECKLIST RESTORATION GRANTS

**Complete this checklist and return it with your application.**

- \_\_\_\_\_ Project Name and Address
- \_\_\_\_\_ Project Contact
- \_\_\_\_\_ Grant Recipient/Legislator Information
- \_\_\_\_\_ Property Owner Information
- \_\_\_\_\_ Federal Identification Number
- \_\_\_\_\_ Deed and Ownership Information, including date of ownership or lease
- \_\_\_\_\_ Project Summary
- \_\_\_\_\_ Grant Request and Matching Share Information
- \_\_\_\_\_ Detailed Budget
- \_\_\_\_\_ Plans and Specifications
- \_\_\_\_\_ Match Certification
- \_\_\_\_\_ Work Schedule
- \_\_\_\_\_ Additional Information
- \_\_\_\_\_ Experience Administering Grants
- \_\_\_\_\_ Financial Certification
- \_\_\_\_\_ Resolution and Bylaws
- \_\_\_\_\_ Affirmation of Equal Opportunity/Work Force Status Report
- \_\_\_\_\_ Certification Regarding Debarment Form
- \_\_\_\_\_ Photographs and Sketch Map
- \_\_\_\_\_ Legal Description of Property
- \_\_\_\_\_ Signatures

# MLAP APPENDIX F BID TABULATION SHEET

Project: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

BIDDER	DATE REC'D	TIME REC'D	COMPLETE	AMOUNT	BID BOND
			Yes / No		Yes / No / N/A
			Yes / No		Yes / No / N/A
			Yes / No		Yes / No / N/A
			Yes / No		Yes / No / N/A
			Yes / No		Yes / No / N/A
			Yes / No		Yes / No / N/A
			Yes / No		Yes / No / N/A
			Yes / No		Yes / No / N/A
			Yes / No		Yes / No / N/A