

CHAPTER 85-02-03 GRANT AWARD

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85-02-03-01. Authority.

The board retains final authority to award grant funds.

History: Effective January 1, 2019.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 15-01-02

85-02-03-02. Signatures.

All correspondence, grant extension requests, grant allocation change requests, or other presentations must be signed by the following:

1. A political subdivision--an appointed or elected government official.
2. An entity exempted from statutory political subdivision requirements--the primary executive or the primary fiscal officer assigned the duties of managing grant communications, reports, and reimbursement requests.

History: Effective January 1, 2019.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 57-62-05, 57-62-06

85-02-03-03. Acceptance of grant.

A grant recipient shall receive written notification of the grant awarded by the board from the director. The grant recipient shall acknowledge and return, within thirty days of the date of the notice, the recipient's acceptance or declination of funds on a form provided by the director. If a recipient fails to acknowledge acceptance of the grant funds within the thirty days, the board may declare the grant award void.

History: Effective January 1, 2019.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 15-01-02, 57-62-05

85-02-03-04. Vendor registry.

A grant recipient must be registered with the office of management and budget as an active participant to receive electronic payment transactions.

History: Effective January 1, 2019.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 57-62-05

85-02-03-05. Grant period.

The length of a grant period is three years, unless otherwise adjusted by the board.

History: Effective January 1, 2019.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 57-62-05

85-02-03-06. Progress report.

1. The grantee shall submit to the director a biannual progress report, prescribed by the energy infrastructure and impact office. The biannual progress report must be received by the energy infrastructure and impact office by the twentieth day of June and December of every year of the project.
2. The director may conduct onsite project status visits to review and document utilization of the grant. The director shall provide advance notice to the grantee of any project status visits. The grantee shall provide the director with any project documentation upon request by the director; assist with inspection of equipment purchased, completed construction, or review of any other project expenditures; and provide a description of the remaining budget and timeline for the project.
3. If a grantee is delinquent in submitting a progress report or does not comply with the project status visit, the director may delay grant reimbursements.

History: Effective January 1, 2019.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 57-62-05

85-02-03-07. Payment of grant.

1. Grant funds are distributed based on documentation of either expenditures for project completion or asset acquisition, as approved by the director. Reimbursement may be authorized in phases or based on the incurrence of expenditures by the grantee. A grantee shall submit a request for reimbursement on forms prescribed by the energy infrastructure and impact office in order to receive reimbursement. A request for reimbursement must include:
 - a. A vendor invoice; and
 - b. Documentation of payment or formal meeting minutes, if authority is required by a governing body, which approves payment of project expenditures.
2. The director shall transmit the reimbursement electronically, if possible.
3. For final payment, the grantee shall submit a request for reimbursement no later than twenty days after the end of the grant period.

History: Effective January 1, 2019.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 57-62-05

85-02-03-08. Grant extension or retirement.

1. The grantee may submit a written request to the director if a grant project will not be completed by expiration of the grant period. The request must be received by the director no later than seventy-five days prior to expiration of the grant period. The request must detail:

- a. The necessity for the request and the specific reasons why the project cannot be completed by the end of the grant period;
 - b. The portion of the project completed since the grant was awarded;
 - c. The efforts the grantee has taken to complete the project prior to expiration of the grant period;
 - d. The timeline for completion of the project; and
 - e. Any additional information requested by the director.
2. The grantee shall submit written notice to the director of a project's completion and any remaining unused funds prior to the expiration of the grant period. If a project is not initiated, a grantee shall submit written notice of project retirement to the director. The board may retire the grant and return the remaining balance to the originating grant fund.

History: Effective January 1, 2019.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 57-62-05

85-02-03-09. Changes to purpose or scope of project.

Funds must be used for the purpose or scope proposed in the grantee's application, unless a grantee makes a written request to the director for authorization to modify the purpose or scope of the project. The grantee must provide supporting documentation detailing the proposed modification. Authorization for a modification may be granted, as follows:

1. A modification that does not change the overall project goals, as originally proposed, may be approved by the director.
2. A modification that changes the overall project goals, as originally proposed, or reallocates the funding to costs not included in the grantee's application may only be approved by the board.

History: Effective January 1, 2019.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 15-01-02, 57-62-05