

**Retired Senior Volunteer Program
FY 2020 GRANT TERMS AND CONDITIONS**

These Corporation for National & Community Service (CNCS) Grant Terms and Conditions are binding on the grant recipient. By accepting funds under this award, the Recipient agrees to comply with, and include in all awards and these program-specific Grant Terms and Conditions, the CNCS general grant terms and conditions, all applicable federal statutes, regulations and guidelines, and any amendments thereto. The Recipient agrees to operate the funded program in accordance with the approved grant application and budget, supporting documents, and other representations made in support of the approved grant application. The terms “recipient” or “Recipient” are used to connote the grant recipient as appropriate, throughout these Terms and Conditions.

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I. CHANGES FROM THE 2019 RETIRED SENIOR VOLUNTEER PROGRAM GRANT TERMS AND CONDITIONS

- Section XII - Authorities of Program Officer/Portfolio Manager/Grant Officer– section edited
- Section XV - Lobby Disclosure – section edited
- Section XVI (E, F) - Reporting Requirements – section edited
- Section XX (B, C) - Budget and Programmatic Changes – section edited

II. NOTICE OF FUNDING OPPORTUNITIES

The Notice of Funding Opportunity (NOFO) and any amendments are hereby incorporated into these Grant Terms and Conditions. Recipients are bound by the authorizations, restrictions and requirements contained in the NOFO. If there is any inconsistency between the NOFO and any statute, regulation, guidance or cost principle, the statute, regulation, guidance or cost principle take precedence in matters relating to CNCS award funds.

III. AWARD ACCEPTANCE

The signature on the SF-424, including electronic signature via e-authentication on e-grants, constitutes a binding agreement to the terms and conditions of award. CNCS reserves the right to withdraw the award if activity does not begin upon award and/or as a remedy for non-compliance as described in 2 CFR 200.338-339.

IV. RECOGNITION EVENTS

Recipient will ensure that at Recognition events, CNCS is acknowledged as the Federal agency responsible for the primary Federal funding of the project.

V. GRANT PERIOD

Unless otherwise specified, the award covers a three year project period. In approving a multiyear project period, CNCS makes an initial award for the first budget period. Additional funding for subsequent budget periods is contingent upon satisfactory progress and the availability of funds. The project period and the budget are noted on the award document.

VI. ENCUMBRANCE OF AWARD FUNDS

Award funds may not be encumbered or obligated by the recipient prior to or after the award period. Encumbrances or obligations outstanding as of the end of the award period may be liquidated (paid out) after the end of the award period. Such encumbrances or obligations shall involve only specified commitments for which a need existed during the award period and that are supported by approved contracts, purchase orders, requisitions, invoices, bills, or other evidence of liability consistent with the recipient's purchasing procedures and incurred within the award period. All encumbrances/obligations incurred during the award period shall be liquidated no later than 90 days after the end of the award period or prior to the expiration of the awarded funds, whichever is sooner.

VII. FEDERAL FINANCIAL REPORTS (FFRs) – EXPENDITURES/JAN - JUN AND JUL - DEC

Recipients with budget periods starting in January or July paid through HHS/PMS must submit the Standard Form 425, Federal Financial Report (FFR), semi-annually, from the start date of the award, to report the status of all funds. FFRs must report expenses on a cumulative basis over the performance period of the award and be submitted according to the following schedule:

<i>Period Covering:</i>	<i>Report Due:</i>
January 1 to June 30	July 30
July 1 to December 31	January 30

Programs completing the final year of their grant must submit a final FFR that is cumulative over the entire grant period. This FFR is due 90 days after the close of the grant.

VIII. FEDERAL FINANCIAL REPORTS (FFRs) – EXPENDITURES/APR - SEP AND OCT - MAR.

Recipients with budget periods starting in April or October paid through HHS/PMS must submit the Standard Form 425, Federal Financial Report (FFR), semi-annually, from the start date of the award, to report the status of all funds. FFRs must report expenses on a cumulative basis over the performance period of the grant and be submitted according to the following schedule:

<i>Period Covering:</i>	<i>Report Due:</i>
April 1 - September 30	October 30
October 1 - March 30	April 30

Programs completing the final year of their grant must submit a final FFR that is cumulative over the entire grant period. This FFR is due 90 days after the close of the grant.

IX. FEDERAL FINANCIAL REPORTING/DISBURSEMENTS

Recipients paid through HHS/PMS will report quarterly disbursements to HHS through the HHS/PMS FFR subsystem. Recipients will report disbursements using the web-based version of the Standard Form 425, Federal Financial Report, no later than 30 days following the end of each quarter. Failure to submit this report in a timely manner may result in HHS placing the Recipient’s funds on manual hold.

X. ANNUAL PROGRESS REPORT

Recipients must prepare a full Progress report at the end of the budget period. The report must be submitted in the electronic records management system no later than 30 days after the end of the designated reporting period. Recipients must prepare and submit the Progress Report Volunteer Service Year production data elements at the end of the 2nd and 4th quarters of the budget period. These reports must be submitted in the electronic records management system no later than 30 days after the end of the designated reporting period.

XI. RECOGNITION OF FEDERAL FUNDING

When issuing statements, press releases, requests for proposals, bid solicitations, annual reports and other documents describing projects or programs funded in whole or in part with CNCS funds, the Recipient receiving such CNCS funds, including but not limited to recipients that are state and local governments, shall clearly state: (1) the percentage of the

total cost of the program which will be financed with CNCS funds, and (2) the dollar amount of CNCS funds for the project or program.

XII. AUTHORITIES OF PROGRAM OFFICER/PORTFOLIO MANAGER/ GRANTS OFFICER

A designated official of the appropriate CNCS State Program Officer (e.g., Program Officer), or CNCS Regional Office (e.g., Portfolio Manager - PM), as well as a CNCS Grants Officer, are listed on the face page of the recipient's Notice of Grant Award (NGA). The designation official has full authority to represent CNCS in connection with management of the technical aspects and programmatic performance of the grant award. However, the Grants Officer may make changes to the grant award terms and conditions, estimated costs, and periods of performance.

XIII. PROHIBITION ON USE OF PROGRAM GRANT FUNDS

As specified in 42 U.S.C. § 5043(c) and 45 C.F.R. § 2553.91, while charging time to a Retired Senior Volunteer Program, accumulating service, or training hours, or otherwise performing activities supported by the Retired Senior Volunteer Program or CNCS, staff and volunteers may not engage in the following activities:

A. Political activities.

1. No part of any award shall be used to finance, directly or indirectly, any activity to influence the outcome of any election to public office, or any voter registration activity.

No project shall be conducted in a manner involving the use of funds, the provision of services, or the employment or assignment of personnel in a matter supporting or resulting in the identification of such project with:

- a. Any partisan or nonpartisan political activity associated with a candidate, or contending faction or group, in an election; or
 - b. Any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any such election; or
 - c. Any voter registration activity, except that voter registration applications and nonpartisan voter registration information may be made available to the public at the premises of the sponsor. But in making registration applications and nonpartisan voter registration information available, employees of the sponsor shall not express preferences or seek to influence decisions concerning any candidate, political party, election issue, or voting decision.
2. Notwithstanding 42 U.S.C. § 5043(c) and 45 C.F.R. § 2553.91(a)(3), anti-lobbying language in CNCS's current appropriations legislation (like anti-lobbying language in CNCS's past appropriations legislation) prohibits recipients from using CNCS funds to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before the

Congress or any State government, State legislature or local legislature or legislative body, other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a State, local or tribal government in policymaking and administrative processes within the executive branch of that government.

- B. Non-displacement of employed workers.** An RSVP shall not perform any service or duty or engage in any activity that would otherwise be performed by an employee of the sponsor, or that would supplant the hiring of, or result in the displacement of, employees, or impair existing contracts for services.
- C. Compensation for service.** An RSVP agency or organization to which RSVP volunteers are assigned, or which operates or supervises any RSVP program shall not request or receive any compensation from RSVP volunteers or from beneficiaries for services of RSVP volunteers.
1. The regulations do not prohibit a sponsor from soliciting and accepting voluntary contributions from the community at large to meet its local support obligations under the grant or from entering into agreements with parties other than beneficiaries to support additional volunteers beyond those supported by CNCS award;
 2. A volunteer station may contribute to the financial support of the RSVP. However, this support shall not be a required precondition for a potential station to obtain RSVP services.
 3. If a volunteer station agrees to provide funds to support additional RSVP volunteers or pay for other volunteer support costs, the agreement shall be stated in a written Memorandum of Understanding. The sponsor shall withdraw services if the station's inability to provide monetary or in-kind support to the project under the Memorandum of Understanding diminishes or jeopardizes the project's financial capabilities to fulfill its obligations;
 4. Under no circumstances shall a RSVP volunteer receive a fee for service from service recipients (i.e., program beneficiaries), their legal guardians, members of their families, or friends.
- D. Labor and anti-labor activity.** The sponsor shall not use grant funds directly or indirectly to finance labor or anti-labor organizations or related activities.
- E. Fair labor standards.** A sponsor that employs laborers and mechanics for construction, alteration, or repair of facilities shall pay wages at prevailing rates as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended, 40 U.S.C. 276a.
- F. Religious activities.** Neither an RSVP volunteer nor a member of the project staff funded by CNCS shall give religious instruction, conduct worship services, or engage in any form of proselytization as part of his or her service or duties.
1. A sponsor or volunteer station may retain its independence and may continue to carry out its mission, including the definition, development, practice, and expression of its religious beliefs, provided that it does not use CNCS funds to

support any inherently religious activities, such as worship, religious instruction, or proselytization, as part of the programs or services funded. If an organization conducts such activities, the activities must be offered separately, in time or location, from the programs or services funded under this part.

- G. Nepotism.** Persons selected for project staff positions shall not be related by blood or marriage to other project staff, sponsor staff or officers, or members of the sponsor Board of Directors, unless there is written concurrence from the community group established by the sponsor under Subpart B of this part and upon prior notification and approval by CNCS.

XIV. EXTERNAL EVALUATION AND DATA COLLECTION

The Recipient must cooperate with CNCS and its evaluators in all monitoring and evaluation efforts. As part of this effort, the Recipient must collect and submit certain project data, as defined in the Progress Report Supplement (PRS) , and must provide data as requested or needed to support external evaluations.

XV. LOBBY DISCLOSURE

For grant awards exceeding \$100,000, pursuant to 31 U.S.C. 1352, the Recipient is required to file a disclosure report, Standard Form LLL, Disclosure of Lobbying Activities, at the end of any quarter, when the Recipient has paid or agreed to pay any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. The report must be submitted to the CNCS State Program Director or Senior Portfolio Manager, as appropriate.

XVI. REPORTING REQUIREMENTS

The Recipient is responsible for timely submission of periodic financial and progress reports during the project period and a final financial report at the end of the period.

- A. Financial Reports.** The recipient shall complete and submit financial reports in eGrants to report the status of all funds. The recipient must submit timely cumulative financial reports in accordance with CNCS guidelines and sections E and F, above.
- B. Final Financial Report.** A recipient must submit, in lieu of the last semi-annual financial report, a final financial report. These reports are due no later than 90 days after the end of the project period.
- C. Reporting at the Dept. of Health and Human Services/Payment Management System. (HHS/PMS)** All recipients must submit the Federal Financial Report (FFR) Cash Transactions Report on a quarterly basis to the HHS/PMS per the Electronic Funds Transfer Agreement.
- D. Progress Reports.** The recipient shall complete and submit timely progress reports, including a summary of accomplishments during the reporting period. This includes reporting on the progress to date made by the recipient for that reporting period. The report is submitted through the appropriate electronic system. Individual program guidance determines the due date for the reports.

- E. Requests for Extensions.** Each recipient must submit a financial report by the given dates. Extensions of reporting deadlines will be granted only when 1) the report cannot be furnished in a timely manner for reasons, in the determination of CNCS, which are legitimately beyond the control of the Recipient, and 2) CNCS receives a written request explaining the need for an extension before the due date of the report.

Extensions of deadlines for financial reports may only be granted by the Field Financial Management Center (FFMC), or the PM, as appropriate. Extensions of deadlines for progress reports may only be granted by the Program Office or the appropriate regional office.

- F. Other.** The recipient shall meet as necessary with the CNCS Program Officer or the PM in the appropriate regional office or with other staff or consultants designated by the CNCS Program Official to exchange views, ideas, and information concerning the project. The recipient shall submit such special reports as may be reasonably requested by CNCS.

XVII. AUDITS AND ATTESTATION REQUIREMENTS

Recipients must comply with the audit requirements set forth in Subpart F – Audit Requirements of the Uniform Guidance (2 CFR Part 200) and must comply with the timeframes established in those regulations for the submission of their audits to the Federal Audit Clearinghouse. Recipients must notify their assigned CNCS Grants Officer of each audit conducted within the timeframe of the CNCS-funded project at the time it is submitted to the Federal Audit Clearinghouse.

XVIII. MONITORING

CNCS, through its authorized representatives, has the right, at all reasonable times, to make site visits to review project accomplishments, financial and performance records, fiscal and administrative control systems, assess programmatic and fiscal compliance, and to provide such technical assistance as may be required. To the extent practicable, CNCS will notify the recipient at least two weeks in advance of any trip to the CNCS-funded project site. If CNCS makes any site visit on the premises of a recipient, the recipient must provide all reasonable access to facilities, and provide assistance to ensure the safety and convenience of government officials in the performance of their duties. All site visits and evaluations are expected to be performed in a manner designed to not unduly delay or disrupt the implementation of the project.

XIX. PROGRAM INCOME

- A. General.** Income, including fees for service earned as a direct result of the grant-funded program activities during the award period, must be retained by the Recipient and used to finance the grant's non-CNCS share.
- B. Excess Program Income.** Program income earned in excess of the amount needed to finance the Recipient share must follow the appropriate requirements of 2 CFR § 200.307(e)(1) and be deducted from total claimed costs, or with prior written approval from CNCS, the requirements of 2 CFR § 200.307(e)(2) through a budget amendment be used to enhance the program (additive process). Recipients that earn excess income must specify the amount of the excess in the comment box on the financial report.

- C. **Fees for service.** When using assistance under this grant, the Recipient may not enter into a contract for or accept fees for service performed by participants when:
1. The service benefits a for-profit entity;
 2. The service falls within the other prohibited activities set forth in statute, regulation, or these award terms and conditions.

XX. BUDGET AND PROGRAMMATIC CHANGES

- A. **Programmatic Changes.** The Recipient must obtain the prior written approval of CNCS before making changes:
1. in the scope, objectives or goals of the project, transfer of the project effort, or project timeline whether or not they involve budgetary changes;
 2. in key personnel specified in the application or the federal award;
 3. involving the disengagement from the project for more than three months, or a 25 percent reduction in time devoted to the project by the approved Project Director.
- B. **Budgetary Changes.** The recipient must obtain the prior written approval of CNCS's Field Financial Management Center (FFMC) or the designated official in the Regional Office, as appropriate, before deviating from the approved budget in any of the following ways:
1. incurring specific costs requiring prior approval before incurrence under 2 CFR § 200.407. Examples of costs requiring prior written approval before they are allowed include rearrangement and alteration costs, and pre-award costs;
 2. purchasing equipment over \$5,000 using grant funds, unless specified in the approved application and budget;
 3. the Federal awarding agency may, at its option, restrict the transfer of funds among direct cost categories or programs, functions and activities for Federal awards in which the Federal share of the project exceeds the Simplified Acquisition Threshold (currently \$250,000) and the cumulative amount of such transfers exceeds or is expected to exceed 10 percent of the total budget as last approved by the Federal awarding agency;
 4. changing in the amount of approved cost-sharing or matching provided by the non-federal entity; or
 5. including, unless waived by the federal awarding agency, costs that require prior approval for inclusion, in accordance with subpart E cost principles in 2 CFR.

- C. Authority to Make Programmatic and Budgetary Changes:** CNCS's Grants Officers and PMs are the only CNCS officials who have the authority to alter or change the programmatic and budgetary provisions or requirements of the grant. The FFMC or PM in the regional offices has authority to approve or not approve all recommended programmatic and budgetary changes. The Grants Officers in the Office of Grant Administration will execute written programmatic and budgetary changes (i.e., amendments). Therefore, recipients should not assume approvals have been granted unless they received documentation in the form of an NGA from an authorized official approving the recommended change(s). Under no circumstances may CNCS permit a transfer of funds to be used for purposes other than those consistent with the Federal appropriation of those funds.

XXI. SENIOR CORPS BRANDING

“RSVP” must be included in all references to the project. Accordingly, “RSVP” must be included in the title of the project as listed on the grant application, and in all project promotions for the duration of the project period, including, but not limited to, recruitment, recognition, and publicity.

XXII. NATIONAL SERVICE CRIMINAL HISTORY CHECK TRAINING

All grant recipients must complete CNCS's National Service Criminal History Check (NSCHC) training every year. The CNCS designated e-course provides a thorough overview of the requirements and can be found at:

<https://cncsonlinecourses.litmos.com/account/login?ReturnUrl=%2fhome%2fcourse%2f325500%3fr%3dFalse%26ts%3d63658973%25200256389711.&r=False&ts=63658973%200256389711> unless otherwise notified by CNCS. Each grant recipient must identify at

minimum one staff person who has some responsibility for NSCHC compliance to fulfill this requirement on behalf of the grant recipient. The grant recipient must retain the certificate of completion and assign staff to retake the course annually prior to the expiration of the certificate. Grant recipients must save certificates of completion from each year as grant records.