

# Rural Energy for America Program

## SIMPLIFIED Application Review Checklist

USDA-Rural Development - Section 9007 Simplified Application Review Checklist Federal Catalog # 10.868

This program is targeted to Agriculture Producers and Rural Small Businesses.

Applicant Name \_\_\_\_\_

Applicant Address \_\_\_\_\_

Name of Project \_\_\_\_\_

Location of Project \_\_\_\_\_

Type of Project \_\_\_\_\_

*Renewable Energy System*  
 (A system that **produces or produces and delivers** usable energy from a renewable energy source.)

*Energy Efficiency Improvement*  
 (Improvements to facility, building, or process that **reduces** energy consumption)

Grant Request \_\_\_\_\_

Project Description \_\_\_\_\_

A **Simplified** Application project has total eligible project costs of **\$200,000 or less**. Therefore, the grant request would \$50,000 or less.

**There are 7 questions to be answered:**

- 1. Is the applicant eligible?**
- 2. Is the project eligible?**
- 3. Is the application complete?**
- 4. Does the application meet the simplified application criteria?**
- 5. Does the project meet funding requirements?**
- 6. Did the technical report pass or fail?**
- 7. How does the application score (national competition)?**

Separate applications must be submitted for renewable energy system and energy efficiency improvement projects.

Only one application per each type of project per applicant per fiscal year may be submitted.

**This document is used by Rural Development Staff to review renewable energy and energy efficiency grant applications and provide the agency documentation necessary for the borrower file.**

### 4280.112 – Evaluation of Grant Applications

- (a) **General review** – The Agency will evaluate each application and make determination as to whether the applicant is eligible, the proposed grant is for an eligible project, and the proposed grant complies with all applicable statutes and regulations.
- (b) **If either the applicant or the project is ineligible**, the Agency will inform the applicant in writing of the decision, reasons therefore, and any appeal rights, and no further evaluation of the application will occur.
- (c) **If the application is incomplete**, the Agency will return it to the applicant to provide the applicant the opportunity to resubmit the application. The Agency will identify those parts of the application that are incomplete. Upon receipt of a complete application, the Agency will complete its evaluation of the application.
- (d) **The Agency's determination of a project's technical merit** is based on the information provided by the applicant. The Agency may engage the services of other government agencies or other recognized industry experts in the applicable technology field, at its discretion, to evaluate the application and rate the application. The Agency may use this evaluation and rating to determine the level of technical merit of the proposed project. Projects that the Agency determines are without technical merit shall be deemed ineligible.

Is the Application Complete? 4280.111	
Was the document submitted and/or the requirement met?	<p><b>Separate</b> applications must be submitted for renewable energy system and energy efficiency improvement projects. Applicants may only submit <b>one</b> application for <b>each type</b> of project per fiscal year.</p>
	<p><b>An original and 1 copy</b> of the application submitted that follow the outline below.</p>
	<p><b>(2) A detailed table of contents</b> in the order presented below with clear pagination and chapter identification. The table of contents will include page numbers for each component of the proposal. Begin pagination immediately following the Table of Contents.</p>
	<p><b>(1) Forms, Certifications, and Organizational Documents – Is there a DUNS # and/or a FED ID #?</b></p>
	<p>(i) <i>Project specific forms:</i></p>
	<p>(A) <b>SF 424 – Application For Federal Assistance</b></p>
	<p>(B) <b>SF 424-C</b> Budget Information – Construction Programs A more detailed budget breakdown is requested in the technical report.</p>
	<p>(C) <b>SF 424-D</b> Assurances – Construction Programs</p>
	<p>(D) <b>1940-20</b> Request for Environmental Information</p>
	<p>(ii) <i>Certifications:</i></p>
	<p>(A) <b>AD 1049</b> Certification Regarding Drug Free Workplace Requirements (Grants) Alternative 1 – “For Grantees other than Individuals.”</p>
	<p>(B) <b>AD 1048</b> Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tiered Covered Transactions</p>
	<p>(C) <b>Exh. A-1 of 1940-Q</b> Certification for Contracts, Grants and Loans - if the grant exceeds \$100,000.</p>
	<p>(D) <b>Form SF-LLL</b> Disclosure of Lobbying Activities, must be completed if the applicant or borrower has made or agreed to make payment using funds other than Federal appropriated funds to influence or attempt to influence a decision in connection with the application.</p>
	<p>(E) <b>AD 1047</b> Certification Regarding Debarment, Suspension, and Other Responsibility Matters – Primary Covered Transactions</p>
	<p>(F) <b>Form 400-1</b> Equal Opportunity Agreement</p>
	<p>(G) <b>Form 400-4</b> Assurance Agreement</p>
NA in Iowa	<p>(H) If applicable, intergovernmental comments in accordance with 7 CFR part 3015, subpart V, of this title.</p>
Included in Guide 5	<p>(I) A certification indicating whether or not there is a known relationship or association with an Agency employee.</p>
	<p>(iii) <i>Organizational documents.</i> Except for sole proprietors, each applicant must submit with the application a copy of the legal organizational documents.</p>
	<p><b>(3) A project summary</b> including:</p>
	<p><b>(i) Title.</b> Provide a descriptive title of the project identified in item 11 in SF 424.</p>
	<p><b>(ii) Applicant Eligibility 4280.107 (a) (1) through (5), (b)</b></p>
Included in Guide 5	<p>(a) (1) The applicant or borrower must be an <b>agricultural producer</b> or a <b>rural small business</b>.</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p><i>An agricultural producer is an individual or entity directly engaged in the production of agricultural products, including crops (including farming); Livestock (including ranching); forestry products; hydroponics; nursery stock; or aquaculture, whereby 50% or greater of their gross income is derived from the operations.</i></p> </div> <p style="color: red;">Is there a Fed tax ID #? _____ Is there evidence provided that more than 50% of income is from the Agriculture operation? _____ (page 1 of previous year income tax return + Schedule F)</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p><i>An entity is considered a small business in accordance with the Small Business Administrations (SBA) small business size standards by NAICS found in Title 13 CFR part 121. A private entity including a sole proprietorship, partnership, corporation, cooperative (including a cooperative qualified under section 501(c)(12) of the Internal Revenue Code), and an electric utility including a Tribal or governmental electric utility that provides service to rural consumers on a cost of service basis without support from public funds or subsidy from the government authority establishing the district, provided such utilities meet SBA’s definition of small business. These entities must operate independent of direct Government control. With the exception of the entities described above, all other non-profit entities are excluded.</i></p> </div> <p>SBA small size standards can be found at <a href="http://sba.gov/size/index.html">http://sba.gov/size/index.html</a>  <span style="color: red;">Does the applicant meet the definition of small business? _____ If there a Fed Tax ID #? _____</span>  <span style="color: red;">NAICS Code for business type _____ Is the entity listed in the Secretary of State’s database? _____</span>  <span style="color: red;">NAICS Code limitations _____</span></p> <p>(2) Individuals must be a <b>citizens of the U.S.</b> or reside in the U.S. after being legally admitted for permanent residence.  <span style="color: red;">Is there a statement regarding their citizenship status? _____</span></p> <p>(3) Entities must be at least <b>51% owned</b>, directly or indirectly, by individuals who are either <b>citizens of the U.S.</b> or reside in the U.S. after being legally admitted for permanent residence.  <span style="color: red;">Is there a statement regarding their citizenship status? _____</span></p>

**Is the Application Complete (cont'd)?**

Was the document submitted and/or the requirement met?

**(ii) Applicant Eligibility (cont'd) 4280.107**

(4) Applicants and owners will be ineligible to receive funds under this subpart –

(i) If an applicant or owner that has an outstanding judgment obtained by the U.S. in a **Federal court (other than in the U.S. Tax Court)**, is **delinquent** in paying **Federal income taxes**, or is delinquent on a **federal debt**, the applicant is not eligible to receive a grant, direct loan, or guaranteed loan until the judgment is paid in full or otherwise satisfied or the delinquency is resolved.

(ii) If an applicant has been debarred from receiving Federal assistance, the applicant is not eligible to receive a grant, direct loan, or guaranteed loan under this subpart.

Check CAIVRS \_\_\_\_\_ and Excluded Parties \_\_\_\_\_ for answer.

Has the applicant or owner addressed the above issues in their application? \_\_\_\_\_

(b) An applicant that has received one or more grants and/or loans under this program must make satisfactory progress, as determined by the Agency, toward completion of any previously funded projects before it will be considered for subsequent funding.

Has the applicant indicated whether previous grants or loans have been received? \_\_\_\_\_

Have you checked to see if the applicant has received a grant before?

If the answer is yes, have they made satisfactory progress to be considered for this round of funding? \_\_\_\_\_

**4280.107 - The applicant is \_\_\_\_\_ eligible \_\_\_\_\_ not eligible.**

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

**(iii) Project eligibility 4280.108 – Describe how each criteria (a) through (g) is met.**

(a) The project must be for the purchase of a renewable energy system or to make energy efficiency improvements.

Clearly state whether the application is for the purchase of a renewable energy system or make energy efficiency improvements. \_\_\_\_\_

Response must include a brief description of the system or improvement. \_\_\_\_\_

This description must be sufficient to provide the reader with a frame of reference when reviewing the rest of the application. Additional project description information may be needed later in the application.

(b) The project must be for a pre-commercial or commercially available, and replicable technology.

Is there information presented to support this? \_\_\_\_\_

Pre-commercial technology – Technologies that have emerged through the research and development process and have technical and economic potential for commercial application, but are not yet commercially available.

Commercially available - A system that has a proven operating history specific to the proposed application. Such a system is based on established design, and installation procedures and practice. Professional service providers, trades, large construction equipment providers, and labor are familiar with installation procedures and practices. Proprietary and balance of system equipment and spare parts are readily available. Service is readily available to properly maintain and operate system. An established warranty exists for parts, labor, and performance.

(c) The project must have technical merit, as determined using the procedures specified in 4280.112(d).

In your opinion, does the project have technical merit? \_\_\_\_\_

Keep in mind that the final decision will be NREL's.

(d) The project must be located in a rural area, as defined in 4280.103.

Definition of rural: Any area other than a city or town that has a population of greater than 50,000 inhabitants and the urbanized area contiguous and adjacent to such a city or town according to the latest decennial census of the U.S.

Project in \_\_\_\_\_ 2000 pop. census \_\_\_\_\_

In an urbanized area? \_\_\_\_\_

**Is the Application Complete (cont'd)?**

Was the document submitted and/or the requirement met?

**(iii) Project Eligibility 4280.108 (cont'd)**

- (e) The applicant must be the owner of the project and control the revenues and expenses of the project, including the operation and maintenance. A third party under contract to the owner may be used to control revenues and expenses and manage the operation and/or maintenance of the project. *Is there an explanation of the required information listed above? \_\_\_\_\_*
- (f) Sites must be controlled by the agricultural producer or small business for the financing term of any associated Federal loans or loan guarantees. *Is there documentation to support this? \_\_\_\_\_*
- (g) Satisfactory sources of revenue in an amount sufficient to provide for the operation, management, maintenance, and debt service of the project must be available for the life of the project. *Is there documentation to support this? \_\_\_\_\_*

**4280.108 The project is \_\_\_\_\_ eligible \_\_\_\_\_ not eligible.**

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

**(iv) Operation description** - Describe the applicant's total farm/ranch/business operation and the relationship of the proposed project to the applicant's total farm/ranch/business operation. Provide a description of the ownership of the applicant, including a list of individuals and/or entities with ownership interest, names of any corporate parents, affiliates, and subsidiaries, as well as a description of the relationship, including products, between these entities.

**(v) Financial Information for size determination**– Provide financial information to allow the Agency to determine the applicant's size. All information submitted under this paragraph must be substantiated by authoritative records.

**(A) Rural small businesses** must provide sufficient information to determine total annual receipts for and number of employees of the business and any parent, subsidiary, or affiliates at other locations. Voluntarily providing tax returns is one means of satisfying this requirement. The information provided must be sufficient for the Agency to make a determination of business size as defined by SBA.

Total Annual Receipts – The total income or gross income (sole proprietorship) plus cost of goods sold.

**(B) Agricultural producers:** Provide the gross market value of your agricultural products, gross agricultural income, and gross non-farm income of the applicant for the calendar year preceding the year in which you submit your application. *(Page 1 of previous year tax return + Schedule F)*

**(5) Matching funds documentation** – Submit a **spreadsheet** identifying **sources of matching funds, amounts and status** of matching funds. The spreadsheet will also include a directory of matching funds source contact information. **Attach** any applications, correspondence, or other written communication between applicant and matching fund source.

Without specific statutory authority, other Federal grant awards and applicant in-kind contributions cannot be used to meet the matching fund requirement. Third-party, in-kind contributions are limited to 10% of the matching fund requirement of the grant. The Agency will advise if the third-party, in-kind contributions are acceptable in accordance with 7 CFR part 3015.

Passive third party equity contributions are acceptable for renewable energy system projects, including those that are eligible for Federal production tax credits, provided the applicant meets the requirements of Section 4280.107 (applicant eligibility).

Is the Application Complete (cont'd)?													
Was the document submitted and/or the requirement met?													
	<p><b>(6) Self Evaluation Score</b> – Self-score the project using the evaluation criteria 4280.112 (e). To justify the score, submit the total score along with appropriate calculations and attached documentation, or specific cross- references to information elsewhere in the application.</p> <p>Use 4280-B Appendix C – or Guide 4 - Scoring Guideline to complete the evaluation.</p>												
<b>For Each Energy Efficiency Project</b>	<b>ENERGY ASSESSMENT OR ENERGY AUDIT</b> 4280.111(b)(7)(ii)(B)												
	<p>Either an energy assessment or an energy audit is required for energy efficiency improvement projects. For energy efficiency improvement projects with <u>total eligible project costs greater</u> than \$50,000, <b>an energy audit must be conducted by or reviewed and certified by an energy auditor.</b></p> <p>For energy efficiency improvement projects with total eligible project costs of <u>\$50,000 or less</u>, an energy assessment or an energy audit may be conducted by either an energy assessor or an energy auditor.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><b>Energy assessment</b> – a report conducted by an experienced energy assessor, certified energy manager or professional engineer assessing energy cost and efficiency by analyzing energy bills and briefly surveying the target building, machinery or system. The report identifies and provides a savings and cost analysis of low-cost/no-cost measures. The report will estimate the overall costs and expected energy savings from these improvements, and dollars saved per year. The report will estimate weighted-average payback period in years.</p> <p><b>Energy audit</b> – A report conducted by a Certified Energy Manager or Professional Engineer that focuses on potential capital-intensive projects and involves detailed gathering of field data and engineering analysis. The report will provide detailed project cost and savings information with a high level of confidence sufficient for major capital investment decisions. It will estimate costs, expected energy savings from the subject improvements, and dollars saved per year. The report will estimate weighted-average payback period in years.</p> </div>												
<b>For All projects</b>	<p><b>(7) TECHNICAL REPORT</b> must be prepared in accordance with <b>Appendix A</b> of this subpart. Required for renewable energy and energy efficiency projects with total eligible project costs of <b>\$200,000 or less.</b></p>												
	(A) The technical report must be prepared in accordance with Appendix A of this subpart. If a renewable energy project does not fit one of the technologies identified in Appendix A, the applicant must submit a Technical Report in accordance with the Full Application Technical Report requirements. <b>The information in all Technical Reports must be of sufficient detail to allow the Agency to score the project and evaluate its technical feasibility.</b>												
	(B) An energy assessment or energy audit is required for all energy efficiency projects (see previous page).												
	(C) Technical Reports prepared prior to the applicant's selection of a prime contractor may be modified after selection, pursuant to input from the prime contractor, and submitted to the Agency, provided the overall scope of the project is not materially changed as determined by the Agency. Changes in the report must be accompanied by an updated 1940-20.												
	<i>The Technical Report must demonstrate that the project design, procurement, installation, startup, operation and maintenance of the renewable energy system or energy efficiency improvement will operate or perform as specified over its design life in a reliable and a cost effective manner.</i>												
	<p><b>All technical information provided must follow the format specified in items 1-10. Supporting information may be submitted in other formats. Design drawings and process flow charts are encouraged as exhibits.</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">(1) Qualifications of key project service providers</td> <td style="width: 50%;">(5) Project Development Schedule</td> </tr> <tr> <td>(2) Agreements, Permits, and Certifications</td> <td>(6) Project Economic Assessment</td> </tr> <tr> <td>(3) Resource Assessment</td> <td>(7) Equipment Procurement</td> </tr> <tr> <td>(4) Design and engineering</td> <td>(8) Equipment Installation</td> </tr> <tr> <td></td> <td>(9) Operations and Maintenance</td> </tr> <tr> <td></td> <td>(10) Dismantling and disposal of project components</td> </tr> </table>	(1) Qualifications of key project service providers	(5) Project Development Schedule	(2) Agreements, Permits, and Certifications	(6) Project Economic Assessment	(3) Resource Assessment	(7) Equipment Procurement	(4) Design and engineering	(8) Equipment Installation		(9) Operations and Maintenance		(10) Dismantling and disposal of project components
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	(9) Operations and Maintenance												
	(10) Dismantling and disposal of project components												

The application is \_\_\_\_\_ complete \_\_\_\_\_ not complete.

Comments:

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

Is the Application Complete (cont'd)?	
Was the document submitted and/or the requirement met?	
<b>4280.109</b>	<b>Qualification for Simplified Applications</b>
Yes or No?	<b>(a) Simplified application criteria</b> Guide 6 "Certification Regarding Qualification for Simplified Grant Applications" can be used.
	1. Is the applicant eligible? (see page 3)
	2. Is the project eligible? (see page 4)
	3. Are total eligible costs \$200,000 or less ( see next page - 7 )
	4. Does the proposed project use commercially available renewable energy systems or energy efficiency improvements? (see technical report or page 4 )
	5. Does the applicant indicate construction planning and performing development will be performed in compliance with 4280.115? The applicant or the applicant's prime contractor must assume all risks and responsibilities of project development,
	6. Will the applicant or the applicant's prime contractor be responsible for all interim financing?
	7. Will the proposed project be scheduled to be completed within 24 months after entering into a grant agreement? The Agency may extend this period if the Agency determines, at its sole discretion, that the applicant is unable to complete the project for reasons beyond the applicant's control.
	8. Does the applicant agree not to request reimbursement from funds obligated under this program until after project completion, including all operational testing and certifications acceptable to the Agency?
Yes or No?	<b>(b) Application processing and administration</b>
	1. Is the application complete? (see this page 6 )
	2. Has the applicant certified that it meets the definition of demonstrated financial need? (see page 3)
	3. (i) Grantee will participate in project development w/o compensation under direction of prime contractor <b>OR</b> (ii) Grantee will serve as prime contractor/installer.
	4. Grantee agrees no grant reimbursement until final report accepted by Agency.
	5. National flood insurance required, if applicable, but business interruption insurance is not required.

The application \_\_\_\_\_ meets simplified application requirements – or –  
 \_\_\_\_\_ does not meet simplified application requirements.

Comments:

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

## Does the Project meet Funding Requirements?

*Funds may be used only for certain specified project costs, provided these costs are an integral and necessary part of the total project.*

Is the proposal for eligible project costs?	4280.110 (a) The grant <b>cannot exceed 25%</b> of total eligible project costs. (b) The applicant is responsible to secure the remainder of the total eligible project costs not covered (75%) by grant funds. <b>The amount secured by the applicant must be the remainder of total eligible project costs.</b> (1) Without specific statutory authority, other Federal grant funds and applicant in-kind contributions cannot be used to meet the matching fund requirement. Third-party, in-kind contributions are limited to 10% of the matching fund requirement of the grant (or 10% of the 75% match). The Agency will advise if the proposed third-party, in-kind contributions are acceptable in accordance with 7 CFR part 3015 of this title. (2) Passive third-party equity contributions are acceptable for renewable energy system projects, including those that are eligible for Federal production tax credits, provided the applicant meets the requirements of 4280.107 (Applicant eligibility). (c) Eligible project costs are only those costs associated with the items identified in paragraphs 1-9 below, as long as the items are an integral and necessary part of the renewable energy system or energy efficiency improvement.
\$	(1) Post application purchase and installation of equipment (new, refurbished, or remanufactured), except agricultural tillage equipment, used equipment and vehicles.
\$	(2) Post application construction or project improvements, except residential.
\$	(3) Energy audits or assessments
\$	(4) Permit and license fees
\$	(5) Professional service fees, except for application preparation
\$	(6) Feasibility studies and Technical Reports
\$	(7) Business plans
\$	(8) Retrofitting
\$	(9) Construction of a new energy efficient facility only when the facility is used for the same purpose; is approximately the same size; and based on the energy audit, will provide more energy savings than improving an existing facility. <b>Only costs identified in the energy audit for energy efficiency improvements are allowed.</b>
\$	<b>TOTAL ELIGIBLE COSTS</b>

\$ \_\_\_\_\_ Total Project Costs

\$ \_\_\_\_\_ - Minus Ineligible Project Costs

\$ \_\_\_\_\_ = Equals **Total Eligible Project Costs X 25% = \$ \_\_\_\_\_ = Maximum Grant**

Compared to Grant Request of \$ \_\_\_\_\_

\$ \_\_\_\_\_ Total eligible project costs minus \$ \_\_\_\_\_ grant = \$ \_\_\_\_\_ **matching funds required**

The amount of grant funds that will be made available to an eligible project under this subpart will <b>NOT EXCEED 25% of total eligible project costs.</b>	
Minimum grant for <b>energy efficiency</b>	\$1500 for energy efficiency
Maximum grant for <b>energy efficiency</b>	\$250,000
Minimum grant for <b>renewable energy</b>	\$2500 for renewable energy
Maximum grant for <b>renewable energy</b>	\$500,000
Maximum grant for Simplified Application	\$50,000 (total eligible project costs cannot exceed \$200,000)
The maximum amount of grant assistance to one individual or entity will not exceed \$750,000 per fiscal year. For those applicants that have not received a grant award during the previous 2 fiscal years, additional points will be added to their priority score.	

The application \_\_\_\_\_ meets funding requirements \_\_\_\_\_ **does not meet funding requirements.**

Comments:

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

	Yes	No
<b>Question 1 – Is the Applicant Eligible?</b>		
<b>Question 2 – Is the Project Eligible?</b>		
<b>Question 3 – Is the Application Complete?</b>		
<b>Question 4 – Does the Project meet Funding Requirements?</b>		
<b>Question 5 - Does the Application meet simplified grant requirements?</b>		
<b>Question 6 – Did the technical requirements report pass?</b> The National Renewable Energy Lab (NREL) makes this determination. What points did they award for the technical merit score and ROI?		
<b>Question 7 – How does the Application Score?</b> This is a nationwide competition. Use the score sheet (with documentation) submitted by the applicant, Use the NREL score for technical merit and return on investment, and Double check and adjust, if necessary, the points for each evaluation criteria to determine the total final points to be awarded.		

Comments:

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

Tracking system updated \_\_\_\_\_ by \_\_\_\_\_

<p>I _____ recommend _____ do not recommend this project be forwarded to the National Office for consideration of funding.</p> <p style="text-align: right;">_____ Date _____</p> <p><b>Business-Cooperative Program Manager, Rural Development</b></p>
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**4280.105 - Appeals** –An adverse decision regarding a grant or direct loan application may be appealed by the applicant only. Any party adversely affected by an Agency decision may request a determination of appealability can be requested from the Director, National Appeals Division, USDA, within 30 days of the adverse decision.

**4280.106 – Conflict of interest.** No conflict of interest or appearance of a conflict of interest will be allowed. Conflict of interest includes, but is not limited to, distribution or payment of grant, loan, and guaranteed loan funds or award of project contracts to an individual owner, partner, stockholder, or beneficiary of the applicant or borrower or a close relative of such an individual when such individual will retain any portion of the ownership of the applicant or borrower.

**4280.113 – Insurance** - National flood insurance is required, if applicable. **Business interruption insurance is required.**

**4280.114 – Laws, executive orders and regulations that contain other compliance requirements.**

- (a) Equal Employment Opportunity – construction contracts and grants in excess of \$10,000, the contractor must comply.
- (b) Equal opportunity and nondiscrimination – by the Agency
- (c) Civil Rights–ADA, Title VI, Section 504- Recipients-Agency completes 400-8 Compliance Review prior to obligation of funds.
- (d) **Environmental Assessment completion prior to the obligation of any funds** – includes public notifications, site visit by the Agency and applicant not taking any actions or incurring any obligations during the time of application or application review and processing that would either limit the range of alternatives to be considered or that would have an adverse effect on the environment, **such as the initiation of construction, will result in project ineligibility.**
- (e) Civil Rights Impact Analysis Certification 2006-38 – completion by the Agency prior to loan approval, obligation of funds, or LOC.
- (f) Uniform Federal Assistance regulations

**4280.116 –Grants Requirements**

- (a) A **Letter of Conditions** will be prepared by the Agency, establishing conditions that must be understood and agreed to by the applicant before any obligation of funds can occur. The applicant must sign a Letter of Intent to Meet Conditions (RD form 1942-46) and RD form 1940-1 - Request for Obligation of Fund *if they accept the conditions of the grant*. These forms will be enclosed with the Letter of Conditions. The grant will be obligated when the Agency receives an executed Letter of Intent and Request for Obligation of Funds from the applicant agreeing to all provisions in the Letter of Conditions.
- (b) The grantee must sign and abide by all requirements contained in Form 4280-2 “Grant Agreement”, and regulations 4280-B.