

HISTORIC PRESERVATION SUBGRANT ADMINISTRATION MANUAL

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SECTION 1. INTRODUCTION

Historic Preservation Subgrants are funded through the Historic Preservation Fund, which is distributed to the states by the National Park Service (NPS), U.S. Department of the Interior. The Historic Preservation Fund allocation to Wisconsin is administered by the Wisconsin Historical Society, State Historic Preservation Office (SHPO).

This manual is an attachment to all subgrant memoranda of agreement (MOA), summarizes the federal regulations that apply to projects, as well as state requirements. It explains the procedures that must be followed in administering a subgrant-assisted project. Failure to meet all of the requirements and procedures detailed in this manual may result in cancellation of a subgrant and return of any affected reimbursement.

Because the subgrant program is funded with a federal grant, numerous federal rules and regulations apply. The most stringent rules are those designed to ensure that federal dollars spent on project-related work are auditable according to federal standards. Consequently, subgrantees are required to submit types of records with which they may be unfamiliar. To assist subgrantees in providing proper records, the SHPO has developed certain reporting forms, explanations and samples are included in the manual.

The SHPO will supply subgrantees with copies of the pertinent state and federal regulations summarized in this manual, upon request. However, subgrantees should be aware that the SHPO assumes no liability for the failure of any subgrantee to follow required regulations. A copy of this Manual is on our website.

SECTION 2. WHO TO CONTACT

A DHP-PH Program manager, a professional, will supervise each project. They will help ensure completion of the work program, by providing advice concerning work scheduling, fieldwork, and research approaches.

Archaeology projects: **John Broihahn** 608-264-6496 or email john.broihahn@wisconsinhistory.org

All other projects: **Joe DeRose** 608-264-6512 or email joe.derose@wisconsinhistory.org

Website address: <http://www.wisconsinhistory.org/hp/>

Direct correspondence to:

Division of Historic Preservation
Wisconsin Historical Society
816 State Street
Madison, Wisconsin 53706-1482

Fax phone number: 608-264-6504

SECTION 3. PROJECT ACTIVITIES

SECTION 3-01. FEDERAL RULES

The following rules are basic to the federal grant program:

1. All work must be an eligible program activity. Only certain types of work are allowable under this program. The activities specified in a MOA “work program” have been determined eligible by the SHPO staff. Only the work specified in the work program and budget can contribute to the completion of this project, unless a project amendment is approved.
2. No work may be funded retroactively. All work must be approved in advance through the grant selection and MOA negotiation/signing process. After execution/signing of the MOA, subgrantees will be issued a signed state purchase order, this is the notice that work can begin and costs incurred.
3. Federal money match requirement. Effective with the 1997 Subgrants, match is not required.
4. Freedom of Information Act, 5 USC 552. Financial records, supporting documents, and all other records pertinent to a grant provided by NPS are subject to disclosure to others.
5. The project must adhere to uniform administrative requirements. All federal programs must follow the same general set of administrative rules, designed to ensure fair competition for federally-assisted grant contracts, proper accounting and management practices, and conformance with government-wide regulations. These documents are available on the World Wide Web at these addresses:

Code of Federal Regulations, http://www.access.gpo.gov/su_docs.html
OMB Circulars, <http://www.whitehouse.gov/OMB/circulars/index.html>

All subgrants must be administered in accordance with all applicable regulations and procedures governing federal grants including Office of Management and Budget (OMB) Circulars for:

- A-21 Cost Principles for Educational Institutions (revised 8/8/00);
- A-87 Cost Principles for State, Local and Indian Tribal Governments (revised 8/8/97);
- A-122 Cost Principles for Nonprofit Organizations (5/19/98);
- A-102 Grants and Cooperative Agreements with State and Local Governments (amended 8/29/97);
- A-110 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations, (amended 9/30/99), and
- A-133 Audits of Institutions of States, Local Governments, and Nonprofit Institutions (6/24/97).

Profit organizations, are contained in **Chapter** (Title) **48** of the Code of Federal Regulations (CFR) part 31, and 48 CFR 31.2 Cost Principles and Administrative Requirements. Audit Report, copy of annual report done following Generally Accepted Accounting Principles, or Audit Statements provided by the Wis. Dept. of Transportation.

6. All expenses must be auditable. The item must be competitively purchased within the period of performance, related to completing the project, and paid for before the final Reimbursement Request is due. The “Auditable Records” (section 10-02) in this manual explains the procedures necessary to ensure auditability of the program. Each year this program is audited to determine if all:
 - a. expenses have been properly documented;
 - b. federal regulations have been followed with respect to the expenditure of funds; and
 - c. over the project period, the payments (expenses) are equal or greater than reimbursements (revenues).

The Wisconsin Legislative Audit Bureau (LAB) audits the SHPO and the results of the audit are reported to the NPS; any “findings” must be resolved to the satisfaction of both LAB and NPS.

Likewise entities receiving a total of \$300,000 or more of federal funds must have a “Single Audit” done and report the “findings” to each agency supplying these federal funds within 9 months of the accounting year end. The LAB requires each agency to ensure each entity has properly evaluated their need for a “Single Audit” and that the results are reported, and “findings” are resolved. In Wisconsin, all entities are assigned to specific state agencies that will ensure that all reports are validated against the providing agency records and all discrepancies plus “findings” are resolved.

7. Project deadlines must be met. Each project is funded for a specific period of time, after which the funds are recaptured by the NPS. For this reason, specific deadlines are established and the deadlines for each project are specified in the MOA and its attachments. Failure to meet any deadline may result in termination of all federal assistance and will adversely affect future subgrant applications.
8. Proof of compliance with federal regulations or requirements. Subgrantees will be required to submit proof of compliance with certain federal regulations to the SHPO. Documents include, but are not limited to: Title VI equal opportunity requirements, competitive procurement standards, and payment records. In some cases, such as compliance with non-discrimination on the basis of age, or single audit requirements are specified in the MOA and the subgrantee’s signature is considered certification of compliance as a matter of standard operating policy. All contracts with consultants must contain the provisions detailed in Section 6, “Contracts,” and must be approved by the SHPO prior to execution.

SECTION 3-02. SIGNING THE MEMORANDUM OF AGREEMENT (MOA)

1. The applicant’s authorized agent, contact person, and project director is notified by the SHPO of the subgrant award. This usually occurs in late January after the application’s deadline.
2. The subgrantees project director will receive the SHPO’s proposed MOA, work program, and budget, which are based upon the application submitted as it relates to applicable Secretary of the Interior Standards. This proposed MOA became the basis for negotiation with the SHPO for the final/signed MOA’s work program and budget.
3. The subgrantees project director as well as staff and volunteers responsible for its completion should review the MOA and its attachments as soon as possible. This process can easily take two weeks to complete. The project director should contact the SHPO on any item that is unclear or not understood to gain clarification and understanding. This negotiation can be done via e-mail or a conference phone call or meeting, if arranged in advance. Subgrantees should complete the review as soon as possible and clearly mark all the desired changes on the documents, make a copy for their records and return the originals to the SHPO.

4. When the MOA and its attachments are received by the SHPO, the subgrantees proposed changes will be reviewed. The project director will be contacted if the SHPO has any questions. Otherwise, the SHPO will incorporate the changes and send a complete set of revised MOA and its attachments for signing by the subgrantees "project director."
5. The subgrantees project director should once again review (per step 3 above) the MOA and all attachments. If acceptable sign the MOA, and present it to the "authorized agent" for signing. After both have signed make a copy for the subgrantees records and return the original to the SHPO (for the signature of the State Historic Preservation Officer).
6. Upon receipt of the subgrantees approved MOA and attachments, the State Historic Preservation Officer will take action to approve the MOA. When the MOA is fully executed, the subgrantee will be sent the subgrantees copy of the signed MOA, State Purchase Order, and supply of blank forms for reporting the various stages of subgrant administration. This packet serves as the notification that the work program can begin.

SECTION 3-03. INITIATING A PROJECT'S WORK PROGRAM

The subgrantees project director will be the SHPO's contact point to make sure the Work Program is completed by the due date.

In order to comply with federal requirements and to finish the work program within the project period, the subgrantee must carry out project related activities in a specific order. The sequence of activities is listed below with full descriptions outlined in other Sections of this manual.

If project personnel are not specified in the MOA, a principal investigator and other professional staff must be hired with the assistance and approval of the SHPO. This process usually takes two months. See Section 4, for more detailed information.

The SHPO encourages volunteers involved in the completion of the Work Program to sign an "Agreement to Perform." See Section 6-02.

Public Meetings are frequently required and a key component of a successful historic preservation program. This informs the public of the project and allows them to be proactive. See Section 7-04.

The work program attached to the MOA specifies deadlines for the completion of work activities and for the submission of project materials/products. Generally, there can be few changes to your work program. Completing work ahead of schedule does not require a change; however, a delay on work program item(s) **requires** the project director to discuss the need change with the SHPO Program Manager.

Requests to change the MOA must be made in writing to the SHPO at least 45 days prior to existing deadlines. Amendments can only be implemented after receiving written approval from the SHPO. Because of NPS special conditions, deadlines cannot be extended beyond the **project completion date** as specified in the MOA. See Section 11.

The SHPO can terminate the subgrant if a subgrantee fails to meet any of the deadlines stated in the MOA. If it is terminated, the termination conditions specified in the MOA apply. These specifications include maximum reimbursement rates.

SECTION 3-04. MONITORING A PROJECT

Generally, it is the responsibility of the subgrantees **project director** to:

1. understand the project Work Program, progress reporting (see Section 9-01) and products;
2. ensure adherence to the project schedule. This is accomplished by close supervision of actual progress versus the project's due dates and if necessary, requesting MOA amendments;
3. ensure the **timely and accurate completion of the work program** by submission of Progress Reports by the dates specified in the MOA. In addition to written reports, the project director should maintain regular contact with the appropriate SHPO staff, appraising him or her of problems encountered and of the need for forms or other project materials;
4. ensure the subgrantees accounting system will maintain payment records for this project, maintain auditable records as defined (Section 10-02), comply with all project requirements, and that project related costs are paid promptly by the subgrantee, with **periodic reimbursement** requests to the SHPO;
5. monitor the total project budget; if actual contracts or expenditures are under or over expectation, notify the SHPO professional staff as soon as possible. See Project Amendment, Section 11;
6. ensure that materials are submitted in draft form to the SHPO if the MOA and/or Work Program so specifies. The SHPO will give approval of the drafts to the requester, generally verbal, but written if there are many corrections; and
7. ensure that any delegation of these responsibilities is in writing to the delegatee and understood by the delegatee. In some projects, the principal investigator, a consultant, is delegated these responsibilities. However, the delegation of these duties must be itemized in the Request for Proposal (see Section 4-04) to allow the Consultant/Principal Investigator to consider these additional duties when developing their proposal. If the project director wishes to delegate project reporting **after** the consultant contract has been signed, the consultant has the right to refuse this responsibility without agreed upon compensation.

SECTION 3-05. PROJECT COMPLETION

1. All **final** work (products) must be submitted by the Project Contact to the SHPO by the project completion date. The SHPO will check all work products for completeness and accuracy. If not acceptable you will be contacted within two weeks. The mailing of your final reimbursement check resulting from the final Reimbursement Request (see point 2. below) signals approval of the project.
2. One month after the project completion date as stated in the MOA, all payments must have been made, and the SHPO must receive from the Project Contact:
 - a. Project Completion Report signed by the project director, plus
 - b. the final Reimbursement Request with supporting documents.
3. After receipt of the above items, SHPO will process the required products, records, and other materials for acceptance, and the final reimbursement for the remaining federal funds.

SECTION 4. PROFESSIONAL PROJECT STAFFING

SECTION 4-01. PROFESSIONAL PERSONNEL REQUIREMENTS

The National Historic Preservation Act through 36 CFR 61, Appendix A, specifies the professional qualifications necessary for participants in Historic Preservation Fund-assisted projects. Because professional experience and education may be subject to interpretation, the SHPO will participate in the selection of the principal investigators for all projects. The SHPO will assist in the recruitment of project staff, as requested, and will approve the language in any requests for proposal or advertisements that may be placed by the subgrantee. Both the SHPO and the project director will participate in candidate interviews. No substitution of professional project personnel may be made during the course of the project, unless approved in writing by the SHPO.

Student intern or non-professional involvement will be permitted only under the supervision of a professionally qualified principal investigator. The SHPO will review each project for the appropriateness of intern or non-professional involvement. The SHPO will review each project for the appropriateness of intern or non-professional involvement. The SHPO generally does not participate in the selection of non-professional support staff, such as clerks.

The following professional requirements stated in the National Historic Preservation Act must be represented in each subgrant project to the extent required by the SHPO. (In the following definitions, full-time experience need not be a continuous year, but may be made up of interrupted periods adding up to the equivalent full-time experience): History. The minimum professional qualifications in history are a graduate degree in history or a closely-related field; or a bachelor's degree in history or closely-related field plus one of the following:

- (a) at least two years of full-time experience in research, writing, teaching, interpretation, or other demonstrable professional activity with an academic institution, historical organization or agency, museum, or other professional institution; or
- (b) substantial contribution through research and publication to the body of scholarly knowledge in the field of history.

Archaeology. The minimum professional qualifications in archaeology are a graduate degree in archaeology, anthropology, or closely-related field plus:

- (a) at least one year of full-time professional experience or equivalent specialized training in archaeological research, administration, or management;
- (b) at least four months of supervised field and analytic experience in general North American archaeology, and
- (c) demonstrated ability to carry research to completion.

In addition to these minimum qualifications, a professional in prehistoric archaeology shall have at least one year of full-time professional experience at a supervisory level in the study of archaeological resources of the prehistoric period. A professional in historic archaeology shall have at least one year of full-time professional experience at a supervisory level in the study of archaeological resources of the historic period.

Architectural History. The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely-related field, with course work in American architectural history; or a bachelor's degree in architectural history with concentration in American architecture; or a bachelor's degree in architectural history, art history, historic preservation, or closely-related field plus one of the following:

- (a) at least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historic organization or agency, museum, or other professional institution; or
- (b) substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.

Historical Architecture. The minimum professional qualifications in historical architecture are a professional degree in architecture or state license to practice architecture, plus one of the following:

- (a) at least one year of graduate study in architectural preservation, American architectural history, preservation planning, or closely-related field and at least one year of full-time professional experience on preservation and restoration projects; or

SECTION 4-04. PREPARING FOR RECRUITMENT

The SHPO arranges for all qualified professionals needed by newly awarded subgrantees. Usually by early March, the ad is posted on the Wisconsin Historical Society website. Depending upon the types of consultants needed, the ad may also be sent to other State Historic Preservation Offices, professional groups such as the Wisconsin Society of Architects, and known freelance researchers.

The consultants send their resumes to the SHPO; the SHPO forwards those meeting the professional qualifications to the subgrantees for which the consultant indicated an interest.

If the subgrantee wishes to do **additional advertising**, the resumes must be submitted to your SHPO Program manager to ensure they meet the required professional qualifications.

The SHPO must receive and approve the subgrantees Request for Proposal (RFP) **before** consultant(s) can be approached for hiring.

Upon request the SHPO will provide a sample RFP that reflects the type of work to be done by the selected consultant, as well as samples of interview questions, evaluation criteria, and contracts. However, it is the responsibility of the subgrantee to develop and distribute RFPs in conformance with these and their entities requirements. Anyone developing the RFP scope or specifications is **not** eligible to be awarded the contract.

Submit to the SHPO before any recruitment takes place:

1. A draft of the RFP to be sent to the qualified consultants. The MOA, MOA – Attachment A: Work Program must be appended to the RFP. The proposal(s) shall request:
 - a. recent experience in doing similar projects and resumes of all professionals expected to work on the project;
 - b. responsibilities of all key personnel, estimated work hours, and costs associated with each task required in the work program;
 - c. a discussion of the general approach to the work, demonstrating a basic understanding of the requirements of the project and the products to be produced;
 - d. schedule for performing the work elements, including beginning and ending dates that result in compliance with the MOA's Period of Performance;
 - e. a statement of the hourly fee charged by each participant and an itemization of other expenses necessary to satisfactorily work on the project. Expenses may include travel, photography, clerical services, etc.;
 - f. total cost, including a maximum limit; and
 - g. other professional commitments already in place for this time period. (The resulting contract should include a statement regarding the requirement for the consultant to notify the subgrantee of other work assumed during the duration of this contract.)
2. The RFP's evaluation criteria, to be used on each response received, which will determine candidates to be interviewed for the final selection.
3. A cover letter, which explains that only a signed original response received in your office by the due date (we recommend three weeks as an adequate time to respond), will be considered.

The SHPO must approve the RFP materials before it can be distributed.

SECTION 4-05. THE REQUEST FOR PROPOSAL (RFP)

When the SHPO has given approval, the cover letter and RFP can be distributed to all the qualified principal investigators interested in submitting a bid.

If staff positions will be filled to complete the project, at least three individuals must be offered an interview, and in addition to the RFP response, the candidates must submit:

1. A resume stating pertinent professional experience and education.
2. A writing sample, demonstrating research techniques, familiarity with historic, architectural, or archaeological subjects, and accepted writing and bibliographic procedures.
3. Three supervisory or educational references, preferably from individuals familiar with the applicant's historic preservation background.

SECTION 4-06. SELECTION OF THE MOST QUALIFIED PRINCIPAL INVESTIGATOR

When the Proposals are returned, record on the SHPO's Procurement History form the type of bid/proposal received in line with the responders' names; see the sample in Section 5-05. On the day following the RFP due date, indicate if no response was received from a candidate(s).

All proposals must be evaluated against the same RFP criteria. The initial review is to determine which responses clearly didn't understand the results to be produced. Anyone developing the RFP scope or specifications is **not** eligible to be awarded the contract.

The subgrantee should select the professional investigator and other professional staff based on the proposal that is most advantageous to the subgrantee. An evaluation of experience, cost, scheduling, professionalism, price and other factors should be considered. See Section 4-01 of this manual for "Personnel Requirements."

If the subgrantee feels none of the candidates are acceptable, discuss the situation with the SHPO to determine the next step; such as reissuing an updated RFP or even re-advertise. For those requirements see Section 4-04.

The SHPO must be part of the final interview panel or be given the opportunity to decline participation.

Before offering a contract or position, the subgrantee must get the approval/agreement of the SHPO, this is usually accomplished after the interviews are completed. Once an offer has been made and the candidate accepts, the subgrantee is ready to enter into a contract or hire the new staff member. Record on the SHPO Procurement History form a summary of the evaluation for each response received. A copy of this document should be sent to the SHPO.

Continue with Section 6, "Contracts," for the next phase of securing a professional consultant.

SECTION 5-01. FEDERAL PROCUREMENT STANDARDS

When federal funds are used to assist a project, federal procurement standards must be followed. The procurement standards are designed to promote fair and open competition among suppliers of services, materials, or equipment. All recipients of Historic Preservation subgrants must follow the federal procurement standards.

All procurement transactions, regardless of the dollar value, shall be conducted in a manner that provides maximum open and free competition. Procurement procedures shall not restrict or eliminate competition. The intent is to ensure that an acceptable quality is obtained for a fair and reasonable price.

Subgrantees are encouraged to procure goods and services from labor surplus areas, as well as women and/or minority-owned businesses.

SECTION 5-02. PROFESSIONAL SERVICES

All historic preservation subgrantees shall use competitive negotiation procedures for procurement of professional services, selecting the most qualified competitor, subject to negotiation of fair and reasonable compensation. Competitive negotiation stipulates that proposals are requested from professional consultants who appear to be qualified to perform the work or that three individuals are interviewed to work on the project on an hourly or lump sum basis, without submission of a proposal. The proposals or interviews will allow interested professionals to compete for the project work, by presenting their qualifications, previous work experience, and other relevant information for consideration and evaluation by the subgrantee and the SHPO.

Solicitation of project proposals must be made to at least three professional sources in order to ensure adequate competition. Receipt of a non-bid or other certification of lack of interest from sources that do not wish to submit a proposal may be considered adequate to satisfy this requirement.

SECTION 5-03. MATERIALS AND EQUIPMENT

The SHPO provides at no cost blank forms.

The procurement of materials and equipment necessary for the completion of the project must conform to federal small purchase procedures. These procedures state that price or rate quotations shall be obtained from an “adequate number of sources,” which the SHPO interprets as at least three sources. Determine an approximate cost, then make contacts based on total cost of the units needed:

\$100 - \$1,400; phone calls to 3 or more suppliers; response can be verbal but the responses must be documented including the name of the person providing the estimate;

\$1,500 - \$9,900; at least 3 qualified professionals must be sent an RFP. For supply items, phone calls or written specifications to **3 or more suppliers** requesting written responses, and

\$10,000 or more; written specifications to 3 or more suppliers requesting written responses if purchased, copies of the written responses must be submitted with the Reimbursement Request, or summarize the bids on the Procurement History Form. See Section 5-05.

Equipment costing \$200 or more per unit, must have the SHPO’s written approval prior to purchase.

Requests will be considered on a case-by-case basis. If the SHPO does allow the purchase of equipment costing \$200 or more per unit, at the conclusion of the project the equipment will become the property of the Wisconsin Historical Society or the National Park Service. In some cases, permission for the grantee to borrow the equipment on a long-term basis may be permitted. This does not apply to film and developing expenses, travel expenses, or other necessary supplies, which may total more than \$200.

SECTION 5-04. USE OF SMALL AND MINORITY FIRMS, INCLUDING WOMEN

It is national policy to award a fair share of contracts to small and minority business firms. Thus, affirmative steps must be taken to assure that small and minority businesses are utilized when possible as sources of supplies, equipment, and services. Affirmative actions are:

1. Include qualified small and minority businesses on solicitation lists;
2. Assure that small and minority businesses are solicited whenever they are potential sources;
3. When economically feasible or where requirements permit, divide total into smaller tasks or units so as to permit maximum small and minority business participation;
4. Wisconsin Minority-Owned Businesses Directory, published by the Wis. Dept. of Commerce is available at <http://www.commerce.state.wi.us/ED/ED-MBD-Index.html>

SECTION 5-05. SAMPLE OF A COMPLETED PROCUREMENT HISTORY FORM

State Historical Society of Wisconsin PROCUREMENT HISTORY FORM		SUBGRANT NUMBER: 55-95- PROJECT NAME: City of Madison	
INSTRUCTIONS: Record on this form the purchase of all services & goods costing \$200 per unit. An explanation and examples are in your Subgrant Manual, Section 5.		TYPE OF BID OR ESTIMATE SUPPLIED BY VENDOR	
ITEM OR SERVICE PURCHASED	NAMES OF CONTRACTORS/VENDORS	Catalog / Price List	Written Quote
		Verbal Quote	Sealed Bid
PRINCIPAL INVESTIGATOR: Six Historic District National Register Nominations	Jane Smith		
	John Jones	X	
	Mary Sargent	X	
	Rebecca McCullough	X	
	Bill Peterson	X	
	Brad Brown	X	
	Louann Jakes	X	
Photography	Photoman Inc. Brown, John Albright, Jane	X	
		TOTAL COST PROVIDED	WHICH BID WAS ACCEPTED, BASIS OF SELECTION, and WHY
		\$	Nothing submitted.
		\$12,000	Too high.
		\$ 9,500	Had no practical experience.
		\$ 10,000	Good work experience.
		\$ 12,000	too high.
		\$ 10,000	Good work & reference Accepted contract 7/7/95.
		\$ 9,000	wanted 2 years to do work
		\$12/ 8x10 \$18/ 8x10 \$10/ 8x10	Hired. Too high. Needs a camera provided.

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SECTION 6. CONTRACTS

Contracts cannot be issued to any party that has been suspended by the federal government. When a resume is submitted to the SHPO, the Grants Specialist verifies that the contractor is not on the latest “List of Parties Excluded from Federal Procurement or Non-procurement Programs.”

The SHPO will provide a sample contract upon request.

The contract (written agreements) shall not relieve the subgrantee of any part of its responsibility to the SHPO under a subgrant.

The project period should not exceed the term of the subgrant and the work to be done must be completed within the period by any qualified individual.

Before project work can begin, the contracts must be approved by the SHPO, and signed by the subgrantee and contractor. As soon as possible after the contract is signed, please send the SHPO a copy along with the completed Procurement History Form.

SECTION 6-01. PROFESSIONAL SERVICES

The SHPO must approve all professional services or other contracts necessary for completing subgrant projects. These contracts include, but are not limited to, architectural services for surveys of historic structures and sites; archaeological surveys; preparation of State Register and National Register nominations; and preservation planning. All contracts must be submitted to the SHPO for approval prior to execution by either party.

All contracts must be awarded either on a fixed price basis or on a cost-reimbursable basis with a maximum limitation. Fixed price contracts are used when the consultant agrees to provide all products specified in the work program, within the time period indicated, and to the standard of quality required by the SHPO, for a guaranteed price.

In a cost-reimbursable contract, the consultant agrees to provide the services necessary to accomplish the tasks in the work program for an hourly fee plus certain expenses, up to the maximum limit stated in the contract. Payment is based on actual time spent and costs incurred, up to the maximum limit of the contract. Consultants offering services on a cost-reimbursable basis must guarantee as part of the contract that all work will be performed **before** the project completion date. SHPO does not recommend this approach.

Hourly contractors must submit the same records to the subgrantee, as the subgrantee must submit to the SHPO, see Section 1-03, “Auditable Records.”

All recipients of federal Historic Preservation funds shall include the following provisions or conditions in all contracts or subcontracts:

1. Must specify the administrative, contractual, or legal remedies to be used if the contractor violates conditions of the contract and provide for such penalties as may be appropriate.
2. Shall contain suitable provisions for termination by either party, including the manner by which it will be affected and the basis for settlement.
3. If in excess of \$10,000, shall contain a provision requiring compliance with Executive Order 11246, entitled “Equal Employment Opportunity,” as amended by Executive Order 11375 and supplemented by Department of Labor Regulations (41 CFR Part 60).
4. Shall include a provision whereby the subgrantee, the State of Wisconsin, the Department of the Interior, the Comptroller General of the United States, or any of their duly authorized representa-

tives, shall have access to all records that relate to the project for audit purposes.

5. Shall include a statement of compliance with Federal Assistance requirements:
 - a. Title VI of the Civil Rights Act of 1964 (Public Law 88-352).
 - b. Age Discrimination Act of 1975 (Final Rule 54 FR 3596).
 - c. For the required statement language, see Section 7.01, the acknowledgement paragraphs.

SECTION 6-02. VOLUNTEER SERVICES

Volunteers are not eligible for payment or reimbursement. If your project is relying on volunteers to perform work that is critical to its completion, we recommend a written agreement be executed with volunteers or third parties performing these activities. The term “third party” means any organization legally distinct from the subgrantee or any individual for whom the project director or Principal Investigator does not control assignment of duties.

The written agreement should:

- a. State or incorporate by reference all applicable requirements imposed by the terms of the subgrant MOA.
- b. State the activities to be performed by the volunteer, the associated time schedule, policies and procedures to be followed in carrying out the agreement.

SAMPLE VOLUNTEER CONTRACT/AGREEMENT LANGUAGE:

City of Clarksville has received a subgrant from the State Historic Preservation Office (SHPO) of the Wisconsin Historical Society for the purpose of *preparing and publishing a walking tour guide to Mound Cemetery*. The terms of the subgrant are set out in the Memorandum of Agreement (MOA) between the SHPO and *Clarksville* that was executed in *May of 1999 under Subgrant No. 55-99-90067-25*.

I (volunteer's name) hereby agree to perform (brief description of work to be done) as outlined in MOA: Work Program that is part of the MOA between the SHPO and *Clarksville*. The work to be performed has been discussed and I believe I'm capable. I also agree to complete the work by this due date (must be earlier than the due date for the work program's products) and to submit the products in the format specified. If I cannot meet this commitment, I will notify the project director as soon as possible.

This agreement is made and signed by: _____

on Date: _____

Lucy N. Snoopy, Volunteer

As Project Director, I agree to monitor this effort:

on Date: _____

Ivan B. Smart, Project Director

SECTION 7. PUBLICATIONS OR WORKSHOPS OR PUBLIC MEETINGS

If publications for mass distribution are part of a work program, these requirements apply:

1. A statement of nondiscrimination, see Section 7.01 and acknowledgment of federal support, see Section 7.02 must be made in any publication resulting from an activity supported by Historic Preservation funds.
2. Documents may not be copyrighted.
3. The publication date must be within the period of the subgrant as specified in the MOA.
4. Income earned (after related expenses are paid) during the period of the grant must be reported. This income will then reduce the amount of the award made to the subgrantee. However, the document can be sold after the period of the grant expires without any effect on future awards. See Section 7.03 for more information.
5. Allowable costs for workshops are the same as for any other federal supported activity. See Section 8 for details on allowable costs.
6. Future publications, materials, or projects that result from this grant-assisted project must include appropriate acknowledgement statements, see Sections 7-01 and 7-02.

Upon publication, a minimum of eight copies of the publication must be furnished to the SHPO, four of these copies will ultimately be sent to the Dept. of the Interior's Natural Resource Library.

SECTION 7.01 NONDISCRIMINATION STATEMENT

An acknowledgement of federal funding must be made in all publications, slides, videos, press releases, speeches, and any other public dissemination of information by a subgrantee resulting from an activity supported by Historic Preservation funds. This includes any future publications or other dissemination of information made possible because of the grant-assisted project, even though the original project has ended and federal funds are not used in the subsequent publication or feature. They should appear on the title page or on a separate page immediately following the title pages/slide/video.

The following **statement** must be printed as written in publications and reports:

This 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 of Equal Opportunity
National Park Service
1849 C Street NW
Washington, DC 20240

SECTION 7.02 ACKNOWLEDGEMENT OF FEDERAL SUPPORT

Only relevant portions of the acknowledgement of support need to be applied and should be used as **appropriate** depending on the content of the publication, e.g., if there are no commercial products, then that part of the statement can be omitted. When in doubt, use both statements as written:

“The activity that is the subject of this (type of publication) has been financed (in part/entirely) with Federal Funds from the National Park Service, U.S. Department of the Interior, and administered by the Wisconsin Historical Society. However, the contents and opinions do not necessarily reflect the views or policies of the Dept. of the Interior or the Wisconsin Historical Society. Nor does the mention of trade names or commercial products constitute endorsement or recommendation by the Dept. of the Interior or the Wisconsin Historical Society.”

SECTION 7.03 PUBLICATIONS OR WORKSHOPS, SOLD OR CHARGED FOR

It is recommended that any activity, publication, or product that will be paid by Historic Preservation (federal) funds be offered free through September following the MOA’s “project completion date.” Charging for a publication or a workshop during the HPF grant period requires the subgrantees award/reimbursement to be reduced by the amount of income. This reduction results in the subgrantee unable to apply for their final Reimbursement until after September 30 because the amount of income must cover to that date. For example, an MOA with a project completion date of July 15, 1998 would have to wait until October 1, 1998 for the last Reimbursement Request to be submitted.

If selling a project is intended to be a source of revenue for your organization, we recommend it be delayed until October 1, following the MOA’s project completion date.

SECTION 7.04 PUBLIC MEETINGS OR WORKSHOPS

Advertise well in advance and reissue the ad just before the event is to occur to remind them their attendance is critical to the success of this project. This meeting should be “noticed” on community related Websites. In Section 7.05 is a sample of an ad that drew a large audience.

A sample is provided in Section 7.05, we consider it effective and complete, plus it drew an appropriate audience.

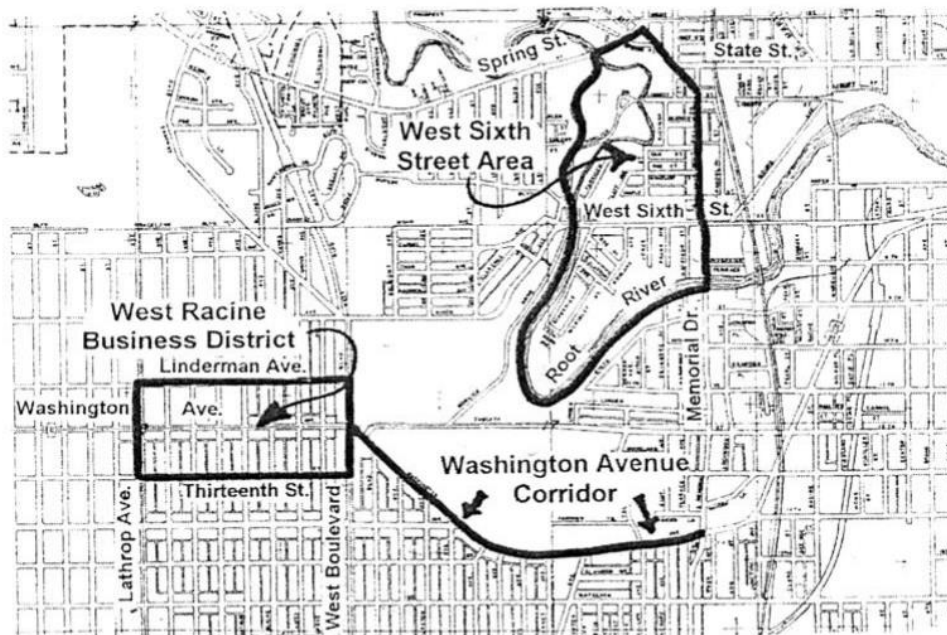
SECTION 7.05

SAMPLE PUBLIC MEETINGS OR WORKSHOP NOTICE

Racine Landmarks Preservation Commission

NOTICE OF PUBLIC INFORMATIONAL MEETING

The City of Racine Landmarks Preservation Commission will be conducting a reconnaissance survey of portions of the City of Racine to identify properties of architectural and historical significance. Three areas of the City have been selected and are generally defined as the West Sixth Street Area, the West Racine Business District, and the Washington Avenue corridor between Memorial Drive and West Boulevard. The specific study areas are indicated on the map below:



The Landmarks preservation Commission has scheduled a public informational meeting at which representatives from both the State Historical Society of Wisconsin, and the firm of Mead & Hunt, the consultant to conduct the study, will be present so you and other citizens can be informed of the details of the project, and where your views regarding the project may be expressed. The informational meeting will be held on Monday, January 8, 2001, at 4:30 P.M., in Room 205 of City Hall, 730, Washington Avenue.

Mary Whitman

Mary Whitman, Chairman
Racine Landmarks Preservation Commission

MW/mgs

If you are disabled and have accessibility needs or need information interpreted for you, please call the Department of City Development at (262)636-9151 at least 24 hours prior to the meeting.

Funding for this project has been obtained through a donation from Preservation Racine, Inc. and Federal funds from the U.S. Department of the Interior as administered by the State Historical Society of Wisconsin.

SECTION 8. STANDARDS FOR ALLOWABLE COSTS

The SHPO can only reimburse subgrantees for eligible expenses directly related to project activities identified in the MOA "Attachments A: Work Program." The SHPO reserves the right to approve all project expenses when federal funding is involved. **Project costs will be considered eligible for reimbursement only if incurred during the "period of performance."** The period of performance is defined in the MOA.

SECTION 8-01. ALLOWABLE COSTS

1. Compensation rate for personal services are for the following:
 - a. Salaries for personnel directly involved in stated project activities is reasonable for the services rendered, the appointment was made according to entity/subgrantee laws and rules, and is consistent with that paid for similar work in other activities of the entity/subgrantee.
 - b. Principal investigator consultants; as of January 2001 the maximum hourly rate is based upon 120 percent of the pay rate for a GS-15 in the Federal Service. When consultant services rates exceed this limitation, only the amount **up to** this rate may be charged to the subgrant.
 - c. Dual compensation; subgrantee staff or consultant that is involved simultaneously in more than one project supported by Federal funds, and compensation on either project is based upon percentage of time spent, s/he may **not** be compensated for more than 100% of their time during the period of dual involvement.
 - D. nonprofit; there are several guidelines, the most relevant are officers, or employees **cannot** be hired as consultants, the impact of the award on the organization's business, and the past pattern of such costs in the years prior to government awards.
2. Fringe benefits for project personnel will be allowed if the rate is comparable to the current "going rate," otherwise, a letter of justification is required indicating the basis of the calculation. This includes Social Security, insurance plans, and worker's compensation.
3. Travel expenses, if necessary for training for subgrant administration or for field work completion. A rate higher than the maximum can be paid, but reimbursement is **limited to the lowest amount** of either the subgrantee or state of Wisconsin's or the federal. The maximum rates as of January 2002 are:
 - a. Mileage is .51 cents per mile.
 - b. Meals daily total of \$34 (breakfast \$8.00, lunch, \$9.00, and dinner \$17.00.
 - c. Wisconsin's lodging maximum is \$70 per day per person excluding tax.
4. Supplies, including maps and minor field equipment.
5. Equipment rental, but limited to the purchase price of the item of equivalent type and condition.
6. Film and processing.
7. Duplication costs for **completed** inventory cards/forms, research materials, and final reports. (NOTE: The SHPO will provide, at no cost, blank: National Register nomination forms, extra administrative forms; (reimbursement request forms, etc.).
8. Training, provided for employee development which directly benefits the work program.
9. Advertising costs, in any medium, which are solely for the work program:

- a. recruiting necessary personnel (limited to \$40 unless approved in writing by SHPO, see Section 4-04);
 - b. soliciting bids for the procurement of goods and services over \$1,500 required; and
 - c. notices required by federal or state regulations, or other purposes specified.
10. Accounting, the cost of establishing and maintaining accounting and other information systems required for management of the subgrant and its work program.
11. Reference material, books and subscriptions to professional and technical periodicals when necessary to accomplish the work program or educate constituents.
12. Administrative costs, including secretarial, accounting, communication costs (telephone, etc.), and other miscellaneous costs may be eligible if itemized and supported by auditable documentation. Administrative costs in excess of 10% of total direct labor costs will be reviewed closely prior to project selection and during MOA negotiations. **The SHPO reserves the right to limit the amount of administrative costs allowed on any grant-assisted project.**
13. Meetings and conferences, including speaker's honoraria when the primary purpose is the dissemination of information for the work program. If food is included, justification for it must be documented and approved in advance by the project director.
14. Audit Services, necessary for the administration and management functions related to the work program. If more than the Historic Preservation subgrant is part of the audit, the costs eligible for reimbursement is the percentage determined by the ratio of this award to all other programs being audited.
15. Communications, phone calls, postage and similar expenses necessary and directly related to the work program.
16. Legal expenses, required in the administration of the work program. Legal expenses for the prosecution of claims against the Federal Government is not allowed.

Buy American Requirements: Congress believes that grant recipients should, in expending federal grant assistance, purchase only American-made equipment and products. The purchase of supplies and equipment with HPF grant assistance must comply, to the greatest extent practical with CFR 12 Subpart E (43 CFR 12.830. When the subgrantee uses the exceptions specified, document the situation in your files, there is no requirement to obtain approval for an exception from the NPS or the SHPO.

SECTION 8-02. COSTS NOT ALLOWED

1. Curating archaeological artifacts **after** the period of the project.
2. Bonus payments of any kind.
3. Entertainment, social activities and related costs such as banquets, and gratuities, etc.
4. Fines/penalties from violations of, or failure to comply with law and regulations.
5. Fundraising and/or lobbying.
6. Interest and other financial costs, including late payment of bills to contractors.
7. Activities not in conformance with applicable Secretary of the Interior's Standards.
8. Subgrantee **Indirect costs.**
9. "Goods or Services" donated to the subgrantee.

SECTION 9. PROGRESS REPORTING

As stipulated in the MOA, subgrantees must report progress to the SHPO at a minimum as stated in your MOA. The progress reports are not to be considered a substitution for regular contact between the subgrantee and the SHPO professional staff. We encourage e-mails for questions and progress reporting.

In addition, all projects that span more than one federal fiscal year (which run from October 1 through September 30) are required to submit a Reimbursement Request if **any** payments have been made, this is a NPS requirement. See your MOA, item 9a for the due date.

SECTION 9-01. INTERIM PROGRESS REPORTING

These reports are to advise the SHPO of the project's progress and any issues that may impact the timely or successful completion of project's work program and budget. The Progress Report can be submitted via e-mail, see Section 1 for the SHPO address. The information should follow the pre-printed form. We consider your address block a signature.

The Project Director is responsible for the submission of the report; the Consultant/Principal Investigator may be required to provide a progress report for their portion of the project. Progress Reporting may be delegated to the Consultant/Principal Investigator when they are responsible for the entire work program and/or it has been included in their contract. However, it is the responsibility of the Project Director to ensure that it is prepared and to sign off that you have seen it and agree with the content.

Also, the principal investigator must visit the project site(s) at least once before the project is done.

SECTION 9-02. PROJECT COMPLETION REQUIREMENTS

In Wisconsin, all projects assisted with a subgrant must submit a narrative Completion Report at the end of the project. It too can be submitted by e-mail and should cover the following information:

1. A summary of the methodology used to complete the project and a description of the type and sequence of work activities done. It need not duplicate the "work program" attached to the MOA as Attachment: A.
2. A bibliography of all research materials, public records, persons, or other sources of information utilized in the conduct of work activities. This may be omitted if complete bibliographic information is included in the National Register nominations forms or in an Intensive Survey Report.
3. A short analysis of the success or failure of the objectives of the project, including any pertinent comments on public impact, any problems encountered, and any suggestions that may be helpful to the SHPO in future historic preservation projects.

SECTION 10. FINANCIAL REQUIREMENTS

SECTION 10-01. REQUIRED FORMS

When the signed Memorandum of Agreement is returned to the subgrantee along with a State Purchase Order confirming availability of grant funds, the required reporting forms are provided. If a consultant is to be hired, a copy of this manual will be included for their use, just as your employee would.

Generally we require specific forms to be used; if, however, you have a form/report that reasonably accomplish the same objectives, contact us immediately for approval for the acceptance of your forms and/or reports in place of ours. Likewise for computerized accounting reports/procedures, they may be submitted instead of Invoice and check copies, if approved in advance by the SHPO.

SECTION 10-02. AUDITABLE RECORDS

Create a file for the project. It is to be filled with all records pertaining to the completion of the MOA, including reference to all associated expense records.

Payments for purchases to be reimbursed with federal funds must be supported by an invoice/contract/time sheet that clearly shows the purchase date and item name/description. When the document is received (presented for payment/reimbursement) write your Project Number onto it; the Project Number is found on the MOA. Then make copies for your Grant File as well as for submission to the SHPO. However, if your bank does not provide cancelled checks a copy of the "payment approval" document can be substituted.

If any employee is to be reimbursed for time spent on the Project, they must complete a Personnel Time Reporting forms must be completed including the supervisor signature. The exact date of each work effort must be shown and submitted with any Request for Reimbursement. Consultants, this form/report is not required for "fixed-fee" contracts.

For audit purposes, subgrantees should keep copies or originals of any contracts of the documents to be sent to the SHPO. These records must be retained for 3 years **after the final reimbursement** request has been submitted or until an acceptable audit has been performed and all claims and audit findings involving the records have been resolved.

SECTION 10-03. REIMBURSEMENT RULES

All projects that span more than one federal fiscal year (which starts October 1 and goes through September 30 are required to submit a Reimbursement Request if **any** payments have been made, this is a Department of Interior requirement. See your MOA, item 9a for the due date.

Up to 75% of the federal funds awarded, will be reimbursed to the subgrantee based upon the "Reimbursement Request" throughout the project provided expense records and progress is reported is acceptable. The final 25% of the award are held until the products as specified in the Work Program are accepted by the SHPO.

The subgrantee must submit a signed Reimbursement Request, which summarizes all project-related expenses for the period. A sample of a completed form is shown in Section 10-05 for your guidance and information. Always submit the Reimbursement Request form provided; more can be photocopied or requested from the SHPO. The subgrantee must also submit copies of auditable expense records specified for this project along with each reimbursement request (see Section 10-02, "Auditable Records".

The final reimbursement is contingent upon completion of an acceptable product(s) within the required time period. If there are any deviations from the work program or if the project is not completed according to the standards conveyed to project personnel, the SHPO may be required under federal program regulations to recall any or all of the federal funds previously reimbursed or to discontinue further reimbursement. Unsatisfactory completion materials will be returned to the subgrantee for revision. Final reimbursement will be delayed until these products have been completed, submitted, and approved.

SECTION 10-04. PREPARING THE REIMBURSEMENT REQUEST

Each Reimbursement Request prepared should show all expenses for the period covered.

Assemble the following, which have been accumulated since the last reimbursement request was prepared:

1. procurement-related expenses as well as contractor payments:
 - a. completed Procurement History Form (if not submitted earlier),
 - b. copy of the signed contract (if not submitted earlier) or employment/payroll
 - c. for any supplemental advertising, the invoice, proof of payment, and a copy of the ad.
2. Legible original or clear photocopies of **time records** for all subgrantee employees whose wages were paid or reimbursed by the project for the day's project work was done, accounting for 100% of the time. Your standard time sheets can be submitted but they must show both subgrant and non-subgrant hours.
3. Clear photocopies that show the Project Number for all:
 - a. invoices from consultants or other contractors. These invoices must be marked "paid" and signed by the consultant or contractor.*
 - b. invoices for supplies and equipment necessary for the completion of the project.*
 - c. cancelled checks or receipts verifying payments for eligible project expenses, particularly for payments to consultants. If the check does not equal the time sheet value, include a summary of the deductions.*

*Subgrantees with "approved by SHPO" computerized accounting procedures may submit itemized project expense reports, computer printouts, etc. in place of the photocopied records.

Prepare the total federal amounts expended during this reimbursement period per category shown on the Reimbursement Request and enter the amounts onto the Reimbursement Request in the "Current Period" column. Prepare the Project-to-date expenditure amounts by adding the current amount per category to the previous reimbursement to-date total amount. If there were no expenditures for a category this period, enter .00 in the current column and the to-date total will remain the same. Then add the amounts entered on the request to ensure they match the prepared totals.

Secure the signature of the authorized agent.

Send the original signed Reimbursement Request form and the supporting documents to the SHPO. An Invoice may be attached, if it will aid in getting the payment into the correct subgrantee account.

Subgrantees should receive a state reimbursement check in 4-6 weeks from the date requests are received by the SHPO or a request from the SHPO or the necessary corrections needed.

If Reimbursement Requests are incomplete, or Progress Reports have not been submitted for the period, or products are due, approval for payment will be withheld until adequate documentation and/or progress and/or products are received and accepted by the SHPO.

SECTION 10-05.

SAMPLE REIMBURSEMENT REQUEST

Wisconsin Historical Society
 Division of Historic Preservation
 816 State Street, Madison WI 53706-1482

REIMBURSEMENT REQUEST

Subgrantee: Bay-Lake Regional Planning Commission

Project No. 55 - 99 - 14287-21

Project Title: Intensive Survey of Unincorporated Villages in Oconto County

Purchase Order No. HSA 21

Award Amount: \$ 18,000.00

Prepared by & phone:

John Brown 245-715-4898

Request Period Covered, From

9-1-00 To 12-31-00Reimbursement Request No.: 1

Information on allowable costs, documentation required and form completion is in the Subgrant Administration Manual; consult the Table of Contents for specific location.

Expenditures approved by MOA**Project Category****Total Amounts****Current Period****Project To Date**

Salaries and Wages:

0

Fringe Benefits:

0

Consultant(s):

3,599.503,599.50

Supplies and Materials:

00**GRAND TOTAL (FEDERAL):****A** 3,599.50**B** 3,599.50

AMOUNT PREVIOUSLY REQUESTED:

C 0

PORTION NOW REQUESTED, Line C less Line D:

D \$ 3,599.50

PORTION REMAINING, (Award less lines C and D) If the project is not

E \$ 14,400.50

yet completed, the REMAINING PORTION, must be at least (25% of award) = or greater \$ 4,500.00

Martin W. Holden, Authorized Agent, I certify;

- 1) this represents actual project expenditures carried out within the period of the project,
- 2) I will maintain itemized financial records for project expenditures for a period of not less than three (3) years after project completion.

Title:
and
Signature

J Brown

Date

1/31/01

SECTION 11. PROJECT AMENDMENTS

The grant recipient must notify the SHPO in writing of any major changes in the Work Program and/or Budget **prior** to implementing the change. As a guideline, major is an increase or decrease of 10%. Subgrantees are to notify SHPO of deviation from the planned spending of the Award at the earliest possible date, so that the excess funds can be reallocated to or from another product or subgrantee.

In some cases it may be possible to amend existing subgrant projects. Amendments will be considered for extensions of the project period, for alterations in project work, and for changes (increase or decrease in the federal share of the project budget).

The following conditions govern project amendments, they must:

1. Be in writing,
2. Be submitted to the SHPO at least **45 days prior to the requested effective date** of the amendment. The request must state why the amendment is necessary.
3. Fully describe the change to be made. For example, if additional funds are requested, a revised budget must be submitted showing how the additional federal funds will be applied and how the matching share will meet as well as its source.

Federal requirements restrict the SHPO's ability to extend deadlines and increase the amount of federal share available to the project. For example, no project can be extended beyond **August 1** of the project year. Likewise we encourage the earliest possible notice on the **under** expenditure of the federal share, so that if possible the DHP-PH can reallocate the excess funds to another subgrantee or activity.

If a project amendment is approved, you will be notified in writing.

SECTION 12. FORMS SUPPLIED BY THE SHPO

12-01. For Survey Projects, the following sample is shown in the Manual for Conducting Architectural and Historical Intensive Surveys in Wisconsin:

1. Archaeological Site Inventory forms, one for each site is required.

12-02. For National Register Nomination Projects, either archaeology or buildings:
National Register of Historic Places Inventory-Nomination form NPS 10-900A, one form-set for each site or district or it can be requested on diskette. A sample district nomination is shown in the manual for Conducting Architectural –Historical Surveys.

12-03. For Project Administration, these forms are provided without request soon after the signed MOA is returned to the SHPO:

1. Interim Progress Reports.
2. Procurement History Form.
3. Reimbursement Request, and
4. Final Project Report.

SECTION 13. MATERIALS AVAILABLE FROM THE DHP

Contact from the Program Manager for availability as well as any charge back rates.

1. Copies of photographs and/or slides.
2. Laser Transit (total station).
3. Flotation System.